



Northern Ireland  
Assembly

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

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# Assembly Members

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Beggs, Roy (East Antrim)  
Bell, Jonathan (Strangford)  
Boylan, Cathal (Newry and Armagh)  
Boyle, Ms Michaela (West Tyrone)  
Bradley, Dominic (Newry and Armagh)  
Bradley, Ms Paula (North Belfast)  
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Buchanan, Thomas (West Tyrone)  
Byrne, Joe (West Tyrone)  
Cameron, Mrs Pam (South Antrim)  
Campbell, Gregory (East Londonderry)  
Clarke, Trevor (South Antrim)  
Cochrane, Mrs Judith (East Belfast)  
Copeland, Michael (East Belfast)  
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Durkan, Mark H (Foyle)  
Easton, Alex (North Down)  
Eastwood, Colum (Foyle)  
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Farry, Dr Stephen (North Down)  
Fearon, Ms Megan (Newry and Armagh)  
Flanagan, Phil (Fermanagh and South Tyrone)  
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Sheehan, Pat (West Belfast)  
Spratt, Jimmy (South Belfast)  
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Sugden, Ms Claire (East Londonderry) (*from 6 May 2014*)  
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# Official Report (Hansard)



# Assembly Sitings



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# Northern Ireland Assembly

Tuesday 6 May 2014

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Allister:** On a point of order, Mr Speaker. Is it in order to ask whether there is any indication from the First Minister of —

**Mr Speaker:** Order. The Member should really take his seat.

**Mr Allister:** The Speaker has not heard what I wish to say.

**Mr Speaker:** Order. I worry where the Member might be going. I will check the Member. He should not challenge the authority of the Chair. That is where it rests.

**Mr Allister:** Further to that point of order, Mr Speaker. Is it in order to be challenged before one has articulated the point? Surely you must hear the point before you can arbitrate on the point. I want to ask this: will the First Minister come to the House to make a statement on the sustainability of the Administration, given that his partner —

**Mr Speaker:** Order.

**Mr Allister:** — the deputy First Minister has made —

**Mr Speaker:** Order.

**Mr Allister:** — an unretracted demand —

**Mr Speaker:** Order. The Member should take his seat.

**Mr Allister:** — that the police should not prosecute godfather Adams. How can those claims be made and Mr McGuinness [*Inaudible.*] supporting the police?

**Mr Speaker:** Order. The Member is totally out of order.

**Mr Allister:** Are those not the bully-boy tactics that we have always seen from Sinn Féin?

**Mr Speaker:** Order. I am glad that I stopped the Member when I did because he is using points of order for political reasons and he is electioneering. He should stop doing that in the Chamber.

**Mr Allister:** What were you doing?

**Mr Speaker:** Order. He should stop it.

**Mr Nesbitt:** On a point of order, Mr Speaker.

**Mr Campbell:** Are you electioneering?

**Mr Nesbitt:** No, I assure the Speaker that this is a separate matter. At topical questions last Monday, the First Minister responded to my question about a freedom of information request — I am quoting Hansard — in these terms:

*"I think that the Member is a little confused about the law. He might like to look at section 35 of the legislation, where he will see what some people refer*

*to as a 'ministerial veto' that can be exercised." — [Official Report, Bound Volume 94, p260, col 2].*

The legislation in question is the Freedom of Information Act. I have checked it, but section 35 makes no reference to a ministerial veto. It is important that Hansard reflects the fact that, if any Member is confused about the law, it is not me; it is the Member for East Belfast. Section 35 of the Freedom of Information Act 2000 makes no reference to a ministerial veto. Perhaps you will seek clarification from the First Minister, Mr Speaker.

**Mr Speaker:** The Member will know that I do not comment on what Ministers might say in the House. I believe that the Member should take up what the First Minister said previously in the House directly with him. I know that the Member was keen to get that on the record; it is now on the record.

**Mr Campbell:** Last Tuesday, during Question Time, the Sinn Féin Minister of Culture, Arts and Leisure answered a question from my colleague Michelle McIlveen in which she queried the number of events that the Department of Culture, Arts and Leisure had introduced. The Culture Minister used the phrase:

*"I have brought the City of Culture". — [Official Report, Bound Volume 94, p302, col 1].*

She said that she had done so along with her Executive colleagues. Mr Speaker, as you will know, the United Kingdom City of Culture bid was made in 2009 and accepted in 2010. In July 2010, Londonderry was declared the UK City of Culture, whereas the Minister of Culture, Arts and Leisure, who declared that she had brought that award, was not appointed until May 2011.

**Mr Speaker:** Once again, the Member has his remarks on the record.

**Mr McNarry:** On a point of order, Mr Speaker.

**Mr Speaker:** Quite a number of Members want to get remarks on the record this morning, for whatever reason. I will take a point of order from Mr McNarry, and then I will move on.

**Mr McNarry:** Thank you, Mr Speaker. You will be aware that I placed in your office for consideration a matter of the day —

**Mr Speaker:** Order. I am going to say something about that, Mr McNarry, this morning.

**Mr McNarry:** May I ask then, since I am on my feet, and given that you are being very indulgent to everybody this

morning, Mr Speaker, that, after your comments, I might be able to say something?

**Mr Speaker:** The Member will know that, when it comes to the Speaker's decisions, they are final. I have made my decision on the two matters of the day that were received in the Business Office this morning. If the Member will be patient, I want to say something before the business of the day on the judgement that I made on the two matters of the day. I think that that is important.

### New Assembly Member: Ms Claire Sugden

**Mr Speaker:** I have been informed by the Chief Electoral Officer that Ms Claire Sugden has been returned as a Member of the Assembly for the East Londonderry constituency to fill the vacancy resulting from the death of Mr David McClarty. This morning, Ms Sugden signed the Roll of Membership, in my presence and that of the Clerk of the Assembly, and entered her designation. Ms Sugden has taken her seat. I welcome her to the Assembly and wish her every success in the Northern Ireland Assembly.

### Standards of Debate

**Mr Speaker:** Before we move on to the business of the day, I want to make some remarks about the situation in the Chamber last Tuesday. I do not intend to take any points of order on this issue this morning. Members will be aware that I expect them to treat one another with courtesy, good temper and moderation when they are in the House. Last Tuesday, some unfortunate remarks were made in the Chamber on both sides of the House. I remind Members that they should respect the standards of debate that are here to protect the dignity of the Chamber and to avoid making comments of a personal or offensive nature. Some Members believe, when they rise in their place to speak, that the only way that they can get their point over is by being offensive to other Members. That should stop.

I consider last week's remarks closed, but I am increasingly concerned about the number of remarks that are being made and conversations that are taking place from a sedentary position. This is a debating Chamber. Members should not expect to be heard in complete silence, but a number of Members constantly conduct their private chats to the point of making it impossible for the Chair or anyone else to hear what the Member on their feet is saying. The Deputy Speakers and I will now be keeping an eye on that, and Members who continually talk disturbingly when other Members have the Floor may find that they might not be called to speak in such debates in the Chamber. A number of Members continually speak from a sedentary position in the Chamber, for whatever reason — I cannot understand why. I repeat: if Members continually do that, they will not be called to make a contribution on any debate in the Chamber for some time. Elections to other bodies will be taking place in the next few weeks, but Members still have a job of work to do in this Chamber. Elections to other places or other events are not a reason for standards in the House to be allowed to fall.

### Matters of the Day

**Mr Speaker:** Finally, I want to say something about matters of the day, which Mr McNarry tried to raise in a point of order. Two matters of the day were tabled this morning on events over the past few days that I have not accepted. Members know that my ruling is final and that it is not in order to challenge any decisions. I fully understand that there are issues that Members may wish to discuss in the Chamber. However, Members will also be aware that matters of the day are very restricted procedures that allow only a series of short remarks rather than a fuller debate. I also remind Members that, some years ago, I made a very specific ruling on the nature of issues to be raised under matters of the day. If Members wish to debate any issue under a more appropriate procedural mechanism, they can consult the Business Office for advice. That is what I say to Members on all sides of the House: there are other procedures that Members can use to get business into the House. Members continually try to use matters of the day for political rather than procedural reasons. Members will know that matters of the day are very important issues; they are set very much to allow Members to raise issues of a very important but procedural nature. That is very important. I keep saying continually in the House that Members on all sides should not use matters of the day for political reasons, to attack another political party, or, equally importantly, to comment on an issue that a Minister has raised in or outside the House. That is not how matters of the day were ever framed by the Committee on Procedures. We really should move on this morning.

**Mr McNarry:** On a point of order, Mr Speaker.

**Mr Speaker:** If it is a point of order on the issue that I raised, I will not take it. The Member needs to think very carefully about the point of order that he raises. I said at the start that, on all the issues that I am going to speak on this morning and all the events, I will be taking no points of order when I finish. If it is a matter totally different from what I have been talking about this morning, I am very happy to take it.

**Mr McNarry:** Without relating to the scurrilous remarks of the deputy First Minister about the PSNI —

**Mr Speaker:** Order.

**Mr McNarry:** — and on hearing what you have said —

**Mr Speaker:** Order. The Member really should take his seat.

**Mr McNarry:** On hearing what you said, including the use of the word "protocol" —

**Mr Speaker:** Order. I have made my ruling. The Member is a long-standing Member of the House; he understands procedures and Standing Orders in and around all these issues.

**Mr McNarry:** It is because I understand that I am asking the question —

**Mr Speaker:** Order.

**Mr McNarry:** — of whether it is right —

**Mr Speaker:** Order.

**Mr McNarry:** — to defend the right of Members to have that right.

**Mr Speaker:** Order. I operate an open-door policy. Members should really come to talk to me about these issues, but I advise —

**Mr McNarry:** You were not here this morning.

**Mr Speaker:** Order. The Member is coming very close to challenging the authority of the Chair. He needs to be very careful. I ask the Member to go to the Business Office to get advice on procedural issues. Please do not come into the House and challenge the authority of the Speaker or the Chair. We really should move on this morning.

**Mr Campbell:** Is everybody happy now?

**Mr Speaker:** Order.

## Private Members' Business

### Cancer Drugs: Funding

**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 in which 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 D McIlveen:** I beg to move

*That this Assembly notes with concern the difficulties faced by patients obtaining funding for cancer drugs; further notes with concern the varying policy positions throughout the UK and Ireland regarding the accessibility of cancer drugs; and calls on the Minister of Health, Social Services and Public Safety to undertake a review into the practices in Northern Ireland to provide greater clarity for patients trying to obtain funding for cancer drugs.*

I welcome the opportunity to propose the motion this morning. Hopefully, in light of the past 15 minutes, this is something that the whole House can unite around. I am very conscious that it is an issue that affects many of us within our constituencies and among our families and friends. I also want to thank the Business Committee for facilitating this motion this morning. It is probably right to mention that, at the stage that the motion was facilitated, none of us was aware that the House was going to be touched by this terrible disease. Again, I pay tribute to our lost friend and colleague Mr David McClarty who succumbed to this dreaded disease.

### 10.45 am

We can be inspired by those who are suffering from cancer and fight against the disease in a very brave and courageous way. I think that it is fair to say that none of us is untouched by the disease. I am sure that all of us can think of a relative, friend or someone very close to us who has been taken by this awful disease. It is very important that we ensure that we always keep the families of those who are affected by this illness at the front of our minds.

Of course, we accept that there are budgetary constraints. There are a number of issues and pressures on our Department of Health, Social Services and Public Safety at the moment. I also have to accept that, even purely by virtue of an ageing population that is living longer, largely as a result of the high level of medical care that we now receive, there has been a considerable rise in the number of diagnoses of cancer and the number of patients who are suffering from it. I also acknowledge that, every year in Northern Ireland, somewhere in the region of £40 million is spent on funding for cancer drugs. That is to be welcomed, and I think that we can take tremendous encouragement from the fact that such a considerable slice of the budget is given to cancer medications.

However, as I mentioned in the wording of the motion, the criteria for being able to obtain these cancer drugs varies from jurisdiction to jurisdiction. That causes concern to our patients in Northern Ireland who will look to other jurisdictions and say, "Well, if I lived in Scotland, England or the Republic of Ireland, I would have been able to get access to this". Of course, I am quite sure that there are



patients in Scotland and England who look to Northern Ireland and say, "We could get in Northern Ireland something that we cannot get here". However, I believe that that variance causes added stress and burdens to those patients and their families.

The pressure and immense strain that the terrible diagnosis of cancer puts on the individual and their family cannot be overestimated in any way. When people come to us, as elected representatives, or go to their consultants wanting to see something that will prolong their life, cure their condition or enhance their quality of life, that pressure is weighing heavily upon them. We have to be sympathetic to that. We have to try to work with such patients as closely as we can.

We also have to look at those who, at times, take matters into their own hands to try to raise funds and so on for their conditions. We can think of Stephen Sutton, a young man with terminal cancer who has raised over £3 million from his hospital bed. He was moved in such a way as to do that, and we can draw great inspiration from people like that. In the past 24 hours, we have had the Belfast marathon. I know that a number of those who ran in the marathon yesterday were seeking to raise funds for Cancer Research and other very worthy causes around this issue. The public has bought into this. The public is very moved with compassion towards patients who find themselves with this dreaded and cruel illness and disease that has cut short so many lives far too early.

So, in this motion, I want to raise two issues, and I am sure that, as the debate broadens out, others will want to raise others. The first issue that I want to raise is around the cancer fund that is available in England. I enquire from the Minister: are there any plans to introduce a similar fund in Northern Ireland that patients can avail themselves of over here? I come back on that around the criteria issue because, although I acknowledge the £40 million a year that is spent on cancer funding, there are also very tight criteria around it. I will speak about that in relation to a specific patient, with his permission, in just a moment's time.

The other issue that I want to touch on is around hospital pharmacy. I believe that there is an issue where there is a very risk averse culture in hospital pharmacy when it comes to the prescribing and administration of a number of these medications.

This issue was really highlighted to me by a constituent, a gentleman who had a very rare form of blood cancer. I say, respectfully, that he would go from month to month getting blood transfusions, and, a couple of times, I met him just a week before he was due to get his next transfusion. It was almost as though his blood transfusion was recharging a battery, so, when he came to the week leading up to it, his energy was completely gone. He was constantly cold in the middle of summer and would come into my office with a heavy coat on because he was so cold. When he got his transfusion, it improved his condition greatly.

There was a drug available that, although not proven effective by the National Institute for Health and Care Excellence (NICE) in the United Kingdom to use for his condition, had been proven in other jurisdictions that it would help his condition. Initially, he asked for funding through his consultant, and the Department said no because it had not been NICE-approved. The pharmaceutical company then offered a free course of

the treatment on the understanding that, if it worked, the Department would pick up the bill to continue the treatment. This too was turned down. The pharmaceutical company came back and said that it would give him four courses of the treatment with no strings attached. That seemed almost to be the answer to our prayers on this issue. However, the pharmacy in the hospital refused to sign off on it, even though it was four courses of no-strings-attached treatment of this particular drug. It was only with the intervention of the Chief Pharmacist, who I pay tribute to and who is in the House for this debate, that, eventually, we got this matter addressed and hospital pharmacy signed off on it.

I described this man, his condition and how ill and weak he was. This man, towards the tail end of last year, gave me the best Christmas present that I, as an elected representative, could ever have asked for. It was in the form of this email, where he said:

*"Dear David,*

*A further update on my lenalidomide journey. I have now completed my four cycles. I was not very well from side effects at the beginning, but these subsided during the fourth cycle, and the drug started working in my favour. I have not required transfusion since February, and my haemoglobin level has reached lower normal limits for the first time in seven years. As a consequence, funding has been approved for one year. Angela, who is my wife, is treating me to a cruise on the Danube for my 70th birthday in June, so I am looking forward to that."*

I do not want us to lose sight of the human story behind all these statistics, and, therefore, I encourage the Minister to take on view the points that have been raised this morning. I look forward to hearing how the debate will widen out.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to speak on this motion this morning. It is a particularly important and emotive issue for many. We heard from the proposer of the motion about the very human aspect to this debate. The motion calls for a review into practices in the North to provide greater clarity for patients who are trying to obtain funding for cancer drugs. I fully support that. Currently, 38 drugs are available in England, Scotland and Wales that are not available in the North, and, currently, a patient needs to make a case that their cancer is exceptional to access these drugs. That is a particularly difficult scenario for many patients who are going through the trauma that is cancer.

Access to cancer drugs should not simply be because of postcode. People should have access to effective drugs, regardless of where they live, what hospital they attend or what kind of cancer they have. There has been increased focus on prevention and early detection, which is very welcome. Sadly, however, the reality remains that one person in three will develop cancer. The statistics are stark: each year, 8,700 people will receive a diagnosis of cancer and 4,100 will die from cancer.

The news is not all bad, however, and it is good that cancer survival rates have doubled in the past 40 years. However, our survival rates here still lag behind those in comparable countries. That is a fact that we need to challenge.

Access to new drugs must form part of the discussion and debate on equitable access to new treatments for people with cancer. However, that is not all of the debate. We need a long-term, sustainable strategy that provides access to clinically effective treatments for everyone who needs them. Groups such as Macmillan and Cancer Focus have welcomed plans for value-based pricing but have equally expressed concerns that that work has, in effect, come to an end. Along with the cancer drugs fund in England, it has received only short-term funding, thereby not allowing for a sustainable long-term approach.

It has been suggested that changes that are being introduced in Scotland may offer an alternative route. That is a new system for drugs that is based on patient and clinical engagement, which is a critical aspect of this debate. I appeal today to the Minister to engage with his Scottish counterparts and with the Scottish Medicines Consortium to seek evidence of how that is working and progressing.

We need increased funding for cancer drugs. However, we need to focus this debate beyond the price of any individual drug and look at new therapies and initiatives that are required. There is also concern that the cancer drugs fund in England has created regional inequalities that simply cannot be replicated here in the North.

The cancer drugs fund does not address the root cause of why patients may be denied access to treatments. It is important, therefore, that in this debate we identify the factors that contribute to situations where drugs are deemed to be safe and clinically effective but not cost-effective. It is right that the review should gather data on the number of patients in the North who are not receiving a cancer drug that their clinicians want to use to treat their illness.

People should also know how to apply for certain drugs and, if their application is rejected, where they should turn. I support the motion. I think that it is appropriate —

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

**Ms Maeve McLaughlin:** I think that it is appropriate that we review current practices in the North of Ireland to ensure equality and access to treatments.

**Mr McKinney:** I welcome the opportunity to take part in this debate, and I am in favour of the motion, although I would, as I will explain, like to see it go further.

The motion is a particularly important one and, to many, an emotive one, but it is fundamentally about inequality. Let me spell it out: 39 cancer drugs are not readily available here that are available in the UK. The SDLP has been campaigning on this issue for months. Along the way, we met cancer charities, clinicians and, most importantly, cancer patients who are being denied access to drugs.

Those are drugs that could lengthen their lives, sometimes by up to three years. It is therefore extremely distressing for them when they discover that if you live in Bristol you will receive the drug, but if you live in Belfast or Bangor you will not. Extending your life for three years, when your prospects are very limited and down to months, is not just life-lengthening; that is life-saving.

**11.00 am**

The individual funding request (IFR) mechanism currently in place for drugs that are not readily available through

NICE is inherently flawed. In fact, it is skewed towards inequality. It operates using an exceptionality clause. That means that a cancer sufferer must prove that their strain of illness is unique and different from everybody else's. For the vast majority of cancer sufferers, that will be impossible to do, and, as a result, they will be denied a life-extending drug. We discovered, through meeting with charities and cancer sufferers, that the IFR mechanism was not designed for its current purpose. That system, which decides which cancer sufferers can get a drug or not, was designed primarily for cosmetic surgery. That speaks for itself.

**Mr McCarthy:** I am grateful to the Member for giving way. Does he agree that it is almost ironic that we here in Northern Ireland, which has produced pioneers in diagnosis and medicines for cancer, suffer because we are in Northern Ireland, and we cannot have access to those drugs that we make?

**Mr Speaker:** The Member has a minute added on to his time.

**Mr McKinney:** Thank you. I welcome the intervention. It is a point that I will expand on in just a moment.

In England, as we are aware, a cancer drugs fund (CDF) is in operation that provides direct access for cancer sufferers to cancer drugs. In Scotland, just this month, the peer-approved clinical system has been put in place. That has replaced the IFR model and the clear inequalities in access that it was producing. In Wales, the All Wales Medicines Strategy Group is in place to appraise medicines before NICE. Consequently, that, too, improves access for cancer patients. However, a recent study by Bristol University uncovered that cancer sufferers in England are seven times more likely to receive the drug than those in Wales. There are varying journeys towards greater access to cancer drugs in the UK. We, however, are not yet at the starting line. When the SDLP has asked the Minister about that inequality, he has deflected it by bringing up the viability of the IFR process or even the issue of prescription charges or welfare reform.

The Rarer Cancers Foundation and others have undertaken research about the cost of a CDF model here. It ranges between £5 million and £6 million. That is significantly less than the amounts needed in England, and it is feasible, we argue, if the Minister wants it to be. It is also important to note that, due to sophisticated molecular testing, improved diagnosis is available. Clinicians are available to accurately pinpoint which drug will work for a particular individual. So a cancer drugs fund model will cost more but will be much more refined and accurate than initially imagined.

I will touch on my colleague's intervention. One of the major ironies is the difference between Northern Ireland and the rest of the UK in access to cancer drugs. We have one of the most decorated and capable cancer research traditions here in Belfast. Our cancer centre is doing great work and must be commended. However, we are developing, testing, and producing those drugs here, trialling them here on the people of Northern Ireland and, after that process, many of those drugs will not be available here. It is an appalling inconsistency and one that the Minister must address. What is the point of all of that research and development if individuals cannot get the drugs at the end of that journey?



At this point I would like to commend the work of many who have helped in campaigning on the issue. Charities such as Cancer Focus NI, Action Cancer and Macmillan Cancer Support have all helped. I also note the cancer sufferers who have assisted — people such as Allister Murphy, Una Crudden and Brian Withers. Those are all individuals waiting on a drug that is available to those elsewhere. Not one of the arguments that have been put forward by campaigners has been successfully rebuffed by the Health Minister, who has instead, as I have said, sought to drag in issues of prescription charges or welfare reform. Essentially, those in favour have won the argument. The Minister must act and act now.

The Minister has only one option and that is to say yes. The weight of the argument for a cancer drugs fund model is much too strong to be delayed further by a review, further analysis or delay. Cancer sufferers do not need a process; they need an answer. Patients should not take no for an answer, the public will not take no for an answer, and neither will we in the SDLP.

Finally, Mr Speaker, one of those who I mentioned is now on a trip. It was on his bucket list. You know what a bucket list is; it is a list of what people want to do and achieve before they die. Although he would not say it, I know inherently what he wants. He wants, on his bucket list —

**Mr Speaker:** Bring your remarks to a close.

**Mr McKinney:** — a cancer drugs fund or a model that others can benefit from after he dies.

**Mr Beggs:** I, too, pay tribute to the many different charities that have carried out lobbying in this area and highlighted the difficulties that their members and friends are experiencing. I found particularly useful a gathering last week that was organised by Cancer Focus, which facilitated discussions around a cancer fund, along with senior medical experts and clinicians working in the field of cancer treatment.

Northern Ireland has developed its new cancer centre, and it has been responsible for significant improvements in outcomes locally. In conjunction with the centre, cutting-edge research and trials have been happening in Northern Ireland. However, the limitation of specialist drugs limits the ability to carry out some of those trials. We risk being left behind by other regions. So, it is essential that such a fund is developed, not only to help those who may be suffering from a particular form of cancer that needs specialist drugs but so that we can continue to improve outcomes for everyone in Northern Ireland.

As was said earlier, one third of us can expect to have cancer. Sadly, that proportion is increasing. With increased life expectancy, the increasing likelihood is that more of us will develop some form of cancer. It is very evident that we need to do more to keep pace with developments in healthcare in this area.

As others have said, England has its cancer fund, of about £200 million a year, and Scotland has recently developed its own new system. However, we are left with the individual funding request — IFR; a very limiting process, the conditions of which significantly reduce the likelihood of clinicians enabling their patients to access some of those specialist drugs. The condition must be unusual or the circumstances rare; one that is likely to occur very infrequently. Treatment requests for newer, developing

treatments are not normally commissioned or funded by the health board, or the treatment may be commissioned only in different circumstances. So, there are very limiting circumstances.

The danger, of course, is that fewer and fewer clinicians will apply because of recognition of poor outcomes from their applications. The care of patients will therefore suffer. As I said, Scotland has developed and, just this month, is bringing into action its peer approved clinical system, which is expected to increase the availability of specialist drugs.

In December 2011, the Assembly had a similar debate, calling for the Minister to review the creation of a cancer drugs fund. What has happened since then? I have learnt that some individuals who need some of those specialist drugs have been forced to move to England to qualify for treatment. That is unacceptable. From talking to cancer clinicians, I am aware that it is not just about the drugs but about the ream of policies around the drugs. I learned recently that the waiting room in the Belfast City Hospital cancer centre is, on occasion, standing-room only. We need more facilities. I have also learned that, if the fund was introduced, we could take time to train additional staff to be able to administer the scheme and train specialist nurses etc. Again, what has happened in that regard?

Northern Ireland has fallen behind in research and we need to ensure that we are at the forefront again. It is also about scans and testing. Recently, Manuel Salto-Tellez, professor of molecular pathology, highlighted that it is about personalised treatment and identifying which patient will benefit from which specialist drugs. We need to invest more in testing, so that the right patient gets the right drug at the right time. For years, the DUP has told us that the healthcare budget settlement is adequate. If so, why has a cancer fund not been established in Northern Ireland since December 2011, when there was clear support for it? I understand that Northern Ireland used to have the highest per capita funding in health in the UK —

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

**Mr Beggs:** — reflecting need. What is the situation now? Have we dropped down that league scale? Clearly, we need to improve a wide range of services, including the provision of specialist cancer drugs, to improve the health of our community.

**Mr McCarthy:** As others have said, this is a very serious issue. I thank Mr McIlveen, Mr Wells and their colleagues for getting it on to the Order Paper, and on behalf of all our constituents, I hope that, as a result of today's debate, strident improvements can and will be made in the very near future. Indeed, there are other illnesses in Northern Ireland that suffer from the same lack of funding and difficulties. I can think of one at the moment, and I am sure that all our MLAs are being requested to do something on behalf of MS sufferers. We are not talking about just cancer services; a lot of people with other illnesses are in the same boat.

Along with other MLAs, I had the privilege of sharing a few hours last week in the presence of some very highly professional people working at the coalface and dealing with cancer patients, and they see the total inequality for us in Northern Ireland regarding specialist drugs. Therefore, it is vital that a complete overhaul of the current process to fund life-extending cancer medicines is initiated

at an early date. I am glad to see that our Minister is with us today. Hopefully, he will take in what is being said.

At present, around 10,000 people in Northern Ireland are diagnosed with cancer each year. As has already been said, we in Northern Ireland do not have the cancer drugs fund that operates across the water in England. As I understand it, the British Prime Minister has pledged another £400 million of Government money to keep that fund going for the benefit of patients living in England.

Our Assembly and our Health Department, under the leadership of our Health Minister, must surely acknowledge that our current system is simply not giving our patients in Northern Ireland the equality of access to those cancer drugs that happens in other parts of the UK and the Republic. We must seek a commitment from the Assembly and the Executive to replace the prohibitive individual funding request process and its exceptionality clause with a new model, possibly like Scotland, which gives patients in need the best access to the treatment and the medicines that they desperately need and ensures that additional funding is available to see enhanced access to the medicines that they require.

Our gathering last week heard from the professionals that, as we know, Northern Ireland has already contributed a lot to the field of cancer research, clinical trials and new treatments. As a matter of fact, some of the medicines available on the cancer drugs fund list in England were developed and trialled at home here in Northern Ireland. But guess what? They are still not available to our patients at home. Surely that cannot be right. We need the same rights for cancer patients here to access these drugs as in England and Scotland.

We also heard about article 2 of the European Cancer Patient's Bill of Rights, which received support from MEPs across the parties. It calls for timely access to appropriate treatment and care for every patient in the EU, and that includes rapid access to the latest innovations in diagnosis and treatment. Once again, patients from here are losing out. Surely it is the duty of the Assembly to rectify that anomaly.

As at 20 March 2014 — less than two months ago — 39 medicines were available through the cancer drugs fund in England that were not available here. That simply cannot be justified. The Assembly must get behind the efforts of Cancer Focus Northern Ireland and other organisations to campaign for better and easier access to those life-saving drugs. We have a very active all-party group here in Stormont, and everyone is working to ensure that there is better access to those drugs. However, we need the support of our Health Department if we are to achieve better outcomes for all our patients.

In conclusion, it is extremely worrying to see that the number of cancer patients is increasing, despite the enormous strides and successes in services and treatments that are available, particularly at our regional cancer centre, as other Members have said. Surely we must look at ways in which to prevent the disease in the first place.

#### 11.15 am

On behalf of the Alliance Party, I wish to commend everyone working to overcome the disease, particularly all the volunteers up and down the country who fundraise to enable more research to be done. I particularly commend —

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

**Mr McCarthy:** — the volunteers, staff and customers of and donators to the Portaferry Cancer Research shop, ReNew, which, in three short years, raised £100,000 to help with research.

**Mr Speaker:** The Member's time is gone.

**Mr McCarthy:** I support the motion.

**Mrs Cameron:** As a member of the Health Committee, and on behalf of my constituents, I am pleased to support the motion. The dreadful effect of cancer has been felt by almost every family here in Northern Ireland, and it is right that the Assembly continues to devote time to dealing with the subject. People diagnosed with cancer have the right to expect that they will have access to the most effective treatments available. As progress is made in the research and manufacture of new drugs, it is imperative that we find ways of ensuring that cancer sufferers can avail themselves of those treatments. We have excellent health professionals, but we must ensure that we equip them with the correct tools to ensure that people have the best chance possible of defeating the disease and achieving positive life outcomes.

Recently, we have seen a number of campaigns to raise money for cancer charities, from "selfies" to "thumbs up". These have raised enormous funds to allow research to develop and continue, as well as allowing charities to provide practical and emotional support to patients and their families. This question needs to be asked: how are those diagnosed with cancer able to access the specialist cancer drugs developed in recent years? If the funding is not there, how can those drugs and treatments be availed of?

I am particularly worried to hear that a drug to help in the treatment of ovarian cancer is not utilised here in Northern Ireland. That drug is Avastin, which could extend considerably the life of terminally ill patients. Ovarian cancer is a silent killer. It often has no symptoms, and there is no routine test that women can avail themselves of. Thanks to the profile of Jade Goody, for example, there is heightened awareness of cervical cancer and smear tests. However, ovarian cancer is often overlooked and confused with cervical cancer. Far too many women think that a smear test can pick up ovarian cancer, but it will not. Often, ovarian cancer is not diagnosed until it is too far advanced. We know that, for the best outcome, we need to diagnose and treat cancers as soon as possible, so women with ovarian cancer are often disadvantaged from the outset. Of course we recognise that there are many forms of cancer, but I would like to use ovarian cancer as an example today. I am grateful to Target Ovarian Cancer for the information that it provided.

For a drug to be routinely used in Northern Ireland, it must be approved by NICE. In the past two years, the National Institute for Health and Care Excellence has rejected NHS access to the drug Avastin for the treatment of ovarian cancer in the following situations: for treating women with newly diagnosed ovarian cancer; and for treating the first recurrence of ovarian cancer in women who are platinum sensitive — that is to say that a recurrence occurred some 12 months or more after the first treatment with platinum — and have not previously received Avastin. Northern Ireland follows the treatment guidance produced by NICE. Consequently, Avastin is not routinely available on the

NHS. Clinicians can submit an individual patient treatment request. However, they are clear that those —

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

**Mrs Cameron:** I will.

**Mr McKinney:** Thank you for allowing me time. Does the Member agree that, in England, the process can point to an alternative? NICE says that there is an alternative, which is the CDF, but that alternative is not available here. When clinicians and the system say, "We are following NICE guidelines", they are not, because there is an alternative in England but not here.

**Mr Speaker:** The Member will have a minute added to her time.

**Mrs Cameron:** Thank you, Mr Speaker. I thank the Member for his contribution.

We know that Avastin is not routinely available on the NHS but that an individual patient treatment request can be submitted. However, the NHS is clear that such requests will be rejected, as women are not exceptional cases because Avastin could benefit a larger group of women. Consequently, no women are being treated, other than a couple who started their treatment in England, funded by the cancer drugs fund, and who are completing it now under the patient access scheme with a pharmaceutical company that has access to the drug.

I have been incredibly impressed and moved by the courage of cancer sufferers who refuse to give in and spend their days campaigning to raise awareness and to encourage fellow sufferers. I hope that the Assembly will do more, however, than offer just words of comfort. I hope that it will seriously consider how it can provide the much-needed cancer drugs and how best to fund the provision of new and effective treatments.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I also support the motion.

David McIlveen referred to the tragic and untimely death of David McClarty to cancer, and I take this opportunity to offer my sympathy to his family. As someone who lost his wife to cancer 25 years ago, I fully appreciate the effects that it can have on not only the immediate but the extended family. I am grateful that there have been great advances in the treatment of cancer, but a lot more needs to be done. I suppose that that is why the motion is before us today.

Members mentioned the fact that over 30 life-extending cancer drugs are available to patients living in England via the cancer drugs fund, which are not available here, because there is no equivalent of the cancer drugs fund in the North. Cancer Focus has been concerned for some time that cancer patients here are being denied access to life-extending drugs that are available in England and will soon be available in Scotland.

The current situation disadvantages cancer patients twice. They are unable to access certain drugs, which means that they are unable to be entered into clinical trials that look at the next generation of drugs. The targeting of new drugs via molecular testing to predict the effectiveness of drugs on patients, which is personalised medicine, must be a key part of the solution. Clinical trials produce substantial savings to the drugs budget through subsidising drugs for cancer patients. The present inability to access the latest

cancer drugs is having a detrimental impact on clinical trials in Belfast, and it is worth noting that a lot of the research and development of cancer drugs has happened in the North.

Macmillan Cancer Support has been campaigning for fairer access to effective drug treatments for people with cancer. It believes that people should get equal access to effective drugs, regardless of where they live, what hospital they attend and what kind of cancer they have. Access to new treatments and therapies needs to be a permanent challenge to our health services, as new radiotherapy, chemotherapy and surgery options become available. Access to new drugs must form part but not all of the debate around equitable access to new treatments for people with cancer.

Macmillan wants a long-term, sustainable solution that provides access to clinically effective treatments for everyone who needs them, and it has welcomed plans for value-based pricing. Macmillan is concerned, however, that this work seems to have come to an abrupt end, with the cancer drugs fund in England receiving short-term funding that will take it just past the next election. It believes that the improvements to the existing system could ensure fair access to effective medicines.

It would also welcome increased funding for cancer drugs in the North to improve access through the current system, but it feels that we should be debating more than cancer drugs alone. The focus of the debate needs to be broadened beyond the price of any individual drug and also look at new therapies and initiatives, including radiotherapy, surgery and screening, while factoring in the knock-on effect on existing services.

There are concerns that the cancer drugs fund in England — this has already been mentioned — has created new regional inequalities that we do not want to be replicated here. Kieran McCarthy referred to article 2 of the European Cancer Patient's Bill of Rights, and cancer patients in the North are being denied potentially beneficial treatments that are available in Britain. We need to open this debate and investigate ways in which we can, in a cost-effective manner, achieve the best outcomes for patients in the North.

Macmillan would also want any investigation to start with an understanding of the different needs for drugs for end-of-life and rarer cancers, issues that would not be solved by having a cancer drugs fund. It would like the Assembly to identify the factors that contribute to situations whereby drugs are deemed to be safe and clinically effective but are not cost-effective and how that can be addressed. It wants to gather data on the number of patients in the North who are not receiving a cancer drug and to improve transparency throughout the system. Patients and health professionals need far greater understanding of how the system works. People should know how to apply for certain drugs and what they can do if initial applications are rejected. The process for making an individual funding request to the Health and Social Care Board IFR panel needs to be made even more transparent to ensure that the system remains credible in the eyes of the public.

I am sure that the Minister will take on board what has been said in this very important debate.

**Mr Dunne:** I, too, welcome the opportunity to speak on the motion, which concerns a very important matter that affects many people across Northern Ireland.

Cancer continues to be a very real problem throughout our country, and I am sure that everyone in the House has been touched by the impact of cancer through the suffering of a close friend or relative. With around 12,700 local people diagnosed each year, and over 4,000 deaths annually in Northern Ireland, cancer continues to be one of our most deadly diseases. We need to actively look at funding for cancer drugs and consider the difficulties that local patients are facing in obtaining funding for cancer treatment.

We can also learn lessons from England and Scotland, where cancer drugs funds have been developed. We need to listen to groups, organisations, professionals and patients who are at the front line in helping to fight cancer. There is clear evidence that the setting up of such funds has directly benefited thousands of patients with rare forms of cancer by giving them access to up to 39 life-extending drugs. The Assembly should continue to take cancer seriously, and I know that the Minister has made it a priority to get the best outcome for cancer sufferers and to develop work on cancer prevention and early intervention.

Over the past two years, significant improvements have been made in the timeliness of the Department's process for reviewing and endorsing NICE technology appraisals through the individual funding request system. However, difficulties remain in accessing non-NICE-approved drugs here. I appreciate that such drugs are taken at risk, but patients have to consider that risk and, with professional advice, make an assessment. They have to make a judgement and I believe that, in many cases, those who are struggling for life will take such a risk and will, on balance, proceed with such treatments, if available.

One patient I know very well is Brian Withers. His is an exceptional story. A number of Members know him, have met him and have heard his story. He has a young family, and his battle against cancer is an inspiration to us all. We all should take note of the lengths that he has gone to in order to get treatment. Fortunately, Brian was able to get advice and, through that, was able to go to England and get CyberKnife treatment, a laser-type treatment for cancer. I met him in this Building last week, and to see him out and about as a healthy man is a great testimony to what can be done through access to such treatments. I fully endorse the motion, and I think that we should be looking at such treatments and making sure that people can access them. If they are available in the rest of the UK, I believe that they should be available here.

It is regrettable that, in some cases, cancer sufferers here are unable to get access to treatments that are readily available throughout the rest of the UK and parts of the Republic of Ireland. The mainland is an interesting case study. Regional variations have developed between England, Scotland and Wales, creating a divide in cancer care. We can learn from that example. We do not want to see that happening here.

Improving access to drugs is crucial in the fight against cancer. We need to try to reduce the time required for applying for funding to access new medicines. Northern Ireland has contributed significantly to the field of cancer research through clinical trials and the development of new treatments. Some of the medicines available through the cancer drug fund list were first developed and trialled here,

but are, unfortunately, still not available to local patients, which is most unfortunate.

**11.30 am**

Therefore, I urge the Minister to give consideration to the creation of a drugs fund and to a review of practices in Northern Ireland, which would provide greater clarity for patients who are trying to obtain life-saving drugs. That would be a more effective tool in trying to reduce the impact of cancer on those who suffer from this devastating disease. I commend the motion to the House.

**Mr Rogers:** I thank the Members on the opposite Benches for bringing the motion today. I acknowledge all those who live with cancer as well as all our professionals and our hospitals who do such great work in this field. However, it is time to tackle the cancer drugs inequality that exists in Northern Ireland.

Patients here must be able to avail themselves of the medical help that they require. My SDLP colleague and party spokesman on health has repeatedly raised the issue in the Health Committee. The SDLP is appalled that, in Northern Ireland, citizens are denied access to treatments that could make a positive impact on their health outcomes. Why should that be? Surely this House must be tasked with safeguarding the health and well-being of all our constituents. We are, therefore, obligated to ensure that all available resources are used to promote good health in our population.

Access to cancer drugs has been raised with the Health Minister on a number of occasions. We have called on the Minister to address these inequalities in cancer drug treatment in Northern Ireland. The principal question in all this is why 38 cancer drugs should be available in England but not in Northern Ireland. As we have already heard from my colleague, the situation is even more troubling when we learn that some of these drugs are being developed and trialled here but are ultimately not available, even to some of those who helped in the trials. The lack of action on the provision and accessibility of cancer drugs is similar to the inaction that we witnessed on the need to review the health service adequately.

When I hear people speaking about cancer and cancer drugs, it is chilling because I have had personal experience of it. The two key areas that contributed to my recovery were early detection and expert medical care. We must always be mindful of and thankful for the expert care and medical treatment that I and many others received in our hospitals and specialised centres across the North. The dedicated and well-trained staff in our hospitals play a major role in the successful outcomes of treatment for our citizens. Recognition must be given to the exceptionally high standards of care that our National Health Service staff provide. We must recognise the substantial work that has been done in cancer research and treatment.

Colleagues, it is extremely positive that cancer survival rates have doubled over the past 40 years. That is testament to the good work carried out by our committed doctors and nurses across the North. I would not be here without them.

As legislators and public figures, we must ensure that our communities receive positive public health messages. More must be done, however, to address the more than 4,000 deaths here every year as a direct result of cancer.



The key to dealing with this is investment in early diagnosis and screening campaigns. Early diagnosis can make a huge difference to outcomes for patients. The earlier cancer can be diagnosed, the sooner the appropriate treatment can be put in place. The chance of survival is significantly higher if we can detect cancer early, but that requires those who experience the symptoms to come forward as soon as possible. I urge everyone who notices any unusual or persistent changes in their body to attend their GP and have themselves checked out. The symptoms of cancer are not always easy to spot, but indicators are often ignored.

The work being carried out by cancer charities and organisations is helping to communicate messages such as this and contributing towards a higher rate of early diagnosis. Together, we can beat cancer, but, until that day, it is important that we all look after ourselves and our families. When we receive a cancer diagnosis, we need to get the right drugs at the right time. When I hear about dealing with cancer, I realise that I was one of the lucky people.

**Mr Gardiner:** First, I thank Mr McIlveen for bringing the motion before the House. I share the experience of many other people who have lost loved ones to cancer: I lost my mother and two sisters, and I know the stress, strain and suffering that they went through. I read the following information on the Cancer Research UK website:

*“The Cancer Drugs Fund is money the Government has set aside to pay for cancer drugs that haven’t been approved by the National Institute for Health and Care Excellence ... and aren’t available within the NHS in England. This may be because the drugs haven’t been looked at yet or because NICE have said that they don’t work well enough or are not cost effective. The aim of the fund is to make it easier for people to get as much treatment as possible.*

*The Cancer Drugs Fund is for people who live in England. The governments of Scotland, Wales and Northern Ireland decide on how they spend money on health and so far haven’t decided to have a similar programme.”*

The last phrase saddened me. It said that we in Northern Ireland, just like the Administrations in Edinburgh and Cardiff, have not got our act together sufficiently to establish the best possible arrangements for patients who are suffering from hard-to-treat cancers. Devolution was supposed to make things better not drag its feet.

The fund in England is worth £200 million a year and operates over a five-year period. Again and again, I read the words, “if you live in England”, and that point is brought home to me again and again as each drug is made available in England. I ask the Minister why such a fund cannot be established here so that we can have parity with England. I know that there are financial constraints, but we must surely be spending money on things that are less of a priority.

I am concerned about the rigidity of the thinking in our Health Department. Recently, I raised the issue of having super paramedics, as they do in England and Wales, as a way of cutting our accident and emergency pressures. The answer that I got basically amounted to, “We do not

do that.” Is the answer the same on having a cancer drugs fund here?

I think that it is time that we started to look at what is happening elsewhere in the United Kingdom and try to learn from it. Minister, a cancer drugs fund would be a good place to start. I hope that we can conquer cancer in Northern Ireland through our Department and health service and that the rest of the United Kingdom and the world can learn from that.

**Mr Poots (The Minister of Health, Social Services and Public Safety):** It is good to have the opportunity to have the debate. I listened to the issues that Members raised and am grateful for the opportunity to respond to them.

I welcome the motion, and I think that it is right to have had a debate about access to cancer drugs. It is an issue that we all should have an interest in, given its importance. It is also an issue that will have touched everyone in the Chamber as they will have lost some friend or loved one through cancer. That is a certainty. Of course, that has been driven home even more during the past few weeks with the loss of our colleague David McClarty, whom Members have rightly paid tribute to.

The number of people who receive a diagnosis of cancer is rising simply because people are living longer. Access to effective treatments for the population of Northern Ireland, including access to cancer drugs and other specialist medicines, is an important priority for me and my Department.

The annual spend on cancer drugs in Northern Ireland is over £40 million, and that figure is not capped or constrained by ring-fencing. It has also increased by approximately £15 million during the past three years. That has been the level of increase during my period in office. Cancer has always been a priority for me from the first day that I came into office, and the first thing that I dealt with was the overhang of the radiotherapy unit at Altnagelvin Hospital. Mr Beggs quite rightly pointed out issues of overcrowding at the cancer unit at the Belfast City Hospital. That was precisely why I chose to go ahead with the development of the satellite radiotherapy centre at Altnagelvin Hospital against the views of the previous Minister. Had I not made that decision, we would have been hitting real problems come 2016/2017 and beyond because capacity would have been seriously affected as a consequence.

It is important that people have access to medicines that are evidence based. In Northern Ireland, we are guided by the recommendations of the National Institute for Health and Care Excellence in determining whether cancer drugs should be routinely available.

The arrangements for accessing cancer drugs in Northern Ireland are as follows: the Health and Social Care Board is responsible for the commissioning of cancer drugs in Northern Ireland; and all NICE-approved cancer drugs are available to patients in Northern Ireland and are either recurrently funded or available via a cost-per-case mechanism.

Under revised managed-entry-of-drugs arrangements that were introduced by the Health and Social Care Board from 1 April 2014, cancer drugs not approved by NICE but approved by the Scottish Medicines Consortium (SMC) will be available to patients in Northern Ireland subject to clinical approval.

For cancer drugs not approved by NICE or the SMC, the Health and Social Care Board has a clear process by which those drugs can be made available to patients by means of an individual funding request that sets out the clinical circumstances which support the request. I should clarify for the House that this was not designed for cosmetic surgery, and it is not helpful for Members to make such statements. It was designed to rule on drugs when clinical and cost-effectiveness have not previously been proven. It is a generic mechanism that has been in place for around five years. Let us not get involved in coming off with silly statements that do not stand up to scrutiny.

It should be noted that these arrangements are not restricted to cancer medicines. They also support access to other specialist medicines for patients with other serious illnesses.

The number of IFRs received by the board has increased steadily. Over the past eight months, the IFR panel has processed an average of 15 IFRs for cancer drugs each month. The IFR panel meets weekly. Outcome decisions are communicated to the requesting trust by email. In practical terms, those decisions are usually sent the next working day or, at most, within five days.

There is a very high approval rate for IFRs for cancer drugs. Recent figures provided by the Health and Social Care Board on IFRs that are specific to cancer drugs have shown that between January 2012 and March 2014, around 90% of the 281 requests were approved, and only nine requests were not supported. I have heard the claim that access —

**Mr Beggs:** Will the Minister give way?

**Mr Poots:** Yes, certainly.

**Mr Beggs:** Will the Minister acknowledge that, because of the tight conditions, there is a huge risk that many clinicians will not apply?

**Mr Poots:** I do not believe that the IFR process is perfect. I am currently in consultation with representatives from some drugs companies and, indeed, other groups to look at the issue. I am quite taken by what the Scottish Government and Parliament have been doing. They replaced their IFR-type process with a new peer-approval system, which is being led by local consultants and allows clinicians to prescribe medicines that are not accepted for routine use by the Scottish Medicines Consortium. The Scottish Government have advised that the new approach by the SMC will be in place by April 2014. The first decisions under the new approach are expected by autumn 2014. It is expected that more new medicines, including cancer drugs, will be approved for use by the SMC. Scotland also has a £20 million rare-conditions medicines fund.

For Members' information, I have had a paper sitting in the Office of the First Minister and deputy First Minister for many months that looks at establishing a similar type of fund and, in doing so, introducing a relatively small charge for prescriptions once again. Is it right that, particularly when there are those of us who could afford to pay a few pounds each year for a prescription, a small number of people are dying for the want of the drugs? The Members who are all saying to me today, “You need to produce the funding for this”, need to tell me who I am going to cut.

**11.45 am**

For example, I recently approved a new drug for the Celtic gene of cystic fibrosis —

**Mr McKinney:** Will the Minister give way?

**Mr Poots:** This is an important point; I cannot take an intervention at this moment. The drug will ensure that 23 people in Northern Ireland who have cystic fibrosis will live a full life, when years ago, it was anticipated that people with the condition would live to around 20 years of age. That breakthrough took place in Northern Ireland. Consequently, those people will live a full life, but the cost for us each year for those 23 people is just short of £4 million. We took the decision to do that because we care about people with cystic fibrosis. We care about people with heart disease; we care about people with multiple sclerosis, which was raised earlier; and we care about people with arthritis. We have reduced the waiting time for those drugs and many others in Northern Ireland. Where many other conditions are concerned, Northern Ireland is the envy of the United Kingdom. So, let us not put the message out that we deprive people of drugs. England took a decision to set up a cancer drugs fund, and, as a result of that decision, it made cuts elsewhere. I am saying that I can do it without making cuts, but will the House back me? Will the deputy First Minister let us go out to consultation on the issue?

**Mr McNarry:** I thank the Minister for giving way. I hear what he says about cuts, and I also hear what he just said about the proposal that he laid before the First Minister and deputy First Minister on, if I heard him right, the introduction of a minimum charge for a prescription. Will he expand on the greater details of his proposal? Has he costed it? Are there details on dealing with the people who he said could afford it? Has he identified the number of people who could afford it? I think that that is the most interesting comment among many that I have heard in recent times from the Minister on this issue and on the potential of introducing prescription charges for this specific issue.

**Mr Poots:** If we were to reduce the universal prescription charge to 50p, with a maximum of £25 for each year that anybody would have to pay, that would raise us tens of millions of pounds. If we were to go back to the old system, whereby 89% of prescriptions are free, and we were to charge around £3, it would raise in the high millions but not tens of millions. Those are the sort of things that we are looking at. To equate it to the English cancer drugs fund, we would need around £7 million. So, by charging £3 for each prescription for those who were originally paying for prescriptions, you would cover a cancer drugs fund. However, I would want to see it extended beyond cancer drugs to rare disease drugs, as the Scottish Parliament has referred to. That is something that I think the Assembly needs to take a decision on.

Mr McKinney blandly dismissed welfare reform in connection with this issue. It is time that the Assembly recognised that it is not always able to make easy decisions. On behalf of the people of Northern Ireland, we sometimes have to make tough decisions, and we have to explain to the public why we make tough decisions. The Member thinks that a Department that is already under some financial stress and pressure can just find £70 million to pump into welfare reform, which is what

we are doing at the minute. At this moment in time, my Department and my trusts are looking at our cost budgets for the incoming year, with £70 million taken out of them to pay for welfare reform. That is not coming from the UK Government; it is coming from the people of Northern Ireland and from the health budget.

**Mr McKinney:** I thank the Member for giving way. Will he accept that there is a principle at the centre of the cancer drugs fund argument, that the integrity of that argument should be held in that debate and that prescription charges or a welfare reform argument should not be dragged in, as those should be argued separately? Will the Member accept now, given what he said, that he has accepted in full the principle of a cancer drugs fund for Northern Ireland?

**Mr Poots:** There are so many cases that come to me — and cancer is way up there as a priority — that are life and death or are life-changing. We have to make decisions, and we have to do so on the basis of, first, our capacity and, secondly, our financial ability. That is a desperately difficult position to be in, because you can change people's lives, but if you do not have the finance to do it for everybody in every case, at some point you are going to have to make difficult decisions.

Requests to the English cancer drugs fund have to be sought at trust level before submission to the cancer drugs fund committee.

**Mr McKinney:** Will the Minister give way?

**Mr Poots:** I do not have time to give way any more. I apologise to Members.

The related protocol and criteria are very specific about the way in which a drug is to be used, and not every request is approved.

The NHS England cancer drugs fund has a centralised list of drugs that may be accessed. That list is published online and is updated regularly to provide better information on the usage of the scheme. Although the list is useful, it frequently changes to reflect approvals or non-approvals by NICE.

As treatment for cancer is based on the needs of the individual, it is not practical to simply compare a list of drugs used through the NHS England cancer drugs fund at any point in time with those that are the subject of the IFRs that we have Northern Ireland.

The NHS England cancer drugs fund is not a permanent fund. It is expected to be extended to 2016, and it will then be superseded by a new scheme. The value-based scheme will apply in Northern Ireland. That will seek to more clearly and directly link benefits of drugs to the cost.

Consideration of issues, such as those with cancer drugs, comes against the background of the limits on funding available to me, as I have pointed out. However, I am determined to explore every opportunity available to me in delivering increased access to specialist medicines and other interventions.

I have listened to the views and concerns that Members have expressed today, and, even though the IFR process in Northern Ireland supports the vast majority of requests for cancer drugs, I am instructing my Department to evaluate the effectiveness of the IFR process in meeting its objectives. I recognise that other devolved administrations are also considering their approach towards access to

specialist drugs, and I am arranging discussions with clinicians to hear directly their views on our processes and how they might be improved. I will announce the terms of reference for that evaluation shortly, and the outcome will be reported to me later this year.

I appeal to House that we move forward together on this issue, that we take a decision together on this issue and that we take a decision in the best interests of the Northern Ireland public instead of sectional interests. We should not be small-minded or petty about this.

**Mr Wells:** It is quite clear that there was a degree of unanimity in the debate. There was unanimity about the extent of the problem and that it is growing. We are living longer in Northern Ireland, and, by virtue of that fact alone, more people will develop cancer. There was unanimity on the fact that there is a difference between the availability of cancer drugs in this part of the United Kingdom and in Great Britain.

It is also worth pointing out, as Mr McIlveen stated, that £40 million is spent already on cancer drugs in Northern Ireland. So, it is not a matter of us not taking this issue seriously. That spend has grown considerably in the past three years. Equally, all Members agreed that there is huge public support for the introduction in Northern Ireland of a scheme similar to that in the rest of the UK.

Mr McIlveen brought it home to us, as did others, including Mr Dunne and Mr McKinney, by telling real-life, human stories. Many of us have heard such stories, as I have, as vice-Chair of the Health Committee. There is no doubt that we are dealing with people who are at their lowest and are facing terribly trying medical conditions. It is very difficult to say that they cannot have the same treatment as the rest of the UK.

Maeve McLaughlin, the Chair of the Committee, said that there were 30 drugs available in GB that were not available in Northern Ireland. Interestingly, some Members said that the number was 38 and some said it was 39, so I am not certain which is correct. She added that there should not be a postcode lottery.

Maeve McLaughlin was the first to mention that one in three of us will, at some stage in our lives, contract cancer. There was a variation in the numbers quoted: some quoted 10,000, and she quoted 8,300. The difference comes, I think, from the detection of non-malignant melanoma, which is included in the statistics depending on how you define that. We know that 4,000 people a year die from these conditions and that, crucially, survival rates in Northern Ireland lag behind those of other countries in Europe.

**Mr McCarthy:** I thank the Member for giving away. I go back to the Minister's response. I hear often, and it is a good thing, that people are living longer. However, it is not necessarily having more older people that is upping the number of people with cancer. I assure Members that, in my constituency, a lot of young people are diagnosed with cancer, particularly young women who come forward and go to the cancer bus and are diagnosed with breast cancer. So, it is not necessarily older people who succumb to the disease.

**Mr Wells:** I know that the Member has concerns about the situation in Strangford, but we have the benefit of statistics provided by Dr Anna Gavin, who runs the Northern Ireland

Cancer Registry, and, therefore, we have very good statistics to show that one of the main drivers of increased cancer rates in Northern Ireland is the fact that we are living longer.

Maeve McLaughlin mentioned that, when they apply for treatments and are turned down, people should have clarity as to why they were turned down.

Fearghal McKinney felt that this is a fundamental inequality. He also stated, importantly, that these drugs can increase life expectancy by up to three years, which, of course, if you have cancer, is extremely important. He noted the fact that Scotland had replaced the IFR mechanism and that what we are talking about here, as far as a cancer drugs fund is concerned, is something between £5 million and £6 million. The Minister quite rightly pointed out that that is £5 million or £6 million amongst a host of other competing and very deserving demands for increased treatments. However, the extra amount of money is not as big, perhaps, as people would imagine. Mr McKinney also paid tribute to the work of the voluntary sector.

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

**Mr Wells:** I certainly will.

**Mr McKinney:** Does the Member also agree that, although we are dealing fundamentally with people with cancer and life-limiting illnesses, there is, attached to this, a world-class research and development industry that could grow as a result of us continuing to further research these drugs and make them available here? A growth curve is to be had out of this, in jobs and world-class development.

**Mr Wells:** Yes. Like many other Members, I attended the event last week, which was run by Cancer Focus Northern Ireland, where that very point was made. However, it was also stated at that event that £5 million or £6 million does not necessarily solve the problem because you have to have the training, extra staff and additional clinical trials. So, it is not simply a matter of throwing a certain amount of money into the system and the problem will be solved.

**Mr Poots:** I thank the Member for giving way. Over 1,000 people are engaged in research through Queen's University based at the Belfast City Hospital site, many of them on cancer research. I was told recently that around 1,200 people are on trial drugs that you could not otherwise afford. So, substantial research is taking place in Northern Ireland, and we are very well placed to carry out research.

**Mr Wells:** That leads me neatly to Mr Beggs's comments. He paid tribute to the work of the cancer centre at Belfast City Hospital and said that we are very much at the cutting-edge of many of these technologies. However, he also added that, at times, within the centre, there is standing room only. That was answered by the Minister, who said that the Altnagelvin facility at Londonderry would alleviate a great deal of that demand. Mr Beggs also asked why there had been, in his opinion, comparatively little progress since the debate on this issue in 2011.

Kieran McCarthy demanded equality of treatment throughout the United Kingdom, and he advocated that we look at the Scottish model, which of course is very recent. It will be interesting to see how that develops. He and Mr McKinney raised the point that it is ironical that some of these drugs are developed and tested in Northern Ireland

by our leading pharmaceutical companies but are not available to our constituents.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Member for giving way. In light of the Minister's comments on moving the situation forward through the Executive, it seems that the Minister can very easily move to active and open consultation without Executive approval, to advance the issue before us.

**Mr Wells:** First, I would have thought it highly unlikely that any Executive would stand in the way of what the Minister is trying to do and, therefore, getting it through the Executive should be a relatively quick step. Secondly, yes, I support the idea that there is a need, once that happens, for there to be consultation on an issue that affects so many people.

Pam Cameron praised the work of charities and the large amounts that they have raised. She also raised the specific issue of treatment for ovarian cancer. Of course, all Members have been very effectively lobbied by Una Crudden, who has been a leader in this campaign. She has been demanding, as have others suffering from ovarian cancer, the introduction of Avastin, which is a drug that treats that very painful and life-threatening condition.

#### 12.00 noon

Mickey Brady mentioned the issue of clinical trials, but the Minister has somewhat contradicted his point by outlining how many clinical trials are already ongoing in Northern Ireland.

Gordon Dunne quite rightly praised the campaigning role of Brian Withers, who has lobbied many Members of the Assembly through his own experience of when things can go badly wrong. When access to treatment was denied, he had the drive and got the help to access treatment and support in London, with quite remarkable results.

Seán Rogers asked why the drugs are available in England but not in Northern Ireland and outlined his personal experience. Sadly, many Members of the House have had direct experience of cancer. Their experiences are very useful, but those must have been very difficult times for all concerned. He said that survival rates have doubled in the past 40 years, which is excellent news. In the past week, we crossed another threshold in the United Kingdom: there are now more people alive 10 years after being diagnosed with cancer than those who have passed away. We are now up to 51%. It is tremendous news that all the research that has been going on, even in Northern Ireland, has produced that turnaround. However, we know that for conditions such as liver, pancreatic and lung cancer, the survival rates are stubbornly low. Indeed, in the case of pancreatic cancer, if it is not diagnosed early, the survival rate after five years is only 1%. Seán outlined the importance of early detection.

We have had a very interesting debate, and time is running on. The Minister indicated some of the enormous pressures that he is under. He quoted the drug for cystic fibrosis and the Celtic gene. I will throw another one into the mix: we have had authorisation to introduce the meningitis B vaccine. There is huge public pressure for that. If all our negotiations go smoothly, we are meant to be introducing that in October 2015. However, again, the money has to be found for all these very worthy causes. There is some merit in what the Minister said about some



mechanism to produce the funding required to meet those extremely worthy causes. For various reasons, I have had to visit my pharmacy quite a lot over the past two years, and, personally, I feel very guilty that I can walk in, on my income, and get free prescriptions. I see no reason whatsoever why I should not be asked to pay a service charge. I would be quite happy to pay that if I thought that that money was being used to fund cancer drugs or a drug for arthritis, cystic fibrosis or even meningitis B.

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr Wells:** I would happily pay my 50p. You have to look at that realistically.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes with concern the difficulties faced by patients obtaining funding for cancer drugs; further notes with concern the varying policy positions throughout the UK and Ireland regarding the accessibility of cancer drugs; and calls on the Minister of Health, Social Services and Public Safety to undertake a review into the practices in Northern Ireland to provide greater clarity for patients trying to obtain funding for cancer drugs.*

## Protestant Working-class Boys: Underachievement

**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. One amendment has been selected and published on the Marshalled List. Its proposer 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 notes the issues raised in the report produced by the Community Relations Council regarding the underachievement at GCSE of Protestant working-class boys in receipt of free school meals; notes with concern that this reinforces the conclusions of other similar reports over a number of years; further notes the positive action which the Minister of Education has taken to support other ethnic and minority groups who are underachieving; and calls on the Minister of Education to outline the specific steps his Department is taking to redress this situation and establish a meaningful sectoral body for the controlled sector to enable it to address this issue in the same manner as the Council for Catholic Maintained Schools, which has been able to tackle underachievement in the maintained sector.*

In a sense, this is a case of déjà vu. This is not the first time that a motion of this type has come before the House, and it is disturbing to note that the problem of educational underachievement among Protestant working-class boys in receipt of free school meals continues to be identified as an issue that has not gone away.

In some ways, the conclusions of the Nolan report are not new. Since 2000, reports from a range of agencies have highlighted the problem. Indeed, there has been a range of responses to those reports within and without the Chamber, and many, including those in the Department of Education, initially refused to accept that there was a problem. Others said that the problem had nothing to do with religious baggage and that educational disadvantage knew no barriers, so generic solutions had to be developed. Some said that the current educational structures were the problem, that they needed major surgery and that that would resolve the problem. Others blamed the state-sponsored 11-plus. Some said that poor leadership and poor teaching in controlled schools were to blame. Those were the issues. Social and religious segregation, poor parenting, low parental and community aspirations for education, paramilitary activity and, of course, the legacy of the Troubles — the scourge on our society that we have seen in recent days — were wheeled out at various stages to account for the problem.

As each report was published, the debate reignited and the firmly held views of a range of participants were restated. Little innovative thinking has been brought to the debate. So may I say at the outset that the purpose of the motion is not to restate the old shibboleths of the past but to acknowledge a number of realities and try to inject some fresh thinking into the debate on a problem that has been around for too long. Strange as it may seem, the purpose is not even to castigate the Minister

and his party for their efforts, even though they have held the education portfolio for a long time. I accept that educational underachievement is not just a problem in the Protestant community. As the Minister stated in his press release on the report, in 2011-12, the numbers leaving school with five GCSEs at grade A to C were roughly the same in both communities — 1,151 Protestants and 1,552 Roman Catholics.

Educational underachievement does not recognise religious labels. I know that parties from all sides of the Chamber are concerned to ensure that our children are supported in whatever way they need to be to optimise the opportunities afforded to them by our schooling system. We all know that that will require continuous improvement in the system and generic policies that will improve the future life chances of our children. Of course, different parties will have a differing emphasis on what is important, but I hope that the operation and activities of the Education Committee have proven and shown that it is possible to achieve a consensus on many of the issues in the interests of our children and young people.

I acknowledge that many schools in the Protestant community are doing sterling work and achieving good levels of performance for this group of young people. I pay particular tribute to the work of Ashfield Boys' High School and Belfast Boys' Model School. They achieve outcomes for young Protestant males that demonstrate that this is an issue that can be tackled positively and successfully, even in the most challenging environments of inner-city Belfast, north and east.

**Mr Humphrey:** I am grateful to the Member for giving way. He just mentioned the Boys' Model and Ashfield. Recently, I spoke to the principals of both Model schools in my constituency of North Belfast and, earlier today, to the principal of Ashfield, who is an old school friend of mine. The report produced by Paul Nolan in March angered educationalists and principals in secondary and primary schools across the city because he did not speak to the education and library board chief executive, principals or, for example, to the chief executive or chairman of the Greater Shankill Partnership in my area. The report has angered and frustrated those who work in the profession, governors, parents and, more particularly, quite frankly, the young people in those constituencies. Does the Member agree?

**Mr Speaker:** I say to Members, especially the Member who has the Floor, that he will have no added time. He gives the Floor graciously, but interventions should be short; they should not be statements.

**Mr Storey:** I am disappointed to hear that that is the case. I want to come on to more elements of the Nolan report. We can accept that underachievement is important. It does not reside in a single community, and there is a need to ensure that generic policies are in place to bring about improvement for all.

What Nolan has done is to remind us, rather starkly, that the performance of the group of young Protestant males in receipt of free school meals is concerning. As the report highlights, it is on a par with Traveller children. No matter how well we are doing from a system and policy improvement perspective, there remains a specific issue that needs to be addressed.

The Minister knows that it is unlikely that I would speak in today's debate without being critical of his performance

during his tenure. However, I want to set that in the context of being constructive. From time to time in the House, there is much talk about the importance of equality: the state of being equal, especially in status, rights and opportunity. It seems that that is one of the most important issues of the day. The balance between rights and responsibilities concerns us all as legislators. At the heart of the debate is an inequality. It is an important issue, and the Minister needs to respond to it in that specific context.

In the 1980s, the Standing Advisory Commission on Human Rights produced a report that highlighted, among other issues, a major problem with the performance of the Catholic maintained sector. Some of the issues in the report were systematic, but some related specifically to the educational outcomes of the Catholic sector. As a result, the direct rule Minister of the day established the Council for Catholic Maintained Schools (CCMS) to provide additional support to the Catholic sector and to resolve the problem. The sector still had to access all the services of the boards, but, since 1989, millions of pounds have been given to the sector via the CCMS to bring about improvement. When you look at how the sector now performs, the result of that initiative is clear in the Nolan report. Recently, the Education Committee conducted an inquiry into the Education and Training Inspectorate (ETI). I was impressed by the officers from the CCMS, who described how they were able to give additional support to their sector to prepare for and deal with inspections. They received help from the boards, but, in addition, they had support from CCMS staff, who were able to focus on the needs of a school.

When the integrated sector and the Irish-medium sector were developing, they were given protection in legislation, which put a statutory obligation on the Department to promote and facilitate those sectors. Some may argue about whether the Department has been supportive, but it is clear that the sectors have been aided by that protection. When an issue with the Travelling community was highlighted some years ago, the previous Minister instigated and launched a working party, which set up a regional service for Travellers to deal with that specific issue. From an equality point of view, those were positive actions. They did not replace the generic policies or resources of the system but were additional measures to deal with a specific problem. We require the same actions to tackle this problem.

The problem is further compounded by the way in which the education structures have developed. We have three bodies in the system that are avowedly partisan in their promotion of a particular brand of education. When I met representatives of the integrated sector, for example, they openly talked about their vision for their brand of schools, and they promoted those schools. Indeed, they launched a document in this Building last week. The same is true of the Catholic and Irish-medium sectors. That is not the case when it comes to the way in which the education and library boards protect, promote and facilitate the controlled sector.

There is much more that we could say. Unfortunately, my time is coming to an end, but much more needs to be said about this issue. The plea to the Minister today is this: for the controlled sector, let us have the establishment of a meaningful body — not a paper exercise, a diversion or something seen as being on the outside — with teeth to

make sure that it has the confidence of its community to provide for working-class Protestant boys.

I understand that —

**Mr Speaker:** The Member should bring his remarks to a close.

**Mr Storey:** — in May and June, the three main Protestant Churches will debate the issue at their synods and general assemblies.

**Mr Speaker:** The Member's time has gone.

**Mr Storey:** The issue is of the utmost importance, and the Minister needs to address it.

12.15 pm

**Ms Maeve McLaughlin:** I beg to move the following amendment:

*Leave out all after "Community Relations Council" and insert:*

*"which once again sets out the close correlation between socio-economic background and exam success; further notes that the most significant divisions in education are based on gender and class and that it is the interplay between these which drives inequality; calls on the Minister of Education to work with all concerned to abolish the inequities in the education system designed to produce further inequality and to continue to take measures for all those who are underachieving regardless of class, creed or ethnic background; and further calls on the Minister of Education to set out the further steps his Department can take, including the establishment of a meaningful sectoral support body for the controlled sector as set out in the Education Bill, to support Protestant working-class boys who are not achieving their full potential."*

Go raibh maith agat, a Cheann Comhairle. I rise, as a member of the Education Committee, in support of the amendment. The amendment clearly sets out the close correlation between socio-economic background and exam success. It notes that the most significant divisions in education are based on gender and class and that it is that interplay that drives inequality. I agree with the proposer of the motion that inequality and equality are central to this debate. The amendment calls for a meaningful sectoral support body for the controlled sector, as in the Education and Skills Authority (ESA), to support Protestant working-class boys who are not achieving their full potential.

Whilst maintained secondary schools receive more funding due to pupil numbers, controlled secondary schools receive more than maintained secondary schools in the current year. In September 2012, a working group was set up to establish a sectoral support body. We see a plethora of additional funding being made available to target underachievement through frameworks such as Delivering Social Change and area learning communities. A key area of the common funding scheme is targeting social need through the allocation of the additional £10 million of funding that has been agreed.

It is with interest that I note that the DUP is now beginning to talk about the needs of the controlled sector. Although I welcome that, it is a change of approach. Throughout all

the years of the ESA negotiations, the DUP was interested only in representing the role of the grammar sector.

**Mr Storey:** On a point of order, Mr Speaker. If the Member wants to put that as a factual statement, I am quite happy to provide to the House information to show that it is neither true nor warranted. It is a slant on the truth, which is nothing new from the party opposite.

**Mr Speaker:** The Member has it on the record. Let us move on.

**Ms Maeve McLaughlin:** Go raibh maith agat. I thank the Member for his intervention and say this to him: go ahead with that proposal. It is worth noting that, in the debate in the Chamber on 15 October 2012, only one Member from the opposite Benches mentioned Protestant working-class boys; that is on the record now. Members from the opposite Benches were more interested in the Bill's Irish language provisions than what it would do to raise educational attainment for Protestant working-class boys.

When the Minister announced his plans to reform the schools funding formula to target the additional support that is required by those in greatest need, including Protestant working-class boys, he was condemned by the DUP. The Education Bill provided for a sectoral body for the controlled sector. There is reference to a representational and advocacy role; working with schools in the sector to develop and maintain the collective ethos of the sector; and working with the ESA to raise educational standards. In fact, it was up and running in preparation for the introduction of the ESA. If the DUP wants to know why there is no sectoral body, the answer is simple: they have failed to deliver on the ESA.

Nevertheless, I am glad that the DUP is finally beginning to accept the link between social disadvantage and poor educational attainment and that it must be broken in whatever community it exists. *[Interruption.]*

**Mr Speaker:** Order.

**Ms Maeve McLaughlin:** The peace monitoring report highlighted the huge gaps and disparity in educational outcomes amongst different groups of young people, including those from disadvantaged backgrounds. Its findings should come as no surprise. Our education system continues to fail too many people. It is a fact that of a cohort of 1,151 Protestant young people entitled to free school meals who left school in 2011-12, 853 did not attain the benchmark of five or more GCSEs at grade A to C. That represents 74.1% of that cohort. The figure was 61.5% of the Catholic group.

So, while we have a system that works for some and not for all and which still tells children at 11 that they are a failure, it will continue to see generations of young people looking at a cycle of deprivation. The proposals of social and economic selection must stop, and the proponents of such a scheme must start accepting responsibility for all its outcomes, especially the outcomes for working-class children.

**Mr McKinney:** I welcome the opportunity to speak in this debate today. I support the motion as amended. The Community Relations Council's report unearthed educational underachievement, and it is why it is vital to heed the findings and to collectively learn from them and collectively do something about them.

We have experienced this before. As has been said in the debate, around 30% of pupils with free school meal entitlement achieved five GCSEs at grades A to C, including English and maths. The amendment is quite right to say that there are inequalities at play, and socio-economic background is one of the strongest predictors of academic performance. As we know, there are a range of other indications, such as parental qualifications, the home learning environment, high levels of absenteeism and issues around male literacy. As Mr Storey mentioned, there are other factors at play such as low aspiration, legacy issues and mental illness, among others.

There is also clear evidence that early intervention can make a big difference. Intervening at a young age has a great effect on educational outcomes, and this is one area that we believe that the Minister should be actively involved in and trying to promote in order to stem problems before they become bigger.

Classroom teaching is another area for possible improvement to address issues around socio-economic inequalities and differences. Classroom teaching has the biggest impact on student outcomes, but a chief inspector's report recently pointed out that, in 60% of post-primary lessons, the quality of teaching was not very good or better.

We want to know whether the Minister is serious about tackling this issue. We cannot agree with the amendment. There is concern that broadening the scope of the original motion is avoiding the issue, so I throw down a challenge to the Minister. Recently, he made announcements around a number of schools in south Belfast, including Knockbreda and Newtownbreda. Those two schools recently had plenty of parents who turned up for meetings to discuss the plans that the Minister has had. In those meetings, there was real energy about wanting improvement in their schools and wanting to better issues for their pupils.

There is an opportunity. If you like, the Minister has a new sheet. I know that there is a legal challenge, but, from the Minister's perspective, there is a new sheet. There is room for him to really do something based on what the amendment is talking about to do with socio-economic background and inequalities.

What is the Minister going to do about liaising with other Departments and improving the potential outcome for students and parents in those areas? Is he liaising with the Health Department to deal with issues around mental illness? Is he liaising with other Departments around any of the issues that are affecting the better outcomes? Those are issues around low aspiration and legacy, for example.

There is a real opportunity in terms of Newtownbreda and Knockbreda for the Minister to say that the amalgamated school will be a centre of excellence and that he will tackle it. Of course, he can tackle it through the setting up of separate bodies, and Ms McLaughlin referred to her perspective of the ESA guidelines, and Mr Storey referred to his perspective. There is an opportunity here in that there are two schools that he says are underperforming and which he says could perform better. They are in areas that need wider issues addressed. Tell us what the evidence is. I have seen some of the commonly asked questions that the board put forward about those two schools. I do not see in that the commonly asked questions about what the Minister is doing to address, in the widest

possible way, in a cross-departmental way, in a way that will get to the heart of these issues and in a way —

**Mr Storey:** I thank the Member for giving way, but does he also accept that aligned to that type of approach is the necessity for a body to have the power to work on behalf of the controlled sector? As the South Eastern Education and Library Board has clearly demonstrated, that has not been the case. Until recently, the two boards were not even talking about the issue with the schools that the Member refers to.

**Mr Speaker:** The Member has an added minute.

**Mr McKinney:** I thank the Member. Whatever body we end up with will be a body that we will end up with, or we will not end up with one. However, there is an opportunity to put a down payment on what we are talking about here, which is the underachievement in particular communities. The Minister can outline to us today exactly what he is doing with those two schools and how he is going to put this, first and foremost, at top of the page as headline news that says, "I am going to tackle this issue, and I am going to tackle this issue with these schools".

I appreciate that there is a difficulty between parties and that there are bureaucratic difficulties in achieving the body. However, there is no difficulty with a Department relating to other Departments so that the Minister can say how he is going to put at the top, first and foremost, achieving the best outcome for these pupils and persuading the parents at those schools, who want to see the better outcome, that he is going to put in parenting and sporting facilities and things that will directly address and empower the people in the communities —

**Mr Speaker:** I ask the Member to bring his remarks to a close.

**Mr McKinney:** — surrounding the schools by saying that he will do everything that he can to achieve what he says he wants to.

**Mr Kinahan:** I welcome the chance to speak on the motion. However, it is not just about the failure of Protestant working-class boys — some of them, as we must not blame them all. The motion is about the failure of this institution and, in particular, the two main parties to achieve anything for the Protestant working-class boys.

We must remember today to congratulate all those schools, teachers and pupils who work so hard and who achieve and come out with quite an excellent education. However, there is nothing new in this report or in what we are being told today. It is what has existed for many years. What is lacking is action. We have plenty of strategies and excellent advice, but we seem to have a complete or continual lack of imagination about how to make things happen. That stems right back to the two parties' failure to make the Belfast Agreement work and to come up with consensus.

The failure that the motion highlights also stems from the lack of success of us here. If we had been allowed to have our amendment today, I could have gone into much more detail about the actions that could be taken.

**Mr Storey:** Will the Member give way for clarification on one point?

**Mr Kinahan:** I will give way.



**Mr Storey:** I thank the Member for giving way. He claimed not that many weeks ago that ESA not being progressed was a victory for his party. How can he then condemn us for doing something that he believes should have happened in the first place? Who got it right?

**Mr Speaker:** The Member has an added minute.

**Mr Kinahan:** Thank you very much. I am not happy at having achieved stopping anything. However, had the two parties worked together and come up with an agreed process that would have allowed us to go forward to have an ESA that worked while not creating an enormous body that was doomed to fail and that was going to get rid of the grammar and voluntary sector, it is sad that I had to stop things happening.

I will go back to my main point that what we need is action. I agree with the motion that we need to take specific steps, particularly setting up a sectoral body for the controlled schools. It is good to see both parties now working and agreeing on that. However, we also need sectoral bodies for all the other sectors: the Governing Bodies Association, the Irish and the integrated. We have got to get to a system that is even for everybody here so that everybody can thrive.

We need a new approach. We need to stop blaming the grammar schools, the voluntary schools and selection. We need to sit down and work together and find a joint way forward. We have to move away from an insular approach in places. The other day I went to the West Belfast Partnership education conference. It was fantastic, with terrific hard work, but, once again, we were concentrating on one side of the coin. We need to work it for everybody together — for Protestant and Catholic Children.

#### 12.30 pm

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

**Mr Kinahan:** I have already given way once, and I know that we are running tight on time, so I will carry on, thank you.

We need to move away from the dumbing down of education, which the amendment focuses on. A policy such as the entitlement framework seems excellent in one way, but it is so large and places so many different subjects in front of students that you cannot focus on what a student needs to do to get them the job afterwards and stop us looking at underachievement.

Too often we concentrate on GCSEs and A levels, when, in fact, it is the whole value-added approach that we must focus on. If we look at other countries, we will see that, in America, they have turnaround programmes. You can learn from them, just as we do when we look at Finland and others. We need to look for actions, not strategies. We need to have all of the Departments working together at the highest level and all in tune with where we are going, which goes back to my point about consensus and everyone working together.

We must focus on urging, encouraging and even impelling everybody to work together at local level, so I am going to focus on action zones or turnaround zones. We should concentrate on grouping the schools and communities together as well as the parents, the social and sporting clubs, the lodges, the community groups, and the Churches and their community groups. Pull them

all together, but find an inspirational leader or Tsar. Find someone who, in that area, can pull them all together, focus on the pupils there, nurture and find out what is failing. That is how we will find our way forward.

We need a total picture. You need to let the schools bid for their money. The Ulster Unionist Party has put forward the pupil premium. At the moment the common funding is being changed. It is taking money off one school for another. That is not the way forward. We need to speak more to the schools on the ground and have the schools, the boards and the Departments all looking at what is needed on the ground in those action zones and turnaround zones and actually putting events on the ground that help the children.

We should take on board the views of Professors Borooh and Knox and get schools to work together, so that it is not just shared education — which, at the moment, we seem to do very little on — but sharing both the types of school and the different religions.

There is plenty that we can do. I do not have enough time, but with today's motion, we need to concentrate on proper resourcing and proper working together, both at the Department and on the ground, and on really making sure that we have the excellence in education that everyone in this room wants.

**Mr Speaker:** Order, Members. 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 12.33 pm.*

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

#### 2.00 pm

## Oral Answers to Questions

### Employment and Learning

**Mr Deputy Speaker:** Questions 1, 3 and 13 have been withdrawn. I call Mr Jonathan Craig, who is not in his place. Therefore, I will move on. I call Ms Rosaleen McCorley, who is not in her place. I call Mr Barry McElduff, who is not in his place. I call Mrs Judith Cochrane, who is not in her place. I call Mr George Robinson, who is in his place.

#### Skills: North-west Workforce

**7. Mr G Robinson** asked the Minister for Employment and Learning what plans are in place to ensure that the workforce in the north-west will have the skillset required by future investors. (AQO 6049/11-15)

**Dr Farry (The Minister for Employment and Learning):** I thank the Member for his question and his attendance to ask it.

My Department devotes considerable resources to developing relationships with current and potential employers in the north-west and to meeting their skill needs, both short and long term. My Department has funded a liaison officer for employment and skills in Derry. A wide range of interfaces is available, helping businesses and individuals to access support to develop their skills. The Careers Service, jobs and benefits offices and the Skills Solutions Service act in various ways as portals to skills development. North West Regional College and the University of Ulster are focused on providing businesses with skilled people ready to avail themselves of employment opportunities.

The practical outworking of that approach is seen, for example, in the response to the local information and communication technology (ICT) sector's demand for new talent. Recently, I announced a pilot ICT apprenticeship scheme to recruit individuals into that growing sector in the north-west. That development seeks to build on the positive results from a similar project in Belfast, which has seen 74 ICT apprentices recruited. At present, my Department has a commitment from seven organisations, including Seagate, 360 Production and Alleycats, to take on a total of 11 apprentices.

Working with Invest NI, the Assured Skills programme is designed to attract foreign direct investment companies to Northern Ireland by assuring them that the skills they need are available. Assured Skills support is also available to encourage existing companies considering expansion.

In September 2014, the software professional course will be offered to a second cohort in the north-west. That is a Northern Ireland-wide initiative, which will see 250 non-ICT graduates upskilled to allow them to work proficiently in ICT roles.

**Mr G Robinson:** I thank the Minister for his very detailed answer. Will he undertake to ensure that emphasis is placed on emerging technologies, as that would be a

growing and valuable asset for students in the future labour market, particularly those in the north-west, where we have lost so many jobs in the past few years?

**Dr Farry:** I very much endorse the comments that the Member makes. We are well aware of the potential for growth in the Northern Ireland economy as a whole over the coming decade. We are equally aware that there is potential in a number of key sectors, including the ICT sector. Already, the north-west has a presence in that regard. Seagate is a major employer in that part of the world, and, indeed, a major asset to Northern Ireland, and one that is seeking to further entrench its position in our economy and to develop its research and development capacity. There are other companies as well.

It is important that our colleges and universities respond to the challenge and that we invest heavily in additional places to facilitate that. I am keen to highlight the importance of higher level apprenticeships as a means to addressing the needs of the ICT sector. That is why I was so keen to make reference to the fact that we are developing a pilot specifically in the north-west.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. What opportunities does the Minister see for retraining employees at the Driver and Vehicle Agency (DVA) offices in Coleraine?

**Dr Farry:** First of all, there is the potential for the reallocation of those staff elsewhere in the public sector. Efforts are under way, outwith my own direct responsibilities, in that regard.

More generally, we will always seek to respond to the needs of individuals and employers. We will be mindful, in the event of people being made redundant, of how we can facilitate them when it comes to retraining. Obviously we want to take note of opportunities that exist elsewhere in the economy and to give good careers advice to see how those skills can be transferred and what additional programmes, if appropriate, can be put in place to help people in that situation.

**Mr Byrne:** Will the Minister outline the tracking system in place to keep a record of those who are not in employment, training or education? What progress is being made to develop a rural university network for the west, and can the South West College maybe help with that?

**Dr Farry:** Those two questions are probably slightly off topic. Nonetheless, with regard to the tracking system for NEETs, we are developing a unique learner number that, in the first instance, will allow individuals to be better tracked in programmes that my Department currently offers. In due course, we want to see that applied right across the education system, including our schools. In that way, we will be able to much better map progression for our young people.

With reference to the Member's second point about a rural university, as he described it, one of the projects within the higher education strategy — project 10 — is designed to facilitate a university centre within the further education (FE) offering across Northern Ireland. Both the South West College and the Southern Regional College have expressed interest in that regard, and my officials are in discussions with them to see how we can develop a model that will provide more ready access to university courses in rural settings in Northern Ireland.

**Mr Swann:** Future investors in the north-west will be certainly focused around Project Kelvin and the new enterprise zone in Coleraine. Will the Minister's Department be able to react quickly enough to ensure that the skill set is in place for future young people to meet those job demands?

**Dr Farry:** I thank the Member for his question. There is always a trade-off to be struck between what you would term speculative training in anticipation of jobs that may be created in due course and responding to situations as we find them. If we jump too early and sometimes get it wrong, there is always the danger of criticism from MLAs and, indeed, the Audit Office in relation to the inefficient use of public resources. If we leave things too late, there is always the danger of missing out on opportunities or not fully developing opportunities that may arise.

Nonetheless, we are very mindful that the ICT sector is a sure bet in that regard. We have seen evidence of significant growth in the past number of years, and the projections are that that is set to grow even faster over the coming years, particularly in the context of a lower level of corporation tax. That is why we are placing such emphasis on growing the number of university places, developing a higher level of apprenticeships in ICT and the provision of the conversion courses for non-IT graduates to transfer and to have very lucrative careers in a very important sector for our economy.

## Education and Skills

8. **Mr Maskey** asked the Minister for Employment and Learning for an update on his recent meeting with the Minister for Education and Skills. (AQO 6050/11-15)

**Dr Farry:** During our most recent meeting, I discussed with Minister Quinn a number of areas where there could be greater cross-border collaboration. We discussed the issue of student flows and, whilst recognising that a growth in student mobility in general is beneficial, we noted that there are current imbalances that need to be addressed. My officials are currently working with colleagues in the South on a study researching student flows.

It was agreed that there is a particular issue with further education in the Derry and Donegal area that requires particular attention. It would appear that a lack of provision at certain levels in Donegal may be a contributing factor. We agreed that my officials will collate and share relevant information with their counterparts in the Department of Education and Skills as a first step and will explore ways to address the imbalance, including looking at alternative funding opportunities.

Work to address potential barriers to higher education student mobility in both directions is being taken forward, and a system is now in place to address the financial needs of students.

The issue of A-level equivalences is a contributing factor to the low number of Northern Ireland students considering higher education in the South. The Irish Universities Association continues to consider the position at a strategic level. However, a number of universities are considering interim measures to attract Northern Ireland students. Ruairi Quinn and I have agreed that an interim paper on cross-border further education issues should be

prepared for consideration by Ministers in a North/South ministerial context in June.

I will continue to meet Minister Quinn to discuss progress, and my officials will continue to work closely with our counterparts in the South on those and other cross-border issues.

**Mr Maskey:** Go raibh maith agat arís, a LeasCheann Comhairle. I thank the Minister for his response. Has he given any consideration to, or made any assessment of, the opportunities presented by the McAleese scholarships at Dublin City University (DCU) to encourage more students from the North to travel to the South for further education?

**Dr Farry:** I thank the Member for his supplementary. I very much welcome the initiative of the McAleese scholarships. In the absence of a formal policy approach across the board from the Irish Universities Association, individual universities are taking action to progress the issue. I think that a number of them are conscious that they have very few students from Northern Ireland and that, in particular, the existing students tend to be concentrated in Dublin. By implication, some of the other universities have very small numbers of students from Northern Ireland. So the McAleese scholarships are an important initiative. They also send a wider signal to the rest of the sector and reflect some of the good work happening at Trinity and university college Galway.

**Mr Campbell:** As the economies in both countries, Northern Ireland and the Republic, pick up at different levels, what communication and discussion will the Minister have with his counterpart in the Irish Republic so that, if a particular skill set or skill base is here but the jobs are in, for example, the greater Dublin area, more advantage can be taken of that skills base, even though the employment might be required in the Republic?

**Dr Farry:** I thank the Member for his question. We have discussed how we can utilise existing skills bases and develop further specialisms on a cross-border or all-island basis to facilitate the creation of jobs in both jurisdictions. We are living in a fast-changing economic situation. We know that the level of development and cooperation on those matters across the border is probably seriously underdeveloped. The same applies to, for example, research, where there is considerable potential for collaboration between Northern and Southern universities.

I am hopeful that our groundbreaking announcement in December about North/South cooperation on research will provide us with a platform. We also need to look proactively at Horizon 2020. Having a good foundation for collaboration is important in accessing bids. There is a lot that we can do to the benefit of each of our economies through collaboration on skills and research.

**Mr Kinahan:** In light of what the Minister just told us, what grouping of people does he take with him to these meetings? How many from the Department of Education does that include? How often do you meet and link with the Minister so that rather than just you talking to the Education and Skills Minister, our Education Minister is included?

**Dr Farry:** As the Member will appreciate, my Department is not part of the formal North/South ministerial structures. There is a wider debate to be had on those, and that

has been out there for quite some time. Regardless of the particular structures, I am more than happy to collaborate further on a North/South and bilateral basis with my colleague. Ministerial meetings happen frequently. Officials, including those at senior level, also meet frequently. I compare notes with my colleague the Minister of Education, John O'Dowd. Indeed, the last meeting that we had with Ruairi Quinn coincided with a more formal meeting between John O'Dowd and Ruairi Quinn, so we are all in the same building at the same time.

2.15 pm

## Consultants: DEL Spend

9. **Mr McGlone** asked the Minister for Employment and Learning to outline the cost of consultants used by his Department since May 2011. (AQO 6051/11-15)

**Dr Farry:** Between May 2011 and 31 December 2013, my Department and its non-departmental public bodies spent a total of £420,000 on consultancy fees. This level of expenditure is approximately 0.02% of the Department's annual resource budget. Of this, 57% — £240,000 — relates to expenditure by the Department, and 43% — £179,000 — relates to expenditure incurred by the non-departmental public bodies.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra chuimsitheach sin. I thank the Minister for his comprehensive response and for the percentages. What is he doing to limit that cost, given future departmental expenditure limits being imposed?

**Dr Farry:** The Member is probably aware that, Executive-wide, protocols have been in place for a number of months, if not longer, for the authorisation of consultancies, so there are more checks and balances. Consulting needs to be considered on its own merits in each case. At times, the use of consultants can be of benefit to ensure that we have a much more robust policymaking foundation.

If we get policymaking right, that will ensure, down the line, that we are more efficient in the use of other resources, and the public stand to benefit from that. At times, I appreciate that people can be cynical about the use of consultancy. However, if people step back and look at individual cases, they will see that it makes a real difference to outcomes.

**Mr Nesbitt:** I thank the Minister for his answers to date. Does he take a view as to whether it is better to employ external consultants on a tender basis, or would he prefer a contractual relationship of the nature that the Strategic Investment Board has recently developed with its external consultants?

**Dr Farry:** I thank the Member for his question. I suspect that he is trying to lead me in a certain direction. Let me address the question in this way: a decision has to be made in a particular area as to what is the most appropriate means by which one would engage consultants. Normally, it is through a tender process. Occasionally, if a particular set of expertise has been identified, there may be strong reasons for engaging in a single tender action. It is very much horses for courses, and it is incumbent on senior departmental officials and, ultimately, Ministers, to ensure that proper consideration is given to value for money and

that there is a strong business case and rationale for the employment of consultants.

## Autism: Jobs/Project ABLE

10. **Mr P Ramsey** asked the Minister for Employment and Learning what support his Department offers young people diagnosed with autism who are entering the job market. (AQO 6052/11-15)

12. **Mrs Cameron** asked the Minister for Employment and Learning, in light of his Department's commitment to the implementation of the Northern Ireland autism strategy, what assurances he can give that his Department will urgently address the critical need for a regional roll-out of the Autism Building Links to Employment service. (AQO 6054/11-15)

**Dr Farry:** Mr Deputy Speaker, with your permission, I wish to group questions 10 and 12 and request an additional minute to answer.

My Department provides a range of programmes, services, advice and guidance to assist people with a full range of disabilities, including young people who are diagnosed with autism. The Careers Service has partnership agreements in place with post-primary schools, including special schools. Those agreements allow careers advisers, in consultation with schools, the opportunity to help people to realise their career aspirations and to achieve their full potential in education, training and employment. This includes those with autism.

The Department's Training for Success programme is one option that is considered by a careers adviser, at this stage, but only after parental or guardian consent. Should this be the case, a young person will be referred to a disability support provider. This process aims to ensure that specific learning and development support needs are identified and put in place as soon as possible after commencement of training.

My Department's disability employment service also has a number of specialist disability employment programmes, including Work Connect, Access to Work and Workable. Through those programmes, and in conjunction with the local disability sector, the Department provides valuable support to people with autism who are looking to find and retain employment. The programmes are also a means to encourage employers to provide opportunities for people with autism to engage in work.

Work Connect and Workable are delivered by a strong consortium of disability organisations: Supported Employment Solutions. That includes the Orchardville Society and NOW, two local organisations that specialise in helping and supporting people with autism and Asperger's syndrome. Those two organisations have worked in partnership to deliver Project ABLE — the autism building links to employment initiative — which was funded through the Big Lottery Fund until this year. My officials have good working relationships with the respective organisations.

Through its European unit and the Disability Employment Service, my Department provides financial support to enable both organisations to deliver similar projects under the auspices of the European social fund. With the next call for European social fund applications due in autumn 2014, I am confident that my Department will continue to



work with and support those organisations and others who deliver employment services to people with disabilities, including those who specialise in helping people with autism to progress towards and to move into the world of work.

I hope that my Department's financial commitments will be augmented with matched funding from other public bodies, as this must be a collective effort on behalf of all those who have signed up to the autism strategy. We are also devising a disability employment strategy for Northern Ireland, which we will consult on later in the year.

**Mr P Ramsey:** I welcome the detailed response to my question. In light of the fact that, as is generally known, a person with a learning disability is four times less likely to secure work in Northern Ireland, what efforts are being made or what motivation is being given to the parents of children with autism in order that they can assist them to prepare for the workplace?

**Dr Farry:** I thank the Member for his question and acknowledge his long-standing interest in campaigning in this area. First, it is important that we recognise the role of parents as key advisers in future decision making. Careers advice, particularly for those who are making transitions, is available. It is something that we are further reviewing as part of the wider careers review that we launched at the end of March this year.

It is also important that we encourage employers to offer up opportunities for people with a range of disabilities. It is important to stress that many people with disabilities can play a full and active role in the workplace. In particular, many people with autism can play an enhanced role in the workplace. They often bring enhanced employability skills through things such as attention to detail, reliability, punctuality and a tight attention to their work. A lot of testimonials from employers have stressed the real added value that has been found in employing people with autism. It is important that that message be passed on among employers in Northern Ireland and that we encourage more of them to step forward. That will be one of the key components of the forthcoming disability employment strategy.

**Mr Deputy Speaker:** Mrs Pam Cameron would have been called to ask a supplementary question, but she is not her place. I call Mr Sammy Douglas.

**Mr Douglas:** I thank the Minister for his answers so far. He will be aware of the difficulties that young people with autism in particular experience when they leave school in trying to get a job. Can the Minister give us an update on the percentage of young people who are unemployed who have autism or Asperger's syndrome? Secondly, would he be willing to visit groups in east Belfast that work with those young people?

**Dr Farry:** I cannot give the Member a precise figure off the top of my head, although people will be aware of the general profile of autism among young people in general, and we can take it as read that that figure will be higher among the subsection of those young people who are unemployed. That highlights the importance of work in this area in order that we can ensure that we are offering opportunities and fully utilising the skills of those young people.

As for activity in east Belfast, I highlight the new intervention from Specialisterne NI, which was launched in the Skainos Centre on 9 April. It works with young people to create opportunities in the ICT sector, which is one area where people with autism have a particular aptitude and ability to provide real added value to the world of work.

A number of other projects and organisations that I previously mentioned also work in east Belfast as well as other places in Northern Ireland, so we have a good footprint in the community and voluntary sector. What is important is that they come forward with good projects and, in turn, that the Government look to support them into the future.

**Mr Swann:** In his answer, the Minister mentioned the use of the European social fund. Has his Department anything in place should it fail to be successful in that funding or if it should be in a position in which it could not apply to the European social fund, maybe if we were no longer a part of Europe?

**Dr Farry:** I would hate to think that we would not be part of Europe and would lose the advantage that accrues to us from access to the European social fund alongside CAP, a host of other structural funds and the competitive funds; the list goes on and on. When it comes to the specifics, however, it is important that organisations give proper attention to their bids for the European social fund. It is a competitive process, and organisations will be scored against one another for what is a fixed budget. Nevertheless, that budget will, at the very least, be at the same scale as in previous rounds, so there will be a wealth of opportunities.

In the event that an organisation is unsuccessful, there will be other calls under different programmes. For example, we have had a call for the collaboration and innovation fund under Pathways to Success, the Executive's NEEtS strategy. A number of organisations that are maybe funded for one project under the European social fund will have sought funds under that programme as well, so there are other funding sources. For sure, the European social fund is a major commitment from the European Union to Northern Ireland which, in turn, allows us to create a wealth of opportunities for people, whether in apprenticeships, youth training or through the social inclusion agenda.

### KPL Contracts: DEL Support

11. **Mr Ó hOisín** asked the Minister for Employment and Learning to outline the support his Department has offered to staff at KPL Contracts following the recent closure of the company. (AQO 6053/11-15)

**Dr Farry:** I am saddened by this closure and its impact on the employees of KPL. In order to support them at this time, my officials provided a redundancy advice service clinic on 26 February in partnership with a range of organisations, including the Social Security Agency, Invest NI, Her Majesty's Revenue and Customs, Citizens Advice and the Careers Service, to offer a tailored package of support. Advice has been given on alternative job opportunities, mentoring, access to training courses, business start-ups and careers advice, as well as a range of other issues such as benefits and taxation. In response to feedback from KPL employees who attended the clinic, my officials also ran a job club on 16 April in Dungiven

to provide more intensive support and information to individuals in a small group setting.

Through my Department's redundancy payments service, I am committed to providing an efficient, high-quality redundancy service to KPL staff who have an entitlement to statutory redundancy and who meet the eligibility criteria for payment from the national insurance fund's statutory guarantee scheme. My officials are processing 160 redundancy applications from former KPL employees. Redundancy payments were issued to 126 former KPL employees on 25 April.

Finally, I assure you that my staff in the local jobs and benefits network will continue to deliver one-to-one support to those impacted. This includes a range of services, including assistance with job searching, writing CVs, completion of job application forms, preparation for interviews, and careers guidance or financial assistance with interview costs where necessary. Employees will also be offered full access to our programmes, including Steps to Work and the youth employment scheme.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer and for the assistance that he has given to KPL. Does he accept that, in many cases, those worst impacted by these recent closures, including at KPL, are not the staff but the subcontractors, who stand to lose the most?

**Dr Farry:** I agree with the Member's comments. Whether we are talking about this case or other similar tragic cases across Northern Ireland in recent months, there is a supply chain through which the effects filter down. Many of the services that we offer to the main employer are also available to other employees who find themselves in that situation. Anyone can call in, for example, to their local jobs and benefits office to have a discussion with a careers adviser, and we will signpost them to other support where necessary.

In particular, I encourage people who find themselves in a redundancy situation to think carefully about their further options.

I am pleased that a number of people who were made redundant from KPL have found alternative employment. That shows the effectiveness at times of the clinics that we provided. In other cases, people will need to consider opportunities for retraining. Our FE sector is there as a ready resource in that regard, and good careers advice will signpost people to the most appropriate intervention.

### 2.30 pm

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

### Zero-hours Contracts

1. **Mr Dickson** asked the Minister for Employment and Learning for an update on the consultation on zero-hours contracts in Northern Ireland. (AQT 1061/11-15)

**Dr Farry:** I thank the Member for his question. I have made it clear in both the Assembly and the Committee that I am committed to undertaking a public consultation on the potential regulation of zero-hours contracts in Northern Ireland. It is my intention that that consultation

will be released before the summer recess. In doing so, we are not seeking to necessarily ban zero-hours contracts, in that we recognise that they can offer flexibility for employers and a number of employees. However, there is, at the same time, significant concern about their use and, moreover, their abuse, and there may be a strong case for better regulation. The consultation will seek to bottom out those considerations.

It may be interesting to note that the Department for Business, Innovation and Skills in Great Britain recently concluded its consultation on a number of aspects of zero-hours contracts. It received 37,000 responses, which gives an indication of the interest in the topic.

**Mr Dickson:** Thank you, Minister. Continuing with the theme of consultation, key research was published last week in Britain. Will you comment on that and on the effects that it will have on the consultation that you will undertake here?

**Dr Farry:** The research that was published last week gave some figures for and estimates of the number of zero-hours contracts that are being deployed. It estimated that there were about 1.4 million live contracts, but that does not count those zero-hours contracts that may be dormant. That was a higher figure than that previously provided by either the labour force survey or the Chartered Institute of Personnel and Development, which used different methodologies.

We can extrapolate from those figures to Northern Ireland, and, working on the basis of around 4% of employees being on zero-hours contracts, we can see that it equates to around 28,000 contracts here. Given that we are talking about an extrapolation, that figure may be higher, but it is more likely to be less, given the different structure of our economy.

I am committed to taking forward research that is specific to Northern Ireland, because it is important that we quantify exactly what is going on in our economy. That will be a critical element of any future policy development in the area.

We also know from the research in Great Britain that zero-hours contracts tend to be more concentrated in some sectors than others, with health and social care being one such sector and tourism and hospitality another. We also know that zero-hours contracts tend to impact more on part-time workers, women and young people aged between 16 and 24. Those will all be considerations that we will want to confirm for Northern Ireland and factor in to future policy development.

### Pound in Your Pocket Survey

3. **Mr Maskey** asked the Minister for Employment and Learning for his assessment of the recent pound in your pocket survey carried out by NUS-USI, which revealed that almost one in five students is, due to financial difficulties, on the brink of dropping out of university. (AQT 1063/11-15)

**Dr Farry:** I am grateful to the Member for raising that. At times, a lot of the public debate on student finance has focused on tuition fees. Although student debt is an important consideration in whether people will seek to progress to higher education — indeed, the Executive and the Assembly were right to freeze tuition fees for local

students — we have to take into account the reality of how students live on a day-to-day basis.

We have maintenance support in the form of loans and grants, but it is clear from the survey that there are students who are struggling in that way. Hardship funds are available in universities, and students can avail themselves of those in some circumstances. Certainly, any students who find themselves in extreme situations should talk to their universities in that regard.

One issue that we should consider as part of the current careers review is how we could better pass on lessons on sound money management to young people while they are still at school. That may well be part of the wider careers advice that they receive. We can consider a number of different avenues. However, to increase the level of maintenance support, which I do recognise as an option, would involve further commitment of resources. That has to be taken in the round against other potential expenditure and costs that the Executive may well face over the coming months and years.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his response. He has responded, at least in part, to my supplementary question. The students' unions have asked the Assembly to step up the levels of support that we give to students. The Minister has referred to some aspects of that support. Is he in a position to elaborate further on the level of support that is being given or being considered? Might he give a more considered and formal response to the students' unions on the report?

**Dr Farry:** I attended the NUS-USI conference last week when that report was formally published. The Department is happy to engage with NUS-USI as a central organisation or with individual students' unions to discuss those issues in greater detail. The mechanism for taking that forward is that we have commenced a review of student finance in the Department. I want to stress that it will not stretch to the issue of tuition fees, which I regard as being a settled point of policy across all the main parties in the Chamber. However, we are prepared to look at issues around levels of maintenance support. Again, I stress that, if we feel that there is a case for increasing those levels, we will have to make a bid to the Executive for additional resources. That will have to be taken in the round by the Executive against all other pressures.

**Mr Deputy Speaker:** Mr Alastair Ross is not in his place to ask question 4.

### Skills: Technical/Engineering/Programming

5. **Mr McNarry** asked the Minister for Employment and Learning whether he accepts that we need to embed greater technical, engineering and computer programming skills far earlier for all in the current education process, given that, interestingly, today, we are debating the underachievement of Protestant working-class boys. (AQT 1065/11-15)

**Dr Farry:** I very much agree with the Member. It is important that we have a strong pipeline of young people coming forward with skills that are relevant to today's world of work. That includes employability skills and the very particular technical skills that are required to fulfil a number of jobs. My Department is looking at a number

of interventions, including the review of apprenticeships. We also have a parallel review of youth training, which we want to be aligned to the needs of the economy as well. We have also initiated, with the Department of Education, a joint review of careers. It is important that we have a system that is very much tied to the needs of the labour market.

However, we need to drill deeper and look at the reasons why certain people underachieve in the education system. That is why it is important that we have positive role models. It is important that we give a sense of purpose as to why people would want to invest in certain skills and the trajectory of their employment prospects. To put that in practical terms, for example, if someone wants to work as a mechanic, it is important that they attain their GCSE in maths in order that they can function effectively in that scenario. In an abstract sense, a young person may not understand the purpose of maths. However, if they have an interest in cars and wish to be a mechanic, we can create a virtual look back so that they understand the reasons for doing that.

How we encompass all of that is through an overarching 14-19 strategy between my Department and the Department of Education. At present, it is under discussion with the Minister of Education.

**Mr McNarry:** I thank the Minister for his positive response. I am very glad to hear that he agrees with me for the most part. Would he then accept that dividing education and skills into two Departments is a major impediment to developing young people for their future employment?

**Dr Farry:** I do not think that that necessarily follows. So, I will disappoint the Member in that we have probably reached the limit of where we are going to agree on that particular point. However, it is important that we look to the future and appreciate that there may well be some reform of Departments in due course. We regard further education and higher education as being fundamental drivers of the economy ideally sitting in a wider Department of the economy that properly integrates skills and research with our approach to developing business and attracting further investment. At present, there are protocols for collaboration and cooperation between my Department and the Department of Education. The FE sector can work with schools as part of area planning, and it is important that we properly embed that collaboration in a wider strategy for 14- to 19-year-olds.

### Student Mobility: North/South Flow

6. **Mr Flanagan** asked the Minister for Employment and Learning, in re-exploring removing barriers to North/South mobility at undergraduate level, with hope for progress on the matter in time for this year's students so that no more are failed, whether he, given the continuing difficulties in mobility and the small number of student flows, would consider establishing a team to manage a dedicated hotline to advise careers teachers, students and their parents who are seeking to explore the possibility of Southern universities and to answer specific questions on the Central Applications Office (CAO) system. (AQT 1066/11-15)

**Dr Farry:** I am happy to reassure the Member that we are giving this top priority, not least because there is a financial rationale for doing so, in that, given that the

nature of flows in respect of further education and higher education are primarily from South to North, that creates a financial pressure on our budgets. It is important that we encourage much greater flows in both directions on the island. I will, however, stress that the answer to the current problems probably lies more in the Southern jurisdiction than it does here in Northern Ireland. I hate to say this to the Member but, at times, the lead authorities in the South take a rather partitionist approach to education on the island of Ireland. For example, John O'Dowd and I have been pushing the issue around A-level equivalents for a considerable number of years. There is no immediate sign of the overarching university authorities in the South showing flexibility in that regard. It is very much through the actions of individual universities that we are making progress, but we need a wider policy if we are to properly ensure that we have good, strong flows in both directions on the island.

**Mr Deputy Speaker:** I call Mr Flanagan for a supplementary question. I encourage him to be brief.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Aontaím leis an Aire. I agree with the Minister that it is regrettable that some Southern institutions take a partitionist approach, but one of the major problems that we face in the North is access to accurate information and the fact that some careers teachers do not know how the CAO system works. So, I encourage the Minister to consider establishing a hotline that people could phone to get the information that they need to allow them to make an informed choice about where they are going to go.

**Dr Farry:** On the specifics of what the Member has said, I assure him that that is something that we will look at. He will also be pleased to note that, as part of the terms of reference between my Department and the Department of Education for the joint review of careers, the issue of North/South student mobility is a specific area that we have asked them to explore and examine. We expect recommendations in that regard later this year.

**Mr Deputy Speaker:** Lord Morrow has withdrawn his name, and Mr Copeland is not in his place.

### South West College

9. **Mr Milne** asked the Minister for Employment and Learning whether he will congratulate South West College, which has five campuses in Tyrone and Fermanagh, on its ranking of fourth out of 350 further education colleges across Britain and the North. (AQT 1069/11-15)

**Dr Farry:** Absolutely. The South West College is a huge asset to Northern Ireland. It is extremely well respected as an FE college throughout these islands. It is also worth stressing that the college has recently been inspected and has received top marks in that regard, which is virtually unheard of. Within that, it is especially important to recognise that it received a top score for its training offer. In that particular aspect of the work of colleges, it is extremely rare for that accolade to be passed on to a college. We are very keen to learn wider lessons on how the college has been so successful and apply them across our wider further education offer and the review of youth training that we are undertaking.

2.45 pm

## Enterprise, Trade and Investment

**Mr Deputy Speaker:** Questions 1, 6, 10 and 11 have been withdrawn.

### Tourism Strategy

2. **Mrs Cochrane** asked the Minister of Enterprise, Trade and Investment when the tourism strategy will be published. (AQO 6057/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The key strategic targets for tourism are contained in the Programme for Government and the economic strategy. The past couple of years have been very important for Northern Ireland tourism, and my focus has been on delivering the tourism product, major events and global marketing campaigns to ensure success and bring maximum economic benefit to the local economy. I am delighted with what has been achieved, and it is an opportune time to consider future plans. A review of the Northern Ireland Tourist Board and wider tourism structures is due to be completed by the end of this month.

**Mrs Cochrane:** I thank the Minister for her answer. I agree that action is more important, perhaps, than the strategy itself. I understand that we are well on our way to meeting the PFG targets.

With the Giro happening in the next couple of days, much of Northern Ireland has turned pink. What will be the benefits for local businesses, such as the Ballyhackamore traders, who have really embraced it?

**Mrs Foster:** Picking up on your last point about Ballyhackamore traders really embracing the Giro, a very strong point of the build-up to the Giro has been the fact that communities across the race route have got involved in the whole festival atmosphere of the build-up. Of course, they will be able to receive a tangible benefit in their businesses as a result of all of that.

There are a number of businesses locally that have been employed by the race organisers. That has covered everything from putting down tarmac in the Titanic Quarter to providing support services and health services. Those things are all being provided locally, so there is a real and tangible benefit.

The race is coming this weekend. We are all very much looking forward to it, and I welcome the fact that even Stormont has gone pink for the event.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister accept that any future tourism strategy must be more than a stand-alone document for the North and needs to include provisions for cross-border and all-Ireland potential?

**Mrs Foster:** For a start, we do work with Tourism Ireland on our promotional activities. It is always a challenge to get stand-out for Northern Ireland in global markets. That is what everybody in this House should be concerned about: the fact that our local market needs to be promoted across the world. I have been pushing Tourism Ireland in that respect and will continue to do so. I make no apology for



doing that, because I was appointed to make sure that the local tourism market gains the benefit.

If there are events happening in the Republic of Ireland that we can benefit from, of course we will work with the authorities there to take the benefit for our local market.

**Mr Storey:** In relation to major events, I congratulate the Minister and welcome the investment that she and her Department have made to secure the Northern Ireland Open Challenge golf tournament in my North Antrim constituency at Galgorm Castle. Will she give an indication of how important events such as that are to the Northern Ireland economy and what role they will play in building a strategy for success in securing major events?

**Mrs Foster:** It has been seen, particularly since our campaigning year of 2012, that events have been very much the focus of the Tourist Board. The more events of international standing that we bring in, the more we get attention in the rest of the world. I was particularly pleased to be up in Galgorm last Thursday to announce the investment in that event for the coming year. It was a very good event last year, and they are planning to build on that this year, not just with golf but by having a food festival in and around the golf event. Golf tourism is a huge part of what we do in the tourism sector. Some £22 million is invested every year by people who come to Northern Ireland because of golf. That, on its own, should let you know, Mr Deputy Speaker, why we spend a lot of our time talking about golf. It is because we have the ambassadors and the golf courses, and, therefore, we take advantage of that with our golf tourists.

Events play a key part of what we do in tourism, and they will continue to do so. *[Interruption.]*

**Mr McKinney:** I am sorry. My phone has provided a bit of an introduction.

I thank the Minister and Mr Flanagan. Does the Minister agree that a key objective of a tourism strategy should be the reduction of VAT for services provided by the hospitality sector?

**Mrs Foster:** I thank the Member for his question. On occasion, the Member's parliamentary colleague, the Member for South Down, has also raised this issue with me. It is a matter for the Treasury at Westminster because we do not have VAT powers in Northern Ireland. We believe that, if VAT were looked at, it would be beneficial to the entire tourism sector in the UK because we are at a competitive disadvantage in relation to our colleagues in the Republic of Ireland.

### Jobs: PFG Commitments

3. **Mr Irwin** asked the Minister of Enterprise, Trade and Investment for an update on the number of jobs promoted through the commitments contained in the Programme for Government 2011-15. *(AQO 6058/11-15)*

**Mrs Foster:** The most recent information available from Invest Northern Ireland is for the period to 30 September 2013, at which point the agency had promoted 17,201 jobs against the Programme for Government target of 25,000. Invest Northern Ireland is validating the most recent full-year performance information, which will include the number of jobs promoted, and it expects to be able to publish that information shortly.

During the month of April alone, Invest NI announced that its support will help to create over 2,200 new jobs. That is fantastic news for all of Northern Ireland, with jobs being created in Londonderry, Portadown, Antrim, Carrickfergus, Belfast and Tyrone. It is the direct result of the hard work and continued focus by Invest Northern Ireland, ministerial colleagues and me to promote Northern Ireland as a great location in which to invest and grow your business.

**Mr Irwin:** I thank the Minister for her response. It certainly is good to see jobs being created right across Northern Ireland. Will the Minister give an update on the number of jobs created in my constituency of Newry and Armagh?

**Mrs Foster:** As of 31 December 2013, the jobs fund had promoted a total of 316 jobs in Newry and Armagh, 250 of which have already been created. They include 31 jobs from business investment projects at various stages of development, which should lead to the creation of 249 further new jobs, 140 of which have already been created. The figures are good, but we always look to improve them, and we will do so in conjunction with firms already in Armagh and those looking to Armagh as a positive place to invest.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra chuimsitheach go nuige seo. I thank the Minister for her comprehensive reply to date. Will she provide us with some information and detail on when the jobs will be created as opposed to promoted?

**Mrs Foster:** That was raised with me last year, as the Member knows. We now have the figures for the jobs fund, which is why I was able to give figures for the jobs that it promoted and created. As you know, Invest Northern Ireland is looking at how it can do the same for international investment firms. It is somewhat difficult because we give firms a letter of offer for a particular period. During that period, they can ramp it up or down. So it is important that, at the end of the period, firms have employed the number that they said they would, but only at the end of the period. In some cases, firms ramp up quickly and, therefore, the jobs are created quickly. In other instances, we get the jobs only at the end of the period. So it is more challenging to provide information on foreign direct investment jobs. However, with the jobs fund, because questions were asked, and rightly so, about the number of jobs created as opposed to promoted, we have endeavoured to give that information.

**Mr Deputy Speaker:** I call Mr Nesbitt for a supplementary question.

**Mr Nesbitt:** I did not rise. Mr McGlone asked my supplementary question, and the Minister answered it.

**Mr Deputy Speaker:** That is one very happy Member.

### Apprenticeships

4. **Mr Gardiner** asked the Minister of Enterprise, Trade and Investment what opportunities exist for engagement between her Department and the Department for Employment and Learning in determining the number of apprenticeships to be provided in different work areas. *(AQO 6059/11-15)*

**Mrs Foster:** I have regular discussions with the Minister for Employment and Learning, including engagements

at the Executive subcommittee on the economy. My Department and Invest Northern Ireland are already working closely with DEL to support apprenticeships and the provision of future skills needs for priority sectors and markets. Invest NI's chief executive participated in the expert panel that was established to inform DEL's review of apprenticeships and youth training. In collaboration with Invest NI and employers, DEL has set up working groups to consider the specific skills required by key sectors now and in the longer term.

**Mr Gardiner:** I thank the Minister for her response. What evidence is there on the attitude of local businesses towards the skills level in the workforce? Has the Minister suggested any improvements in that respect recently?

**Mrs Foster:** When it comes to the local workforce, one of our strengths in Northern Ireland is our size. We interface with all the major sectors quite frequently, and, if any skills gaps are emerging, we are made aware of them in a timely fashion. That is what led to, for example, the software testers' academy being set up by me and the Department for Employment and Learning. We felt that there was a need to bring more software testers into the economy. That has been hugely successful, and some 95% of people who graduated from the academy had a job at the end of the apprenticeship and the end of the software testers' academy. That is very encouraging, and we will continue to keep in close contact with employers so that we understand where the skills gaps may be. In identifying those skills gaps, we need to work collaboratively to make sure that we can address those issues in the future.

**Mr Dunne:** I thank the Minister for her answers today. What is being done to encourage professional and technical apprenticeships in the public sector?

**Mrs Foster:** We can assist very much with that. We feel that there is a need to look at that whole area and to try to bring people in at an early stage to get them skilled up for work in the public sector. I attended a very interesting conference this morning in Enniskillen: Recruit and Retain is a European conference with eight partners across Europe that looks at how we can recruit people from rural areas to the public sector and to professional jobs and retain them in those areas. It was a fascinating conference, and I took a lot away from it. I will look at ways in which we can implement it. If people here think that Fermanagh is a long way away, they should try looking at Greenland or Iceland. There are certainly more challenging rural parts of Europe compared with Fermanagh, and we should remember that. However, there are opportunities to try to solve some of the problems and to recruit and retain people in rural areas.

**Mr P Ramsey:** I welcome the Minister's response to date. As someone who represents a cross-border constituency, I know the importance of collaboration between those areas. There was a question on higher-level apprenticeships earlier, and I will develop that theme. Has the Minister had any discussions with her counterparts in the South to develop an all-island strategy on apprenticeships?

**Mrs Foster:** Cooperation and Working Together organised today's event. That organisation is involved in the health sector on both sides of the border. It organised the conference in conjunction with partners across Europe. I took a lot away from that, and I intend to have discussions

with colleagues about it because there is more that we can do. Those may not be earth-shattering things, but they can make a difference to some of our rural communities. It can be a win-win for the community and, indeed, for professional people.

### Gas Network

5. **Mr I McCrea** asked the Minister of Enterprise, Trade and Investment for an update on the gas network extension to the west of Northern Ireland. *(AQO 6060/11-15)*

**Mrs Foster:** On 6 February 2014, the Utility Regulator announced a licence competition for taking gas to towns in the west, with a licence award expected in the autumn.

The project will provide the opportunity for up to 40,000 business and domestic consumers in Dungannon, Coalisland, Cookstown, Magherafelt, Omagh, Enniskillen, Derrylin and Strabane to have a more efficient, lower-carbon and, potentially, cheaper choice of fuel. It is anticipated that construction works could commence in 2015, with the first customers connected to gas in 2016.

### 3.00 pm

**Mr I McCrea:** I thank the Minister for her efforts in trying to deliver this much needed gas to the west. Can the Minister outline the benefits that she feels it will bring to local businesses, given the fact that Dale Farm, a major employer in my constituency, believes that the introduction of gas could save it in the region of £1 million?

**Mrs Foster:** When you put it in hard figures like that, you can see that the difference that gas will make for Dale Farm, and for other public sector works, is very impressive. Last July, I wrote to the district councils in the west about the gas extension project. We engaged with Dungannon, Cookstown and Magherafelt councillors about the gas project on 26 March, and, on 31 March, with Omagh and Fermanagh councillors. We hope to have a meeting with Strabane councillors in the coming weeks. So it is important that not only the business sector get involved but that the public sector embraces gas to the west so that they make it a viable option. I think that it will be of great assistance for those businesses, particularly with regard to cost, and, of course, we want to make our businesses more competitive.

**Mrs Overend:** I thank the Minister for the information today. I am very pleased that our major employers in the west will be able to gain from having the option of energy from gas. The Minister outlined the specific areas and towns that will benefit from the availability of gas. Can she explain what domestic consumers will be able to avail themselves of gas? Will only newbuilds be able to connect to the gas pipeline? Perhaps she could give us some information on that.

**Mrs Foster:** No, we should be able to retrofit existing homes. If you think about it, you will realise that the homes in and around the greater Belfast area that have accessed gas were retrofitted for gas distribution. We hope that many homes along the way will seek to find out more about gas and put it in as an option for themselves. We realise that the gas extension project must be economically viable and that it has to have expected returns covering the cost of any new network. The Utility Regulator will work with the new licence companies. The fact that, at last, the

west of the Province will be able to access gas should be universally welcomed.

**Mr Byrne:** I welcome the Minister's answers and her efforts to bring gas to the west. With regard to Strabane and Omagh, what are the likely bottlenecks to trying to make sure that we get this as quickly as possible, given the competitive edge that it would give to local businesses in future?

**Mrs Foster:** I thank the Member for his very positive comments about bringing gas to the west. I ask him and other elected representatives in the west to work with the Department to make sure that we can deliver it in as timely a way as possible. As I said, I hope that the licence will be awarded in the autumn, and then, of course, they will be looking at the route of the gas transmission line. Of course, as we know, every infrastructure brings challenges, and I ask that all Members look at it as sympathetically as they can.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for her answers. Having engaged with a number of manufacturing businesses in our constituency, I know that this will be a game changer for many large energy users, so we welcome it on that front. However, can the Minister assure the House that the rationale for her enthusiasm for the project is not to sustain and justify her flawed support for fracking in Fermanagh?

**Mrs Foster:** I congratulate the Member for getting fracking in Fermanagh into a question about gas infrastructure. Just to put it on record, Mr Deputy Speaker, there is no fracking licence in Fermanagh. I wanted to say that very clearly, because there has been a lot of misinformation about what is going on in Fermanagh. There has been a lot of excitement from some quarters, but everybody should calm down and deal with the issues as they come up. My support for gas to the west is because there is an infrastructure deficit in the west of the Province. Therefore, we should address that deficit. I hope that he will join me in congratulating the Department on the work it has done so far in that regard.

**Mr Deputy Speaker:** Although we do not discourage innovation, I encourage Members to try to ask questions relevant to what is being discussed.

## Irish Open 2015: Tourism

7. **Mrs McKevitt** asked the Minister of Enterprise, Trade and Investment how her Department, in conjunction with the Northern Ireland Tourist Board, will consult with tourism providers in Newcastle, County Down and the surrounding areas, to ensure that the facilities and accommodation on offer are adequately marketed in advance of the Irish Open 2015. (AQO 6062/11-15)

**Mrs Foster:** The Irish Open in 2015 will help to grow domestic and overnight visitor numbers and spend, provide a positive image of Newcastle and the Mourne internationally, and build on other recent high-profile events to further demonstrate Northern Ireland's capacity to host major events.

The Northern Ireland Tourist Board (NITB) will work with key partners to plan for and deliver the 2015 event. NITB will host an industry workshop similar to that in 2012 to encourage the tourism businesses in Newcastle to maximise opportunities arising from the Irish Open. NITB also plans to tailor WorldHost training to support

the volunteer programme for 2015, as it did in 2012. NITB will promote the 2015 Irish Open at the 2014 event in Fota Island, County Cork, in June. Over the next year, it will be working up plans for destination campaigns featuring golf as well as potentially a dedicated golf campaign.

**Mrs McKevitt:** I thank the Minister for her response. She will know about the benefits of the World Police and Fire Games: information was gathered up by the Tourist Board and locals and was provided in booklets etc. Something such as that would be a great help to the like of tourist providers, particularly in and around south Down.

What financial commitment have the Executive made to secure the Irish Open in 2015 and 2017?

**Mrs Foster:** I am not going to get into figures involved in commercial-in-confidence negotiations, but, because we had the Irish Open at Portrush in 2012, it has provided us with a great learning opportunity for further events in Newcastle and in Enniskillen in 2017. Do not forget that 2012 was an absolutely fabulous success. We should take away the very good messages from that as well. As we know, it had a sell-out crowd of 130,000 spectators. It won major plaudits from not only the European Tour but, importantly, the public who attended the event; there was exemplary organisation, production, and transport and parking initiatives. We all know that they can sometimes be challenging issues for major events.

We will certainly work with Newcastle on its planning. As well as that, Newcastle has the advantage of having much longer to plan for the Irish Open in 2015. When we announced in January of 2012 that the open was coming in June, it did not give us much time to put things in place. You have much longer to plan. I am sure that it will be a tremendous success, given the fact that it is a world-class course and that, already, there is a buzz among the professional players about coming to play Royal County Down.

**Mr Douglas:** I thank the Minister for her response so far. What plans, if any, does the Northern Ireland Tourist Board have with the local authority and the business community?

**Mrs Foster:** We will work with all partners, including our statutory partners, be they DRD or the new local council by that stage, and the industry. We will look at how many beds we have in the immediate area and how we can support the hotels, the bed and breakfasts and the self-catering accommodation. It is hugely important that we get everybody working in partnership; the success of the open at Royal Portrush was because of the fact that we were able to pull everybody in and that they worked in a very collaborative way.

Sometimes, when success happens, we do not congratulate those involved; we just take it for granted and move on to the next event. Sometimes, we need to step back and say, "Well, that was a job well done." It was a job well done by Royal Portrush, our council partners, DRD, the Police Service of Northern Ireland and all the other partners that worked with us at that time.

## Game of Thrones: Tourism

8. **Mr Beggs** asked the Minister of Enterprise, Trade and Investment how the locations that have been used in the filming of 'Game of Thrones' are being promoted to encourage additional tourism. (AQO 6063/11-15)

**Mrs Foster:** My Department, through the Northern Ireland Tourist Board and Tourism Ireland, has undertaken new campaigns to promote the various locations that are used in filming 'Game of Thrones'. Recently, at the invitation of NITB and Tourism Ireland, almost 20 journalists from around the world visited Northern Ireland to explore some of those locations, including the Dark Hedges near Ballymoney, as well as Cushendun, Cairncastle, Glenarm, Ballintoy and, on the final day, Tollymore forest, Inch Abbey and Castle Ward in County Down.

I also recently launched Tourism Ireland's advertising and social media campaign in conjunction with 'Game of Thrones' creators, HBO, to promote Northern Ireland holidays across the world. NITB showcases a number of 'Game of Thrones' tours on its consumer website, where there is also a section dedicated specifically to the 'Game of Thrones' exhibition in June.

**Mr Beggs:** I thank the Minister for her answer. The spectacular rugged scenery in my constituency of East Antrim and on the Causeway Coast has been widely promoted by the series. Can the Minister advise how she is cooperating with the Northern Ireland Environment Agency to develop medieval Carrickfergus Castle and other such facilities to capture the imagination and enhance the tourism product that visitors might have when they come?

**Mrs Foster:** I know that the castle has been used for filming projects other than 'Game of Thrones'. I cannot recall the name of the film that was produced there. It was "techno" something — I just cannot think.

**Mr Ross:** 'The Overlords'.

**Mrs Foster:** 'The Overlords'; that is right. So, Carrickfergus Castle has already been identified, and I know that the Minister has plans to open the castle to the wider public. It is a fabulous resource to have. I hope that, when we do that, we do not lose some of the authenticity that we have in Carrickfergus Castle but instead capture that and allow everybody to take advantage of it.

**Mr Campbell:** There was a recent announcement by HBO and Tourism Ireland regarding the usage of the HBO brand. Given HBO's internationally recognisable brand, what plans are there to ensure that we maximise the return as that progresses and makes further significant inroads into film-making in Northern Ireland?

**Mrs Foster:** I thank the Member for his question. The partnership between HBO and Tourism Ireland has been very significant. I think that it is the very first time that HBO has agreed to such a partnership. It is a major coup for tourism and, indeed, for Northern Ireland that we can access the massive fan base that there is, particularly, but not solely, in the United States of America and South America, wider Europe and beyond.

We are trying to use some of the language and straplines of the series and put them alongside some of our beautiful coastline, such as the Dark Hedges and places like that. I am not sure whether the Member wants me to use the strapline that I understand is used in one 'Game of Thrones' series that says that "all men must die". I am not sure that that is one that we could use. I am sure that my female colleagues would have something to say about that. [Laughter.] In any event, it is a fabulous opportunity for Northern Ireland tourism. I very much hope that we can

take advantage of the fact that, alongside HBO, we are now advertising to the wider world. It is a great opportunity.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagra. The Minister may be aware of the historic film trails in counties Wexford and Wicklow, which plot films right from the 1930s up to more recent films such as 'Braveheart' and 'Saving Private Ryan'. She may also be aware of the economic benefit to places such as the village of Cong in County Mayo, for example, that came from a certain 'The Quiet Man'. Are there any plans to do something similar here in the North?

**Mrs Foster:** The exciting prospect of the routes is the fact that private sector companies now have tours that go right along the points that I talked about. They are going to bring people on private tours and show them all around the north Antrim coast and County Down and relate it back to 'Game of Thrones'. So, yes, a number of private companies are doing that.

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

3.15 pm

## Jobs: April Announcements

1. **Mr Clarke** asked the Minister of Enterprise, Trade and Investment how many jobs she has successfully brought to Northern Ireland in April and since the beginning of the year, given that she is due congratulations for bringing 241 Schrader Electronics jobs to his constituency last week. (AQT 1071/11-15)

**Mrs Foster:** April was a tremendous month for us for jobs announcements. We were able to announce 2,200 new jobs for Northern Ireland, and, by anyone's standard, that has been tremendously good news. At Schrader, the company that the Member mentioned, we announced 241 new jobs. It is an excellent company, taking advantage of research and development and then putting that into production and manufacturing and thereby creating jobs. I think that it was there that I said that we were in a virtuous cycle of R&D bringing forward jobs, and that is exactly what I have been talking about over the years. Sometimes, if we spend a lot of money on research and development, people think that we could have spent that on jobs, but, of course, it will be spent on jobs in the longer term because research and development leads to production and to manufacturing, which leads to new jobs.

**Mr Clarke:** I thank the Minister for her response and for her Department's work with Invest NI on the work that it has done in securing those jobs. However, many want to focus on the negatives on the jobs front, and we only ever hear publicity on negative attitudes towards jobs and unemployment. Will the Minister update the House on what difference this has made to the unemployment figures on the register in Northern Ireland?

**Mrs Foster:** We have for the fourteenth month seen a reduction in the numbers of people claiming unemployment-related benefits. In the month of March, it was reduced by 700, and we very much welcome that. However, we are not complacent, and we know that there is a still big job of work to be done. That is why



we try to work with companies at the very high end and also companies at the lower end. We know that there is need for jobs of every description, and that is why we will continue to work hard to try to bring as many jobs as we can into Northern Ireland.

### Living Wage

2. **Mr Flanagan** asked the Minister of Enterprise, Trade and Investment whether she will ensure that all positions created through Invest NI pay a living wage, following the recent example of Belfast City Council, which became the first council in Ireland to adopt the living wage as opposed to the minimum wage. (AQT 1072/11-15)

**Mrs Foster:** Of course, Invest Northern Ireland is interested in the private sector median wage when we look at jobs created, because our focus is very much on rebalancing the Northern Ireland economy. The very best way to bring wages up is to bring more high-level jobs into Northern Ireland. That is why I was particularly delighted with some of the announcements during April of jobs at a higher level, such as the jobs that were brought in by EY. That was a very good announcement, bringing in jobs with an average salary in the region of £40,000 when they are all put in place. That is tremendously good news, and those are the kinds of focuses that Northern Ireland and Invest NI should have.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I give it to the Minister; she evaded the question fairly well. The specific issue is that there are an awful lot of people who are in work and are living in poverty due to the low-wage economy that exists in some places. Will she indicate whether she will introduce a policy in Invest NI where all jobs that are created through that agency will be paid at least the living wage to try to take the working people out of poverty?

**Mrs Foster:** If the Member were to persist with the living wage agenda, it could cost people their jobs. I remember very well coming to the House to talk about the jobs fund and the need to create jobs, not of a very high level in respect of salary, but to allow people to get off the unemployment register. He is now saying that he does not want those types of jobs and only wants jobs of a certain level. You cannot have it both ways. We must be consistent. We must focus on bringing high-level jobs into Northern Ireland. That is certainly where my focus is, and, if we can create jobs for people along the way that maybe are not of a higher level but which will give them an opportunity to work for a living, I will definitely engage in that.

### Exploris: Business Case

3. **Mr McCarthy** asked the Minister of Enterprise, Trade and Investment whether she has had sight of the Ards Borough Council business case that will transform and maintain Exploris, given that, in earlier responses to him, she recognised the importance of Exploris in Portaferry as a regional facility for tourism, science and economic development. (AQT 1073/11-15)

**Mrs Foster:** As the Member will know, the Tourist Board has provided a considerable amount of money to Exploris over the years since Ards Borough Council opened the facility in 1987. I readily accept that Exploris is an important facility and key visitor attraction in the Strangford

lough area. I congratulate Ards Borough Council for its efforts to secure a positive future for the facility.

However, the struggle comes in the required one-off capital grant of £914,000 towards a general refurbishment and redevelopment. From my perspective, NITB has currently no capital funds available. That does not mean that the Executive have no capital funds available. I am simply relaying to him that NITB has no capital funds available in terms of that particular ask. We will, of course, support them in everything ask but we do not have that capital funding. If we did, we would probably open a tourism development scheme for that purpose.

**Mr McCarthy:** I thank the Minister for her response. She may know that 28 May is the date for the council to decide the future of Exploris. Does the Minister recognise the urgency of the Executive giving their approval to the future of Exploris before 28 May and will she commit to give her support to the report that comes before the Executive, hopefully during the course of this month?

**Mrs Foster:** Certainly, we will look at any report that comes to the Executive before the end of this month. I do, of course, recognise the urgency because this has been going on for some time and there is a need to bring closure for everybody involved. Those involved in the campaign have conducted them in a professional manner. It is something that will come before the Executive, I hope before the end of May, to allow a decision to be taken.

### Giro d'Italia

4. **Mr Givan** asked the Minister of Enterprise, Trade and Investment what hopes she has for the Giro d'Italia and maximising its benefits for Northern Ireland, given that she deserves to be commended for the work that she has done, particularly — and it is on record from the producer of BBC Sport — in getting the event televised for the people of Northern Ireland. (AQT 1074/11-15)

**Mrs Foster:** There are two answers to that question. The first is locally here. I very much hope that it will again raise civic pride across Northern Ireland. The fact that BBC Northern Ireland is going to show live coverage of the event across Northern Ireland is a positive part of what we are doing. Internationally, we are saying that Northern Ireland is a good place to visit for various reasons, not least for the outdoor activity sector, which has grown in recent years. We have a lot of product in outdoor activity and if you would like to spend your holiday in that way, there is no better place to come than Northern Ireland.

It is a global message but also a message to our local community to have civic pride in Northern Ireland. I hope that they very much feel that pride this weekend.

**Mr Givan:** I thank the Minister for that response. This event, coupled with the golfing events that she has been pioneering in bringing to Northern Ireland, fits into the overall tourism package for the Province. In terms of where that product is going in the overall tourism potential that exists in Northern Ireland, where does the Minister see that progressing?

**Mrs Foster:** Our Programme for Government target is to make tourism a £1 billion industry and we are very much on target to do that. We did that by investing in tourism products. One thinks of Titanic Belfast, for example, and the way that we made that a real catalyst to bring people

into Northern Ireland. However, around that we must also have events, and events, dear boy, are very important to us in Northern Ireland. That is true for the Irish Open, the MTV music awards, the World Police and Fire Games and, now, the Giro d'Italia, which we are very much looking forward to.

It is about bringing international events to Northern Ireland. I hope that when the world looks into Northern Ireland at the weekend, it will be well impressed.

**Mr Deputy Speaker:** Mr Leslie Cree is not in his place. Mr Jim Wells is not in his place. Ms Anna Lo.

### EU Membership

7. **Ms Lo** asked the Minister of Enterprise, Trade and Investment whether she agrees that it is in Northern Ireland's economic interests for the UK to remain in and play a full part in the European Union, given the great news about the jobs created by Schrader Electronics that were mentioned earlier, which are as a result of new EU regulations on car tyre pressure. (AQT 1077/11-15)

**Mrs Foster:** I think what you have seen in Schrader is that it has looked at the market, whether it is in the United States of America or, indeed, in Europe, and has future-proofed itself against that. It has said, "Well, what regulation can we see coming into our sphere and how can we address the challenge that that brings?" I think that that is a very clever way of building your business.

When speaking to the management of Schrader it has been very clear that it has great growth plans, not just for the European Union but actually into China as its next target. It has a number of people working in China to try to figure out where those opportunities are. So, it is the case that businesses, if they are future-proofing themselves, will look to the opportunities, and I think that is what that company has done.

**Ms Lo:** I certainly agree with the Minister, but is it not important for us to remember — I want to ask the Minister's opinion on this — that we must provide certainty? In particular, a lot of investors look at the benefits of investing in Northern Ireland as, first of all, the fact that it is an English-speaking country, but, secondly, the fact that it is within the EU. So is it not important that we should remain in the EU to attract inward investment?

**Mrs Foster:** There are many businesses that would say that, if they were out of the EU, they would benefit from a cut in regulation, because, as the Member will know, 70% of our laws come from the European Union, and they feel very burdened by that. What we are trying to do is address those regulations that they feel are burdensome through our business red tape initiative. However, I think you will find businesses that want to remain within the European Union and, likewise, you will find businesses that feel that they would be better off out, to use the terminology. I do not think there is any clear answer in that.

From my point of view, what is very important is our membership of the United Kingdom. I think you have seen that develop over the last couple of months in the argument about Scottish independence. I think businesses will be very clear that the United Kingdom is much better than a stand-alone Scotland. That is something that I agree with, because I think that four nations of the United

Kingdom work much stronger together. That is certainly the message that I get from businesses.

### Invest NI: Support for Businesses

8. **Mr Anderson** asked the Minister of Enterprise, Trade and Investment to outline the support Invest NI is giving to companies that are experiencing difficulties in getting finance to grow their business, given that, over the past number of weeks, there has been encouraging news from the Ulster Bank and Danske Bank, which have made a profit in the first quarter of 2014. (AQT 1078/11-15)

**Mrs Foster:** First of all, I very much welcome the fact that both of the main banks have returned a profit. It is a good sign that they are dealing with their difficulties. I hope that means that they can lend more to businesses, but, in the meantime, as the Member will be aware, Invest Northern Ireland has developed its own suite of access to finance products. In doing so, it hopes to provide support to companies, but also to work in partnerships with banks so that, perhaps, as Invest Northern Ireland goes in with a package, the banks can then come in on the back of that.

Certainly, the whole impetus around the agri-loan scheme that has been launched is because the banks perhaps did not feel confidence to invest, particularly in poultry, where there was very little security. We came in and tried to provide that security and now we have seen some of those loans going out the doors of the banks. That is a good template and is something that we should look to use in the future.

**Ms McCorley:** On a point of order, Mr Deputy Speaker. I apologise for not being in the Chamber for my question. It was just by the very narrowest of margins that I missed out.

**Mr Deputy Speaker:** Thank you.

3.30 pm

## Private Members' Business

### Protestant Working-class Boys: Underachievement

*Debate resumed on amendment to motion:*

*That this Assembly notes the issues raised in the report produced by the Community Relations Council regarding the underachievement at GCSE of Protestant working-class boys in receipt of free school meals; notes with concern that this reinforces the conclusions of other similar reports over a number of years; further notes the positive action which the Minister of Education has taken to support other ethnic and minority groups who are underachieving; and calls on the Minister of Education to outline the specific steps his Department is taking to redress this situation and establish a meaningful sectoral body for the controlled sector to enable it to address this issue in the same manner as the Council for Catholic Maintained Schools, which has been able to tackle underachievement in the maintained sector. — [Mr Storey.]*

*Which amendment was:*

*Leave out all after "Community Relations Council" and insert:*

*"which once again sets out the close correlation between socio-economic background and exam success; further notes that the most significant divisions in education are based on gender and class and that it is the interplay between these which drives inequality; calls on the Minister of Education to work with all concerned to abolish the inequities in the education system designed to produce further inequality and to continue to take measures for all those who are underachieving regardless of class, creed or ethnic background; and further calls on the Minister of Education to set out the further steps his Department can take, including the establishment of a meaningful sectoral support body for the controlled sector as set out in the Education Bill, to support Protestant working-class boys who are not achieving their full potential." — [Ms Maeve McLaughlin.]*

**Mr Lunn:** Once again, we return to the problem of underachievement amongst working-class Protestant boys, something that has been discussed in the House, in Committee and in other places, certainly since I joined the Assembly, and probably long before that. The Community Relations Council report reinforces what we already know. As usual, we have an excellent information pack from the Assembly research service to back up the statistics.

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

What do we know? We know that, currently, Catholic pupils outperform Protestants and others; that girls outperform boys; that pupils entitled to free school meals underperform; that grammar schools outperform secondary schools, which is hardly a surprise, given the nature of their intake; and that Protestant boys underperform if they are from working-class areas and/or are on free school meals. I do not want to get into the

statistics, but another way of looking at those figures is that working-class and/or children entitled to free school meals, from whatever background, underachieve, and that maintained schools of a non-selective type do a better job of bringing the best out of their pupils than controlled schools do.

Why is that? The DUP motion appears, perhaps unusually, to give credit to the Council for Catholic Maintained Schools (CCMS). You could almost call that progress. Perhaps we should consider allowing the CCMS to expand its remit to cover the whole education sector, but I do not think that that is going to happen. So, in the meantime, the motion demands that a meaningful controlled school sectoral body do the same job, something that is actually reflected in the Sinn Féin amendment, which refers to the fact that that is set out in the Education Bill. Since I mention the Education Bill, and Mrs McLaughlin has already made the point, I will say this: if the Education and Skills Authority (ESA) were to go ahead, a sectoral body would be part of the deal. I have no doubt that it could, given the same financial assistance that has been available to CCMS over the years, improve the situation for the lowest achieving pupils. However, the same parties that demand representation for controlled schools block the Bill. I really do not understand that. If anybody wants to intervene, they are very welcome. I would love to see, even at this late stage, the ESA Bill come before the House to be properly discussed and amended in the way that we are meant to deal with legislation. Given all the concessions that have been made, I do not know what the objections to the ESA Bill are now, particularly from the DUP. I think that it may be something around controlled sector representation and the ownership of controlled schools, but, surely, it is not beyond us to bring something like that to a conclusion. Even at this stage, I hope that we can perhaps do something about that.

I go back to the problem of underachievement amongst Protestant boys. The problem is complex. I am sure that we would do better with a non-selective system, and I am equally sure that all our children would thrive in mixed schools; whether they were integrated formally or otherwise would, I am sure, not matter that much. I would love to see the statistics for integrated schools where children are educated together and, perhaps, for schools that are not formally integrated, of which there are a number. Do the girls still outperform the boys? Do Catholics still outperform Protestants? I really do not know, but, frankly, I doubt it.

Protestant working-class parents could and should be more involved in their children's education. The other day, I was told anecdotally by a teacher in a controlled primary school that parents have to sign off homework, and regularly, when all the answers are wrong, the homework is still signed off by the parent as being correct. She does not think that that is because the parents cannot add or cannot read; it is because they cannot be bothered — they just sign the thing. That is a small example, and something that I am quite sure happens across the board in schools that are then seen to be underperforming.

**Mr Givan:** I am grateful to the Member for giving way. Maybe, at this point, he will join me in commending the work of the Resurgam Trust in Lisburn, for example, which is involved in early intervention? I sit on the board of that trust, and we are driving forward a pilot scheme to deal

with the underachievement of working-class Protestant boys, particularly but not exclusively, which has brought together the relevant stakeholders. It is that type of work that we need to see the Department of Education and other Departments pioneering and driving forward and showing a commitment to those areas.

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

**Mr Lunn:** I thank Mr Givan for that intervention. I am perfectly happy to endorse the work of the Resurgam Trust in many areas, and I am aware of the scheme that he is talking about. There are plenty of initiatives out there to try to improve the lot of Protestant working-class boys. We need something departmental and something more wide-ranging perhaps, but that scheme is a good one.

I believe that, in some areas, the paramilitary organisations need to get off the back of the community. Grammar schools and other successful schools could be encouraged, perhaps with departmental assistance through area learning groups —

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

**Mr Lunn:** — to provide assistance to their less-successful neighbours. I find little to disagree with in either the motion or the amendment, and we will support both. However, I look forward to hearing from the Minister in due course as to what new initiatives he has up his sleeve.

**Mr Moutray:** I support the motion proposed by my colleague Mervyn Storey. One of the most disturbing aspects of the Nolan report is the fact that this is not the first time that issues of underachievement within this group of young men has been highlighted. Indeed, this is the latest in a long line of reports that make similar points. The issue of underachievement engenders much debate in our education system today. Regrettably, I feel that, all too often, we are quick to offer solutions on the subject that have more to do with political ideology rather than the particular needs of the young people or on a clear understanding of what constitutes underachievement.

At the Education Committee last week, all of us were struck by the evidence from Michael Gilsean, who gave an alternative view of why many children fail, which does not often receive the attention that it deserves. To the best of my knowledge, he has not figured highly in discussions on underachievement. The young men highlighted in the Nolan report are largely educated within the controlled sector, and it is on that issue that I would like to make some comments.

When the Protestant Churches transferred their schools to be vested in local education committees in the 1930s and 1940s, the political landscape was very different from the one that we operate in today. At the time, it was anticipated that the controlled system would become the state school system and, over the years, that sector has developed in a way that has encompassed all types of schools. There are Irish-medium, all-Catholic, integrated and controlled schools, as well as special, grammar, secondary, primary and nursery schools. The sector educates children from all communities, but the vast majority of the pupils come from the Protestant community.

However, as with most ideas, things do not work out as anticipated, and we now live in a society where there is a much greater demand from communities for services

tailored to their needs and wishes: one size does not fit all. We now have a number of bodies within education that promote their particular brand of education and demand that the boards, which are direct descendants of the local education committees, are impartial in the promotion of their type of schooling. Furthermore, all schools, of whatever type, now receive 100% funding from the state so are, in a sense, state schools. To complicate matters, the boards are seen by Sinn Féin and the Minister as being there to do their bidding. They are no longer seen as the promoters of state education via the controlled sector, and increasingly they operate in a way that is totally at odds with the wishes of the community that they are supposed to serve.

In the area that I represent, the Southern Education and Library Board has attempted to force through solutions for schooling in the controlled sector that do not have the support of the community served by those schools. The community has supported the operation of the Dickson plan for many years. It wants it to continue, and it wants to see all pupils, especially those in Craigavon Senior High School, in high-quality buildings receiving education appropriate to their needs and, in the case of Craigavon Senior High School, with good links established with FE to provide vocational pathways for those pupils from the school environment into the world of work. Instead, during that process, the board and the Minister have demonised the community and misrepresented my party as only interested in grammar schools. The Minister has held to ransom the pupils in Craigavon Senior High School in substandard buildings until he gets the board to push through his ideological view of future schooling in the area.

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

**Mr Moutray:** I will, yes.

**Mr Storey:** Does the Member agree that there is another location in Northern Ireland where the controlled sector is being held to ransom and that is in Enniskillen? Over 10 years ago, Devenish College was promised a brand new school as a result of an amalgamation, and now we are told by the Western Education and Library Board that, unless we play ball in the overall shape of area planning, it will not get a new school. That is another example of the boards not being able to deliver specifically for the controlled sector.

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

**Mr Moutray:** Thank you. I take on board and agree with the Member's point.

Having seen the last attempt end in complete failure, we are now to be forced into another consultation exercise, which will not end, we are told, until March 2015. I fear that that is more to do with an acting chief executive, placed there by the Department of Education, trying to keep his paymaster happy.

It is in that environment that the Protestant community in Armagh generally and in Craigavon in particular now says, "We want equality for our children. No more sham processes. We want a body that will speak up for the type of education system that is based on the Dickson plan, which permits parental choice and offers different pathways to our young people".

It is not acceptable for trustees in the maintained sector to receive 100% state funding for their schools, have



a separate process for considering the planning of their schools, operated by CCMS, and have trustee representatives sitting on the Southern Board who decide which type of schooling is available to parents in the controlled sector. That is not equality of treatment, and any new arrangement must remedy that.

The Minister and his party appear unwilling or unable to tackle the inequalities of the present structures. His attempts through the Education Bill have failed to date to command support from the Protestant community. I, therefore, support the motion and call on the Minister to act and to establish a targeted programme to deal with this particular type of underachievement, including the establishment of a controlled sector body, —

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

**Mr Moutray:** — thereby providing equality of treatment for all sectors.

**Mr McCartney:** Go raibh maith agat, a LeasCheann Comhairle. I support the amendment moved by Maeve McLaughlin. For me, the strength of the amendment is that it accepts that there is a link between educational underachievement and social disadvantage. It, therefore, requires a comprehensive approach that addresses the issue in an effective and enduring way, rather than, as the motion suggests, in a narrow way, which, at best, can only partially address this.

**Mr Storey:** I appreciate the Member giving way. Will he clarify for the House whether he and his party believe that it was wrong for the same argument to be used years ago to establish a particular body, the CCMS, to address specific needs in the Catholic sector? Should that have been addressed within the overall generic process in education?

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

**Mr McCartney:** I will come to that throughout my contribution.

I think that the motion is narrow, as I said, and is premised on a degree of denial and pretend positions. That was exemplified this morning in an intervention from William Humphrey, who somehow suggested that, from his experience in Belfast, the Nolan report had called it wrong. That is why I make that point.

Mervyn Storey, in his contribution as the Chair, accepted that there is underachievement and said that it has no barriers. However, in my opinion, he failed to come to terms with how to deal with this and the core issues, except to blame everybody and everything. It was stark that, when he moved the motion, there was no sense or acceptance that academic selection plays any role in educational underachievement. That is despite the fact that those who support and, indeed, advocate academic selection accept that the division of children at 11 has a detrimental effect on their achievement, attainment and social well-being. Why is it that that cannot be accepted? Sometimes, it is practically denied.

I suppose that there is one thread of hope in all this, in that there is now an acceptance of the findings of the Nolan report, except for Mr Humphrey's reservations, and that there is —

**Mr Humphrey:** I am grateful to the Member for giving way. The reservations that I expressed — I stand by the

remarks that I made this morning in the House — are held not just by me but by educational practitioners whom I have spoken to across north Belfast. They educate young people in primary and secondary schools across the constituency and include the principal of Ashfield Boys' High School here in east Belfast. Clearly, those are not only my concerns but those of the wider community, including people who are charged with educating our young people.

3.45 pm

**Mr McCartney:** I find it interesting that the issue has not had any public commentary, but there seems to be a denial that working-class boys are underachieving, which everybody else seems to accept. The aim of any education system should be framed within the rights, entitlements and equality of all citizens. An education system's priority should be that all our young people know that the system will ensure that they reach their full potential, without any barriers.

John O'Dowd and Sinn Féin wholly accept that there is inequality in the education system and that, as a consequence, young people are underachieving. That is accepted as being a particular phenomenon among working-class Protestant boys. However, the question remains, and it is the question that we have to address today: what do we do about it? Do we continue with an approach that highlights that there is inequality and underachievement and allow report after report, or do we do something about it? This party has taken the necessary steps and highlighted the steps that remain to be taken so that those inequalities can be addressed. We will continue to play our part in tackling underachievement.

The Nolan report confirms what John O'Dowd, other Education Ministers and a host of educationalists have been stating for years. It is nothing new: pupils from socially disadvantaged backgrounds have greater obstacles to overcome in education. We all accept that. It follows, therefore, that, if those schools need more resources specifically to target that underachievement, we should be taking steps to provide them.

When the Minister announced new funding arrangements, what was the response from those on the Benches opposite? Did they welcome or challenge it? Those are the questions that people —

**Mr Storey:** The schools did not accept it.

**Mr McCartney:** I think that you may be talking about particular schools, but, in general, most schools accepted it. I will be kind and positive: there is an opportunity today for you to spell out how this could be achieved. I have heard no credible —

**Mr Deputy Speaker:** Can all remarks be made through the Chair, please?

**Mr McCartney:** I have heard no credible explanation as to why this was not accepted. As Maeve McLaughlin pointed out earlier, in a previous six-hour debate in the Assembly, there was but one passing reference from the Benches opposite about working-class boys. People need to ask why that was the case.

I am aware, and I have no doubt that the Minister will restate this today —

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

**Mr McCartney:** Go ahead.

**Mr Kinahan:** We hear this all the time, one party saying that another party does not mention certain issues. This side and your side have always mentioned both sides, and that sort of comment should stop. Do you agree that the new finance formula was not agreed by the schools and was not discussed with them and taken on board? We have no proof that the funding —

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

**Mr Kinahan:** — in the way that the Minister is doing it, will work.

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

**Mr G Robinson:** In recent days, we have heard much talk of equality, and this topic is a genuine matter of equality. The recent Community Relations Council report highlights the education inequality that is suffered by Protestant working-class boys. This situation must be addressed urgently.

The Minister has taken positive action in other sections of society that suffer from low educational achievement, and it is now time for him to address the educational underachievement of working-class Protestant boys. My colleague the Education Committee Chair Mervyn Storey proposed that a body, similar to the Council for Catholic Maintained Schools, should be set up for the controlled sector in Northern Ireland. The CCMS has had a positive impact on pupils' results in the schools under its guidance. Something similar must be done to aid Protestant schoolchildren so that equality of opportunity remains. Every constituency has pupils from backgrounds that suffer financially, but that should never be a block to their attaining the maximum in their education.

Let us never forget that educational attainment can be directly linked to the possibility and type of employment that an individual can obtain. It is, therefore, essential that we ensure that all our young people attain the maximum that they can through our education system. That is important for them and for the economic prospects of Northern Ireland.

Our young people's future depends on their gaining a good education, which opens employment opportunities to them and will also boost Northern Ireland's economy through having the skilled workforce that inward investors require to invest in.

Due to the importance of the issue, I urge the Minister to take action as soon as is practicable to ensure that the underachievement in the education of Protestant boys is positively addressed for the sake of the pupils and Northern Ireland as a whole.

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

**Mr G Robinson:** I have finished. Sorry.

**Mr Rogers:** Educational underachievement must be addressed wherever it is found. The recent report from the Community Relations Council confirms that educational underachievement is a major issue facing Northern Ireland's young people. That must be tackled as a matter of urgency. The council's report shows that a range of groups across our communities are failing in worryingly

large numbers to achieve five good GCSEs. The situation is most acute for Protestant males in receipt of free school meals; members of the Travelling community; and members of the Roma community. However, although that grabs headlines, the problem exists across our community.

It is vital that the Education Minister and the wider Executive pull together to deal with educational disadvantage. The Executive as a whole must address social disadvantage, but the Education Minister must target educational disadvantage. In recognising the educational underachievement of so many, we must accept the moral obligation that we have to tackle this inequity head on. Low educational achievement puts young people at severe disadvantage; it has adverse implications for employment levels and for our economic recovery.

It is important that the Assembly lend its full support to the North/South working group on educational underachievement. Educational underachievement is not unique to the North: it is a concern across the island. We are falling short of the Programme for Government target that children should have five GCSEs by the time they leave school, irrespective of their background. Are we even using the right tools to measure educational achievement? I argue that we are not, but that is a debate for another day.

A child's development hinges to a large degree on the quality of early childhood education. The Department of Education must invest more in early years learning — children aged nought-to-seven. That could help us to tackle poor rates of literacy and numeracy. There has to be greater linkage between the Departments of Health and Education. Up to 30% of our early years children are presenting to nursery with language acquisition problems. In many cases, early intervention is just not happening. It can take years to acknowledge that your child has a learning difficulty, never mind to get anything done.

I visited a young mum yesterday whose two-year-old is having developmental difficulties. It has taken that mum six months to get an appointment with a child development clinic. The child has received only 45 minutes of speech therapy since Christmas; he has had only one appointment with the occupational therapist (OT) since Christmas. You do not have to be an educationalist to realise how detrimental a six-month delay is in the life of that young child. I ask you, Minister, and the senior officials of your Department, whether you would tolerate that if it was your child? Unfortunately, this is not an isolated incident. Last week, we learned that a proper eye test for P1s has an effect on tackling underachievement due to the work of Michael Gilsenan.

It is widely recognised that an important centre of early education is home experience. I recognise that many parents need help with parenting. I have witnessed some excellent parenting programmes through Sure Start, but such programmes need to be more widely available. Developing everyone's learning and thinking ability (DELTA) is another great programme that many schools use.

Northern Ireland's global educational position in literacy and numeracy has been falling; that is an indictment on our society, and the Assembly must address it. Our society can benefit enormously from tackling underachievement, which is caused by many factors. I welcome the additional teachers at Key Stages 2 and 3. Some may call that "fire-fighting", but we need to identify clearly why our young

people are underachieving and implement a strategy to address educational disadvantage, irrespective of where it comes from.

We must invest in our children if we are to build a successful economy.

**Mrs Dobson:** I also welcome the opportunity to debate this important issue today. It is totally unacceptable for report after report to highlight the academic underachievement of Protestant boys who live in working-class communities, yet no specific policies are being brought forward that are aimed at resolving the issues.

Given the pitiful statistics, which have been repeated by other contributors, as academic year follows academic year, more and more of our children continue to be failed. The failure to get to grips with this issue and to help children in Northern Ireland in future is a prime example of the underachievement of successive Education Ministers.

The third peace monitoring report by the Community Relations Council, which was published on 3 April, provoked a flurry of commentary in the media. The Minister of Education rushed out a press release that day, admitting that the council:

*"has not yet provided me with a copy of the report".*

Despite being asked in the House last Tuesday at Question Time about the report, the Minister repeated the mantra that the cause of educational disadvantage was academic selection, again blaming unionists for championing its retention. He went on to talk about doing away with and eradicating academic selection. Let us be clear: the Minister's obsession with eradicating academic selection and, therefore, the grammar schools, is wrong, short-sighted and impossible.

To continue the blame game towards unionists and grammar schools for educational underachievement and yet fail to bring forward specific policies is something that cannot be allowed to continue. The arbitrary decision in 2002, just before the suspension of Stormont, to end the 11-plus examination with nothing to replace it as a means of transferring pupils to the most suitable post-primary schools has had incredibly negative repercussions that continue to be felt today.

If social equality based on exam results in all sectors of post-primary education is worse now, the blame lies with Sinn Féin. All it has succeeded in doing is to effectively franchise out and privatise transfer testing, which has made it harder for children from working-class backgrounds to secure a grammar school place. Like others, the Ulster Unionist Party was not a fan of the former 11-plus test, but it was a better and fairer method of transferring primary-school pupils than the unregulated test that is now the norm.

It is depressing that, after all this time and numerous reports, all that the Minister of Education can come up with is the mantra "eradicate academic selection". This is a problem, however, that is not confined to inner-city Belfast. I would like to bring to the attention of the House and read into the official record some statistics from my constituency that have recently been released to me. In the last year with available statistics, just seven, or 13.5%, of the 52 Protestant boys who are resident in Upper Bann and who are entitled to free school meals left school with

at least five GCSEs between A\* and C, including English and maths. This is lower than the Northern Ireland average of 19.7% for all boys from Protestant backgrounds. Again, in geographic areas that are designated as deprived through official multiple measures, Protestants are less likely to have a level 2 and above qualification compared with Catholics in Upper Bann. The proportion of Protestants from deprived areas enrolling in further education is lower, at 27% of all Protestant enrolment, compared with 61% of Catholics.

These figures clearly demonstrate that, by the time these young people come to the end of their formal schooldays, the damage has been done. The Department for Employment and Learning is picking up the pieces of failings presided over by the Department of Education. Shockingly, the children who were in primary 7 in 1999, when Sinn Féin took over education, are now 24 years old. If they came from a working-class Protestant background, they are more likely —

#### 4.00 pm

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

**Mrs Dobson:** — to have been failed by the system. At Question Time after Question Time, the Department and the Minister blame others.

**Mr Deputy Speaker:** The Member's time is up. I call Steven Agnew. The Member has a maximum of three minutes.

**Mr Agnew:** First, I will declare an interest as a director of the Northern Ireland Council for Integrated Education.

We must base our education policy on evidence where it is available across the board. I think that the evidence that continually comes forward shows the underachievement of Protestant boys who are on free schools meals, but it still leaves many questions for which we need evidence to answer. How much of it is to do with community background and culture, and how much is to do with the institutions that Protestant working-class boys attend? For example, have we tracked the Protestant working-class boys who go to Catholic maintained schools or integrated schools and looked at how their performance compares with that of their counterparts in controlled schools? The case is equally so with the different categories. How much is it about the institutions? Are the institutions failing our children? Is the controlled sector failing them, or is it something that is particular to Protestant working-class boys?

There is no doubt that the evidence on free school meals shows that socio-economics are huge factors in achievement and outcomes for children. For that reason, there is merit in the amendment, although I think that, given the evidence, taking the focus off Protestant working-class boys is perhaps a mistake.

One piece of evidence that is ignored time and again in each of these debates is that on early years. That shows that disadvantage has already set in by the time that children reach school and that it is very difficult to turn around that disadvantage even by the time the child enters preschool. In fact, Professor Heckman's research shows that investing in early years will produce a much better return for the money that we spend and in the outcomes for those children. That is why, for example, although the

common funding formula's intention of redirecting money to schools where there is greater disadvantage seems good on the surface, there is a question about whether it will yield results. That is why I think that it is much more urgent for us to establish an Executive-wide early years strategy that sees collaboration between the Department of Education and the Department of Health in particular. That will ensure that we tackle social disadvantage at the earliest stages —

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

**Mr Agnew:** — of a child's life.

The one other thing that I want to put on record is a call to the Minister to look at the single-named contact for every child, which has been introduced in Scotland. That could be a huge step in tackling disadvantage.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. Fáiltim roimh an tuairisc úr ón Chomhairle um Chaidreamh Pobail agus roimh an díospóireacht a chruthaigh sí.

I welcome the Community Relations Council's (CRC) recent report, the debate that it has generated and, indeed, today's debate. As Minister, my clear priority is to create an education service that ensures that everyone receives a high-quality education and in which all our young people are supported to reach their full potential. However, I acknowledge that, at the moment, the levels of inequality in our system remain unacceptably high. We have too many young people who are underachieving, and I am determined to do all that I can to tackle that.

Using my Department's data, the CRC report highlighted that, in 2011-12, 80% of male Protestant school leavers failed to achieve five or more GCSEs at A\* to C, including English and maths. That was also the case for 67% of the Catholic boys who are entitled to free school meals.

As the motion notes, the peace monitoring report reiterates the conclusions of other reports and international studies by saying that social disadvantage has an adverse impact on educational outcomes. There remain parties in the Chamber who refuse to accept that internationally found conclusion. The evidence shows that disadvantage has a stronger impact than gender or religion alone and that the link between underachievement and socio-economic background is stronger here than in many other countries.

In 2012, 34% of school leavers with free school meals entitlement achieved five or more GCSEs at A\* to C or the equivalent, including English and maths, compared with 68% of leavers who were not entitled to free school meals. Those pupils are twice as likely to achieve that outcome as their more deprived peers.

International and local evidence highlights a key equity challenge in our post-primary education system. In response to those reports and studies, I have emphasised my determination to take action to address that inequality and break the link between social disadvantage and educational underachievement.

**Mr Storey:** Will the Minister give way?

**Mr O'Dowd:** I will give way in a moment. Pupils from disadvantaged backgrounds have greater obstacles to overcome, and their schools need additional resources to help them to do that. In March this year, I announced

changes to the way in which schools are funded in order to target additional resources at schools that serve higher proportions of disadvantaged pupils. I will give way to the Member.

**Mr Storey:** I thank the Minister for giving way. It is not that we do not recognise that there is an issue; we disagree with the Minister about the methods that he has used to try to address the problem. Can he tell the House today what educational advantage has been secured and what benefit there has been educationally for children who have been the recipients of free school meals since the introduction of that entitlement as the sole indicator of deprivation and, therefore, the sole arbiter of the allocation of funding?

**Mr O'Dowd:** Well, I think that the Member would accept — even my greatest critic would accept — that, because I introduced the changes in March and today is 6 May, we have to allow those changes to bed in. It is also clear that, despite the challenges that we face in the education system, the educational attainment of pupils from socially disadvantaged backgrounds, as targeted under free school meals entitlement, is rising. It is not rising quickly enough. Although the disparity between those who have free school meals entitlement and those who have not is still far too wide, there is a rise in their educational attainment.

As for extra funding that is awarded to schools, due to their higher pupil numbers, maintained secondary schools receive more funding, in aggregate, than controlled secondary schools but, on a per capita basis, controlled secondary school pupils receive more to help them to address educational underachievement.

I remain determined to tackle educational underachievement wherever it exists. I have continued to implement policies and provide funding for a range of additional interventions. Those policies focus on the factors that international evidence and best practice tell us will improve outcomes: effective school leadership, high-quality teaching and learning, and parental and community involvement. Equally important is providing access to a wide range of academic and vocational courses.

Young people who see their time in education as relevant to their future, have access to courses that interest and motivate them, and receive effective and timely careers guidance are more likely to remain engaged with their education and achieve their full potential. Full implementation of the entitlement framework is important for all young people. I disagree with Mr Kinahan's point that the entitlement framework is far too broad. I believe that it allows young people opportunity of choice in educational subjects.

I have also provided funding for a range of additional interventions that will support the Executive's aim of breaking the cycle of deprivation. I have earmarked £2 million in both 2013-14 and 2014-15 for a programme of community education initiatives to address the high levels of educational under-attainment experienced in areas of social and educational deprivation.

Substantial resources are also targeted at disadvantaged communities and aimed at improving school/community links through programmes such as Sure Start, on which we are spending around £25 million per annum; extended schools, on which we are spending £12 million per annum; the Achieving Belfast and Achieving Derry programmes; and the west Belfast community project, which covers all



areas of west Belfast. The Education Works advertising campaign, which was launched in September 2012, aims to inform and engage all parents, particularly those from disadvantaged backgrounds, to become more involved in their children's education.

As a result of my and my predecessor's policies, there have been improvements in outcomes at all key stages. However, despite that improvement, the gap between those from more socially disadvantaged backgrounds and other pupils remains unacceptably high, and, yes, the use of academic selection contributes to the maintenance of that gap.

International evidence — not that of John O'Dowd, Sinn Féin or the Department of Education — shows that the most successful education systems are those with the lowest differential outcomes between the highest and lowest achievers. However, as highlighted in the Community Relations Council report, the division into grammar and non-grammar schools here facilitates a form of social segregation. Academic selection is not in any way compatible with the Executive's priorities for tackling disadvantage, building strong and shared communities and growing a sustainable economy. The continued use of academic selection by grammar schools is a barrier to addressing underachievement in disadvantaged areas. It damages children's confidence, their motivation to learn, and it lowers their expectations of themselves, contributing to the high levels of underachievement that we are seeking to tackle.

**Mr Kinahan:** Will the Minister give way?

**Mr O'Dowd:** I will give way in a second. That is why academic selection needs to end now, whether it is at the age of 11 or under the Dickson plan. If anyone needs evidence that the Dickson plan, as currently formatted, needs to come to an end, they should listen to the figures that Jo-Anne Dobson read out in the Chamber this afternoon. Mrs Dobson has been on the airwaves telling anyone who cares to listen that the Dickson plan is a world-class education system. Seven of the 50 Protestant working-class boys on free school meals entitlement achieved five good GCSEs. Mrs Dobson defends that system —

**Mr Deputy Speaker:** Can all remarks be made through the Chair, please?

**Mr O'Dowd:** I think that that system is indefensible.

**Mr Kinahan:** Has the Minister has read and looked into the report by Professors Borooah and Knox? There is different evidence out there, and there are different ways of doing things. They have come up with a very clever idea of sharing.

**Mr O'Dowd:** I am not aware of the report that the Member refers to, but I am prepared to look at any evidence or any international best practice that is grounded in the educational well-being of all our young people.

It is clear that the research and evidence is there, and Mrs Dobson's figures today confirm it. We need to do things differently. The status quo is not serving all our young people the way that it should.

The motion calls on me to establish a sectoral support body for controlled schools. Let me make it clear that I have taken a very positive and proactive approach to establishing a controlled sector support body. That was

to be an important and integral part of the agreement to establish ESA. There was a clear commitment set out in the heads of agreement in November 2011 to bring forward an Education Bill, and, within that, to establish sectoral bodies for the controlled and Catholic sectors, which, I should add, I fully supported.

The Education Bill would have achieved parity of representation for all the sectoral interest groups, so that each would have had the same access to information and support that was available to all other sectors. Once Executive agreement to the Education Bill had been reached in 2012, I moved quickly to engage with the key sector representatives for the controlled sector. A working group was established in September 2012, with adequate funding to take forward and establish a sectoral body for the controlled sector.

Significant work was undertaken by the working group, with considerable progress made in designing an organisation structure and identifying a sectoral vision and values. I believe that all the preparatory work could have been completed by April 2015, which would have seen the establishment of a controlled sector support body, which would have seen significant improvement across the education sector.

As I stated earlier, the heads of agreement is an agreement to pass legislation that will establish ESA. Also contained within that is an agreement that extends to the need to establish two new sectoral bodies for the controlled and Catholic schools. The Education Bill, therefore, is a prerequisite to the Department fully funding a sectoral support body, with legal definition and functions set down in law.

Unfortunately, failure to make progress on the Bill and the establishment of ESA meant that work on establishing sectoral support bodies had to be discontinued. I regret the necessity to do that. However, it would not be appropriate for my Department to fund further expenditure on supporting parts of the heads of agreement while the principal part of the agreement — the establishment of ESA through the completion of the Education Bill — remains stalled. Indeed, I note that the former Finance Minister, Mr Wilson, was on the airwaves recently criticising me for preparing to invest for ESA. He questioned why I would even think that it was wise to spend money on preparing for ESA when there was no legislation passed in the Assembly. It is worth noting that during his three-year tenure as Finance Minister he never questioned why I was spending money on preparing for ESA but now appears to be very critical of the fact that I was spending money preparing for ESA. Part of that money was for preparing for the establishment of a sectoral support body.

4.15 pm

**Mr Storey:** Will the Minister give way?

**Mr O'Dowd:** Just give me one second.

I very much regret that lack of progress in relation to the sectoral support body. That was not due to any lack of effort or desire to reach accommodation on any outstanding issues on my behalf. However, those efforts on my part have, unfortunately, not been returned. A consequence of the protracted delay is that the existing

structures and the workforce have been held in a state of abeyance for far too long.

**Mr Storey:** I thank the Minister for giving way. Will he clarify for the House, in case there is any confusion in the minds of Members, that the reason why the controlled sector body, as currently constituted, is unacceptable to the Transferor Representatives' Council and the controlled sector body itself is that the Minister and his party were unwilling to ensure that the issue of ownership was addressed adequately and that there was equality of treatment between it and the CCMS?

**Mr O'Dowd:** I return to the debate of November 2012. Not once throughout that lengthy debate on ESA, which lasted several hours, was that matter mentioned. In the heads of agreement, it is not mentioned either. I have honoured to the letter the heads of agreement in relation to ESA, and I brought forward all. The Member's party spent several years debating the needs of the voluntary sector. I dealt with its concerns, and all of a sudden it found a new problem. I have no doubt that if I deal with that problem, it will find a new problem. In fact, I know what the new problem is.

The education boards are in a depleted and unsustainable state and continue to operate at the extremities of corporate risk. While that is the case, the provision of key educational services lacks a sound basis. If that is not a sufficient reason to move towards ESA, local government reform is.

From 1 April 2015, if they have not been replaced by ESA, our education and library boards (ELBs) must be compatible with our new district council boundaries. Out of necessity, I have instructed my Department to take that forward and to cease work on ESA. Reconfiguring our ELBs to align with local government will involve legislation, will see a minimum of 170 schools change ELB and will see a significant proportion of the education workforce change employer.

If ESA had been in place for April 2015, local government reform would not have forced that nugatory, distracting and costly work upon the education administration. By contrast, ESA would have brought forward savings in the region of £185 million over 10 years. The controlled sectoral support body, which is called for in today's motion, would be ready to operate and would have had my and my Department's full support. However, in the absence of ESA, the controlled sectoral support body does not exist. Go raibh míle maith agat.

**Mr Sheehan:** Go raibh maith agat, a LeasCheann Comhairle. Cuirim fáilte roimh an deis chun labhairt ar an leasú seo. I welcome the opportunity to speak on the amendment.

A matter of factual accuracy is this: although a higher percentage of Protestant boys are underachieving in terms of achieving good outcomes at GSCE level, there is a higher number of Catholic boys. I feel quite uncomfortable discussing this issue in terms of religion. I do not see religion, in itself, as being a factor in educational underachievement. That is not the context, and a parent's religion is not the issue that we should be discussing.

I spoke recently to a principal from an integrated school. We had a general conversation, in which I asked where her pupils were drawn from. There were more or less equal

numbers from Catholic and Protestant backgrounds, but there were also a lot of immigrant children. There were children from the Roma community and the Travelling community and some Somali children.

The difference in attitudes among the parents to education was interesting. The Community Relations Council report reflected the view that the children of Traveller and Roma families perform the least well of all groups. That was confirmed by the principal of the integrated school. In contrast, the parents of a Somali child brought the child to the principal and, in inarticulate English, said, "This is a doctor." They were saying, "Make a doctor out of this child." They wanted the best for their child; they wanted the child to have an education.

However, the common denominator in all of this educational underachievement is poverty and deprivation. It is a fact that poor kids are not intellectually less able than more affluent ones, but they face more obstacles. It may be that parents themselves do not understand the value of education, but why should children be penalised because of their parents' views? Neither should they be penalised because they have been born into poverty and deprivation. The Minister has taken some steps to address this through his changes to the common funding formula. From this year on, more resources will be directed at kids from deprived backgrounds. All the research evidence shows that there is a clear link between social disadvantage and educational underachievement. Steven Agnew mentioned that, even in the early years, it is obvious that kids from deprived backgrounds are underachieving.

The research evidence also shows — and this is important — that schools with pupils from mixed socio-economic backgrounds do best. It is not just the poor performers who improve; top performers do also. It is a rising tide that floats all boats.

Poverty in itself does not mean that kids are going to underachieve. We all know of kids from poor backgrounds who do very well at school, but they face more obstacles, and there are other difficulties as well with underachievement. I have already mentioned parental influence, or lack of it, and there are other factors: lack of resources; academic selection, which favours the more well off; and good leadership in schools. All of those issues have to be addressed. They cannot be addressed simply by pouring more resources —

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

**Mr Sheehan:** No, I am sorry; I do not have much time left. The issue is this: as political leaders, we can all have an influence in changing attitudes towards education.

Just to conclude on the issue of the sectoral body, the Minister spoke at length about it, but Trevor Lunn summed it up.

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

**Mr Sheehan:** It was there in ESA; what is the problem? Explain what the problem is. I commend the amendment to the House.

**Mr Newton:** The motion recognises that the Community Relations Council's report reinforces the conclusion of other, similar reports. The motion recognises and:

*“notes the positive action which the Minister of Education has taken to support other ethnic and minority groups”*

and

*“calls on the Minister of Education to outline the specific steps his Department is taking to redress this situation”*

and to establish a sectoral body for the controlled sector to enable the issues to be addressed. That is no more than other sectors have been awarded.

Let me first pay tribute to the many parents from working-class backgrounds who have invested in their children's education, and the many pupils from such backgrounds who have done extremely well and risen up the ranks to very senior positions.

A young person getting a job or a career opportunity should be the aim of everyone in this House. The foundations for future success need to be built on from a very early age, and providing good early-years education, ensuring parental involvement at primary schools and at secondary educational level, and giving our young people the opportunity to follow the pathway that they want, whether academic or vocational, is essential for their development.

We have good schools and committed teachers across Belfast and the other city areas, but sadly we also have children who are not realising their full potential.

All the information confirms that that is particularly true in working-class Protestant areas, and it is a problem that must be tackled. It took the Minister until eight minutes into his remarks to mention the Protestant working class, and yet, essentially, this is a problem of the Protestant working class. We need an action-based and focused strategy that will involve schools and parents and provide children with the opportunities to achieve the results that they need for success in life.

When looking at the problem, I was reminded of a research study by the Centre for Longitudinal Studies in the Institute of Education. It is based on cohort data and has been following more than 19,000 children from all over the UK since they were born in 2000-01. The study revealed that most of the seven-year-olds interviewed — they were from all backgrounds — were ambitious and that just over 80% hoped for a professional or managerial job, with girls more likely to pursue a professional career. The most popular jobs among seven-year-olds were teachers, scientists, hairdressers, sportsmen, police officers, artists, entertainers, animal carers, vets, doctors and builders. Those are not children without ambition; they are children with ambition to do well. We need to create a situation in which our children can do well, and the Minister has a responsibility not to put impediments in their way.

**Mr O'Dowd:** Will the Member give way?

**Mr Newton:** Yes, I am happy to give way.

**Mr O'Dowd:** I want to correct the record for the Member. I pointed out the stark figures for Protestant working-class males on page 2 of my speech, and I assure him that it did not take me eight minutes to get to the second page.

**Mr Newton:** Let me talk about the impediments. In my constituency, the Minister promised a brand new school

and is building a brand new school. All the figures indicate that the school should have 14 classrooms. What is the Minister building? He is building a 12-classroom school. So it will open with two mobile classrooms in the playground, taking up, because it is an inner-city school, most of the playground and creating a situation in which the children will have to go out on to the street to move from one end of the school to the other.

The case was made by the Belfast Education and Library Board (BELB) for a school with 14 classrooms. All the enrolment figures and projections suggested a 14-classroom school, and planning permission was gained for a 14-classroom school, yet we are building a 12-classroom school. What does that say to the children and parents in the area about the composite classes that need to be achieved for their education? That is an inner-city area that, from time to time, has problems of civil unrest.

I want to remind the Minister about another situation. The Shankill area has suffered much over the years, and educational underachievement has been focused on for many years. Jackie Redpath and my colleague William Humphrey have produced an exciting plan to tackle underachievement. They presented it to the Minister — it was some time ago — and they now await his response.

In two areas, the Minister has put an impediment in the way of Protestant children achieving their full potential. In the school that I mentioned, Victoria Park Primary School, there is a high level of parent participation and a very good parent-teacher association. The area is enthusiastic about its children. That school will be amalgamated with two other schools that were closed. You can understand the frustration of parents, teachers and staff in that situation, and you can well understand the frustration of the parents and teachers in the Shankill situation.

#### 4.30 pm

The Minister made some interesting points. He acknowledged that there was educational underachievement and that he wanted to do something about it. It is a problem. However, his analysis is always to focus on his opinion that it is the fault of the grammar schools or academic selection. It is the fault of everybody and anybody, but it is not the fault of the Minister. It is not the fault of dogma or policies that come from a different perspective on educational levels than those I would be prepared to put forward.

**Mr Campbell:** I thank the Member for giving way. He is coming to the nub of the issue. This debate and subject matter should be about advancing progress in the educational underachievement of Protestant working-class boys. Unfortunately, there seems to be an ideological attack by the Minister and his party on academic selection every time the issue comes up rather than attempts to improve the lot of those boys.

**Mr Newton:** Obviously, Mr Campbell is a mind reader. I take the point that he makes, so I will skip over that. The Minister also makes a point about the Education Bill and ESA. As that was travelling its pathway, he knew about the DUP's objections and, particularly, those of the Chairman of the Committee. He knew about the ownership issue and the social and political background. To some extent, we were travelling down a pathway of almost political and

educational blackmail. It was a case of, “Must have ESA, must have ESA, must have ESA”. There was no solution but ESA, and he knew that that was not acceptable in its format.

It is regrettable that such a motion will divide the House. It is regrettable that the House is sending out the message that the educational underachievement of Protestants — Protestant boys, in particular — will divide the House.

At the heart of the debate, as Mr Storey outlined, is support for a CCMS-type structure. The debate is about other sectors of our educational community receiving support and wanting a level playing field, compared with what others have been able to achieve.

The first Member to speak from the Sinn Féin side was Maeve McLaughlin. Her speech was merely a defence of the Sinn Féin propaganda regarding ESA. When Fearghal McKinney got up, he asked what I thought —

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

**Mr Newton:** — were, from his side, challenging questions for the Minister. I do not believe that he got answers to any of the questions that he asked the Minister.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 40; Noes 41.*

#### AYES

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Ms Maeve McLaughlin and Mr Sheehan.*

#### NOES

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Moutray, Mr Nesbitt, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Claire Sugden, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Douglas and Mr G Robinson.*

*Question accordingly negatived.*

#### 4.45 pm

*Main Question put and agreed to.*

*Resolved:*

*That this Assembly notes the issues raised in the report produced by the Community Relations Council regarding the underachievement at GCSE of Protestant working-class boys in receipt of free school meals; notes with concern that this reinforces the conclusions of other similar reports over a number of years; further notes the positive action which the Minister of Education has taken to support other ethnic and minority groups who are underachieving; and calls on the Minister of Education to outline the specific steps his Department is taking to redress this situation and establish a meaningful sectoral body for the controlled sector to enable it to address this issue in the same manner as the Council for Catholic Maintained Schools, which has been able to tackle underachievement in the maintained sector.*



4.45 pm

*Motion made:*

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

## Adjournment

### Preschool Provision: East Belfast

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

**Mrs Cochrane:** Thank you, Mr Deputy Speaker, for the opportunity to once again bring this issue to the House, and I thank the Minister for his attendance.

Preschool provision in east Belfast, and right across Northern Ireland, is a topic that causes much frustration. Through our constituency offices and in the media, we hear on an annual basis about the problems that parents face at the school gate, yet we have still not managed to resolve those issues. Every child deserves the best start in life, and, although preschool education is a non-compulsory phase, its benefits cannot be overstated.

Research has shown that children who attend high-quality preschool settings are better prepared for primary school and learn more quickly than those who do not. It also shows that children who have attended preschool are more sociable, confident and independent than their peers who have not. It is, therefore, imperative that we get the provision right, and that is why I have been campaigning on this issue for a long time.

I take this opportunity to welcome the fact that the Minister has listened in the past and that some steps have been made in the right direction. For instance, we now have a two-step process that ensures that children in their immediate preschool year get priority over those in the penultimate preschool year, and we have also got rid of the July/August criterion, which had distorted intakes in some settings. Also, through the preschool education expansion programme, more children are receiving education in nursery schools and classes, playgroups and private day nurseries that all follow current curriculum guidelines. I welcome all this. Unfortunately, however, it is still not enough. There are still children who have not been allocated a suitable preschool place, and we must look at and address the reasons for that.

I have carried out some surveying across my constituency of East Belfast on this issue, and the message that is coming back to me is clear. Parents do not see preschool provision as childcare. It is the start of a child's formal educational pathway, and that is why parents take it so seriously.

One of the biggest issues raised is the resentment of the priority criterion for children from disadvantaged backgrounds. I understand the rationale for this criterion, and I agree that the application process should ensure that there is a high level of preschool participation by children from disadvantaged backgrounds. Indeed, I have gone to great lengths to try to explain that rationale to some of my aggrieved constituents. However, the current set-up, which was designed to support maximum participation

from the disadvantaged group, now appears to give that group priority in choice of setting. We want all children, regardless of background, to have a fair and equitable chance of being allocated a place in their preferred setting. We must ensure that the system allows that to happen.

A simple analysis of preschool settings in east Belfast shows a lack of provision in the Dundonald area. That is having an adverse impact on provision in the BT4 and BT5 settings, which are actually better balanced when you look at the P1 intake there. Enrolment patterns show that parents are also continuing to choose nursery schools or units over and above playgroups. We must ask why.

Many parents have told me that they see controlled and maintained nursery settings as providing an enhanced educational experience compared with the places offered in the private and voluntary sector. Do not get me wrong; there are many excellent preschool providers in that sector, and, indeed, I championed the expansion of St Colmcille's, Ballyhackamore, for that very reason. However, the issue needs to be addressed if we are to encourage parents to choose those settings voluntarily instead of seeing them as a second-rate provision.

The 'Effective Pre-school Provision in Northern Ireland' report found that, at the start of primary school, there were no differences between children who received part-time or full-time provision. I would be interested to know whether there has been a study to assess whether there are any differences between those who attended a controlled or maintained setting compared with those who attended a voluntary or private setting.

If all preschool places are of the same high quality, we need to get that message out to parents. If there are differences, we need to address them. For instance, I have heard it said that nursery teachers have had training to help them to pick up early learning difficulties such as those on the autism spectrum but that playgroup leaders have not. I do not know whether that is the case but, if it is, do we need more training of that nature for preschool providers? Could we be using newly qualified teachers in those playgroup settings? Would that be a realistic option and has the Minister assessed the implications of doing it?

Another key consideration by parents when applying for a preschool place is whether it is linked to or close to the primary school that their child will attend. Parents understand that young children can take a while to settle and, therefore, many want their child to transfer to P1, where possible, with the little friends they made at preschool because they know that that helps to smooth the transition. The Department recently removed the link in the admissions criteria between preschool and primary 1 to alleviate a particular concern that some parents had. Unfortunately, that created a different concern, with uncertainty of a place two years in a row in the areas of high demand.

I mentioned the anomaly in provision in Dundonald, where there are 211 primary 1 places across two schools, but only 108 nursery places. I appreciate that some places have been allocated in the private and voluntary sector, but approximately 20% of children in that area are still without a local place. Some have secured a place further down the road, but that has simply shifted the under-provision to the BT4 and BT5 areas. I am keen to know whether the Minister has plans to address that specific problem.

The application process is complex. I wonder whether the Minister has considered changing it to be more in line with the process for primary 1 enrolment. I say that because there has been a commitment to provide at least one year of preschool education for all who want it, and all children must be provided with a primary 1 place, so why not match the enrolment process? If that is not an option, we need to address the lack of information for parents in relation to the preschool application process, which is especially difficult for parents who are negotiating the system for the first time.

Many parents are not sure exactly when they need to apply for a place. Perhaps there is a role for health visitors in providing an information pack for parents, because they are a main point of contact for families at that time. With Christmas being such a busy period for parents, I always try to get information out to constituents, urging them to meet the January deadline. However, it is not just about getting the application in on time; it is about knowing the system well enough to make informed choices.

This year, I again have heard from parents who chose Greenwood as number one and Dundela number two. By the time they chose Belmont as number three, they had lost out on a place that they might have been allocated had they put Belmont as number one in the first place. Instead, someone further away was allocated that space.

This year, I even went as far as phoning all the settings in advance to find out when their open days were taking place and published that information for my constituents to encourage them to take the opportunity to visit the preschool providers in their area and ask questions about specific entrance criteria. Perhaps this is something that could be done centrally in future, or perhaps the criteria could be the same for all settings. That may be less confusing.

I have previously suggested a points-based application system, and I am keen to know whether the Minister has considered such an option. A system like that could even allow childcare locations to receive a weighting to try to address the concerns for working parents who may need a place where their daycare solution can do a pick-up or drop-off. I know that the Minister has, in the past, said that he is the Minister of Education and not a Minister for childcare. I agree with him on that point. However, children do need to be cared for outside their preschool slot and he does have a responsibility to ensure that the timing and location of sessions matches local need, which will include, of course, access to childcare.

Finally, I have no doubt that today we will be told that the number of children who have not been allocated a place is lower than in previous years. Although I do not want to dismiss the progress that has genuinely been made on this issue, I would like to raise one final issue of concern.

It appears that some working parents are choosing not to apply for a preschool place as they believe that it is a pointless exercise. They have looked at the enrolment patterns for their local providers and realised that they are unlikely to be allocated a place for their child due to the admissions criteria. They know that they will be directed to another provider but that that will simply not work because of their childcare arrangements; for example, if their daycare provider does not offer a drop-off and pick-up service for a further-away provider and they simply cannot base their work on a 12.15 pm drop-off and a 2.45

pm pick-up. As a result, we have children missing out on a preschool experience simply because their parents did not actually apply for a place, and now they are also off the Department's radar.

Although today I am raising the issue specifically in relation to the provision problems in east Belfast, I know that it is a problem Province-wide. If we want our children to avail themselves of a high-quality preschool education, surely the best way to do so is to ensure that there are enough places to meet demand and that all those places are of high quality. I look forward to hearing from the Minister on any progress he has made since we last debated the issue.

**Mr Douglas:** I thank the Member for bringing this very important subject to the House tonight. I also thank the Minister for being here tonight, because I know that he was involved in a previous discussion about disadvantage in education.

I also thank the Member for raising a number of points that are crucial to the debate. I think we all recognise that the benefits of preschool provision in relation to children's development across the board are so important. It is widely accepted that high-quality provision makes such a positive impact on children's lives.

In 2012 the Minister came to the House and talked about the importance of high-quality provision. That is what we are talking about tonight. It is about high-quality provision but also about access. The Member mentioned her own office. Certainly, in my office in east Belfast we have parents contacting us about the difficulties that they find in getting access to provision. In fact, someone was in our office recently who was offered a place over in north Belfast. I think it is totally unacceptable to ask parents, who find it difficult enough coming to terms with day-to-day living, to bring their children to another part of Belfast.

For me, one of the difficulties is in those disadvantaged areas and communities. The previous debate was about those working class communities that find it hard to access good provision and the importance of the parents and the wider community being involved in the provision. In east Belfast, I have been very encouraged by the community and voluntary sector's input to preschool provision. An organisation like Carew II, which has been involved there for a number of years — going right back to the 1960s, I think, before it changed its name — does excellent work. There is also the East Belfast Partnership.

It has been trying to enhance education from preschool provision through to people from those particularly disadvantaged areas getting access to higher-level education.

5.00 pm

I have spoken to people who are former members of the various boards, and they say that, although there has been provision for many years, we still have not cracked it. I ask the Minister to look again at the provision. I know that he has made certain changes — very positive changes. However, as the Member said, there are still problems with access and making sure that we have that high quality provision. I encourage the Minister to look at ways in which community and voluntary organisations can be more involved in that provision, because they need help and support if we are to encourage the development and

increase high-quality provision in east Belfast. We are talking about east Belfast, but it is not just in east Belfast; it is right across the board.

I will leave it at that, but I want to reinforce to the Minister the fact that we need to look at this again, because there are difficulties that need to be addressed.

**Mr Newton:** Like Mr Douglas, I indicate my gratitude to Judith Cochrane. This is an important debate, coincidental though it may be that it came immediately after the debate on underachievement, particularly among young Protestant boys. It is important in the sense that we want to get the right start in life, the right conditions and the right support for our children. There is no doubt that parents definitely feel that getting a quality provision of preschool education is a very good foundation. They are particularly interested in getting a provision that will enable the child to transfer into the primary-school system and where the relationships that are built up can be maintained as they go into primary school. I thank Mrs Cochrane for proposing the debate. It is not the first time that we have debated the issue. We have debated it before and, hopefully, will not have to debate it next year. We will wait to hear what the Minister has to say, but we hope that we will not need to debate it next year.

I am not going to go into the analysis, as the analysis of where it is was excellent. I just want to make a few points and build on a couple of things that Sammy Douglas said. Entrance criteria are a concern for parents. There is no doubt that seeking a place for a child is a very traumatic experience for the parent or parents. I am sure that we have all seen that when parents get a letter of refusal, maybe not just from one place but from several places, it raises the concern of parents who are seeking a place. Those parents are very responsible and are seeking the best start in life for their child, and it is very concerning to be rejected at that stage.

Mrs Cochrane referred to the statistics. If you look at them, you see that they are going in the right direction, and that is welcome. However, to some extent, that is only if you look at it with regard to statistics. There are parents who say, "Look, there is no point in my applying, because I do not have a connection with my local school", or, "I am working and my wife or partner is working, and there is no point in us applying." They then go off to look for alternative provision in the system. In doing so, they are not building a connection with their local school, and they are not developing the community as a whole. In the event of a second or third child coming along, the problems continue.

As Mr Douglas said, there is something inherently wrong when a parent in east Belfast is offered a place for their child in north Belfast, given the schools that are in east Belfast. By coincidence, I had to travel across Belfast this morning. Getting across Belfast in the morning to leave a child to school would be horrendous. I suggest that it would not be achievable to get there and then move on to work. Then, there is the potential of having to pick the child up at a later stage in the day.

The other thing is that local schools tend to have parental support or alternative support around them. There is no doubt that many, many parents rely on wider family to support them in the early years of their child's education.

Mrs Cochrane made a point, which Sammy Douglas reinforced, about the quality of provision. I think that we are certainly going in the right direction with quality of provision. The skills that we are developing and the facilities that are there are good. However, I want to put to the Minister a situation that has arisen in east Belfast.

Orangefield Primary School is an excellent school serving its community extremely well. It faces high demand for places, and children, even those who live 100 metres or 100 yards from the school door, are being refused a place because they do not meet other aspects of the criteria. However, there is an opportunity, because in close proximity — one might argue that it is on the same campus — is Orangefield High School, which is going to close. There is an opportunity for the Minister to consider using Orangefield High School as the provision —

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

**Mr Newton:** — for preschool education.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. First of all, I thank the Member Judith Cochrane for bringing this debate to the House this afternoon. She and other Members identified a range of benefits that accrue to young people and children when they get into the education system at the earliest opportunity, and those are very clearly understood by us all. Obviously, preschool provision forms part of that and is a very important aspect.

The Member indicated that she was pleased to be able to acknowledge that there have been improvements in the level of provision, particularly since last year. I share the concern that we all want to make sure that there is maximum reasonable access to preschool provision and that there cannot be any concept of second-rate provision. Therefore, I endorse any comments about, first of all, looking for access to preschool provision and first-class provision. I would not suggest that anybody is providing second-rate provision.

We all understand very clearly the benefits for children of getting into preschool education facilities as soon as they possibly can. As a long-time elected representative, I know that, year on year, we deal with families that have difficulties with getting their children into a preschool, a primary school or even a post-primary school. We are always addressing various criteria.

It is important to welcome the fact that improvements have been driven by the Minister and the Department. That is very important. I urge parents to continue working with local education boards and other providers, because that is how these matters will be addressed locally in the first instance. I urge parents to work with the boards in the first instance to ensure that their children get an appropriate place.

There is no doubt that, over the years, we have dealt with the various criteria that have been laid out. Many people will argue about whether the criteria need to be changed. Of course, from time to time, they are changed. Obviously, we have criteria that are designed to tackle disadvantage. We try to tailor the criteria to make sure that we tackle other, more fundamental problems, such as children who come from disadvantaged backgrounds. We know that they will suffer more because of the background that they come from and because of the obstacles that they will

have to overcome when they enter the education field to get a level playing field.

It is another timely reminder to all of us that we have to continue to do our level best, collectively as an Assembly and Executive, to tackle disadvantage at source. The sooner we do that, the sooner we can reduce the need for criteria, whether they are for preschool education provision or any other social services provision required. It is a bit of a no-brainer: if we tackle disadvantage at source, we lessen the burden on every other aspect of our public services provision.

I commend the Minister and the Department for continuing to improve the scenario, but this is like everything else. We have an important improvement to record, and, clearly, most parents will have a satisfactory outcome, but we know that, for young families in particular, preschool provision for their child is the start of a journey through the education system. It would be far better for that journey to start on a positive than it being, in some cases, more negative than it should be.

I urge the Minister to take note of the concerns. I know that he is very concerned and that he has been taking important steps to address the issue year on year and will continue to do that. While acknowledging the important work and recent improvements in the service, I look forward to hearing his response to the concerns raised by Members.

I also commend the Member who secured the Adjournment debate. It has given Members the opportunity to address what is an ongoing issue for all families still trying to get their child a preschool place. We hear of such families, and although there are, thankfully, fewer of them, each individual case causes stress. So it is important to acknowledge that improvements have been made, and we look forward to continuing improvement in preschool provision.

**Mr Kinahan:** I will be brief. I am pleased to be able to join in today's debate and thank Mrs Cochrane for securing it. I am intrigued that most of the complaints that came my way as Deputy Chair of the Education Committee were from the South Eastern Education and Library Board. I had very few from Belfast, so I congratulate the Minister, the Department and all those involved in the areas where the system works really well.

A constant review is needed throughout, but I want to use now as a chance to nudge people towards looking at the things that do not work well. There does not seem to be a good system for assessing what is needed for next year, or whether we need to look at this three years, two years or one year in advance to try to find a better way.

It was, I think, Mr Douglas who said that getting the community to work together and getting everyone to pull together was probably how we could find an economic and reasonably cheap way of doing this so that we are always ahead on the figures and can guess and help schools out.

It is also about trying to make sure that parents who both work have a chance to get their children to preschool. They are always the ones that seem to be left out. Then there are the problems of those who cannot manage the half day because they work for the whole day and do not have family or other support.

It goes back to the point that we need a good assessment system that looks at what is needed for next year and the year after that.

The Minister will never win, but he can keep doing his best. We will keep prodding and pushing him every year. Thank you to everyone and thanks for the debate. I think that this is like everything else here: it is about working together.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to respond to the debate. I recognise that Members have raised some genuine concerns. I recognise some of these concerns from my postbag of correspondence from MLAs, councillors and, most importantly, parents.

Before I turn to specific points of East Belfast, it is worth pointing out that we are only at the halfway point in the preschool application process. Across the North, 23,215 applications were submitted during stage 1 of this year's process, almost 700 more than last year. So far, over 95% of parents who applied have received the offer of a funded place in a setting nominated in their application form, and 86% have secured a place in their first preference.

Some of you acknowledged that that is a considerable achievement and represents real progress from the position only a few years ago.

The Department of Education invests over £87 million in non-compulsory early years education and learning services. Since March 2013, I have approved five development proposals, creating an additional 130 preschool places in addition to providing sufficient funding for education and library boards to secure sufficient places to meet the projected demand. I will keep this under review as the admissions process progresses.

#### 5.15 pm

The preschool education advisory groups (PEAG) and the education and library boards are responsible for the detailed planning and management of the preschool admissions process within the framework set out by the Department. The process is detailed and time-consuming, and considerable effort has been made by staff in the boards and the PEAGs to identify suitable places for children.

Before I comment on the specific provision in the East Belfast constituency, I want to respond to a number of points raised during the debate. Members referred to the priority given to children from socially disadvantaged circumstances and to the needs of working parents. I must be very clear that my focus is on the education of the child, and, as someone pointed out, I have already said that I am not the Minister with responsibility for childcare. However, I accept that these circumstances overlap.

My priority is to address the educational needs of the child. Attendance at preschool delivers positive outcomes later in life. Indeed, the previous debate looked at the needs of Protestant working-class boys in particular and at challenging their educational outcomes. Preschool provision for people from socially deprived backgrounds is vital. However, it is important to point out that, in reality, less than 24% of children receive priority because of social disadvantage. We often believe that there is a blockage for everyone trying to get to their preferred point, but that is not so.



At the end of stage 1 of the admissions process, 95% of children have already received the offer of a funded place. The debate has also raised the issue of children from lower-income working households, and it has been suggested that those children may benefit from priority in the application process. However, the review of preschool admissions recommended that the definition of "socially disadvantaged circumstances" be examined, with a view to monitoring the relevant economic elements of the definition of free school meal entitlement for that reason. This area will be reviewed, and I want to ensure that a fair and transparent process remains in order to ensure that those children who are most at risk of educational underachievement are encouraged and supported from the outset.

Before I turn to the specifics of east Belfast, I want to mention the letter that the boards sent out during the application process. If people have been turned down, they will receive a list of all providers in the board area. I agree: I do not think that it is reasonable to ask anyone to travel across Belfast or to travel long distances to a preschool provider, but the boards are sending out letters that set out all the providers in the area. From an administrative and financial point of view, it is much easier to do that, but I accept the frustration of parents when they receive letters suggesting that they move further afield. However, we are not asking parents to travel too far. What we are asking parents to do is to continue to engage and work with the boards through this process in order that they will be placed.

I will return to the specific issues. Parents in east Belfast submitted 1,208 first-preference applications. Both the Belfast and South Eastern Education and Library Boards manage the preschool education programme there and, at the end of stage 1 of the process, 120 children remained unplaced locally. Places remain available, and the PEAGs have already introduced some 90 additional places into the east Belfast area, with over 100 places available for stage 2. Lough View Nursery, in neighbouring Castlereagh, also requested and has been granted temporary flexibility to increase uptake from 26 to 30 places for the 2014-15 school year. It is worth noting that none of the nursery schools in east Belfast has asked for a temporary variation, which is available on request. That can increase numbers by four, which, I accept, is a small number, but for health and safety reasons, that is as far as we believe that we can go. However, none of the nursery schools in the east Belfast area has asked for that extension.

Officials from my Department will liaise with PEAG colleagues regularly to review the situation and to ensure that suitable places can be identified for all children. The publication in October last year of Learning to Learn, my framework for early years education and learning, highlighted the importance of quality education and learning.

I am keen to build on the significant progress that has been made in recent years. I am conscious that Members are being contacted by parents who have genuine concerns about provision in the east Belfast area. I will ask my colleagues in the Department to liaise closely with the PEAGs for the area and, where additional places are required and there are no additional places within a reasonable travelling distance, we will provide them.

I want to ensure that every family and every child has an opportunity to receive preschool education, which may

or may not be in a nursery school; I noted the comments about the comparison of the quality of education in nursery schools compared with community and voluntary settings. Both settings are regularly inspected by the inspectorate; they teach the same curriculum and are open to the same challenges from my inspectorate that they would if they were a statutory school. Through our Learning to Learn programme, we are running a pilot scheme in some of the community and voluntary settings to identify special educational needs etc. There is a recognition that there will always be a need for upskilling, and we are working through that upskilling programme. I believe that a well-run and well-managed community and voluntary setting offers a child the same advantages in life as a well-run, well-managed nursery school.

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

**Mr O'Dowd:** Judith asked me first.

**Mrs Cochrane:** I thank the Minister for giving way. I agree with him, but how do we get that message out? How do we challenge the perception among parents that, somehow, it is second-rate? I was not suggesting that it necessarily was, but there is work to be done to smooth the process.

**Mr O'Dowd:** I will answer that point, and then I will let Sammy in. There is a message to be sent out to parents to instil confidence in them that a preschool setting outside a school will offer the same opportunities to a child that a setting in a school would provide. I have challenged some of the groups at times. When you look at the provision of a nursery school, or there is a banner outside saying "playgroup", that automatically sends a message to parents that, I think, is negative. These are preschool settings and children learn through play — I am not arguing against the concept of learning through play or through the existing curriculum — but there is also a role for community and voluntary settings to sell themselves and present themselves in a different way.

I will let Sammy in, and then you can come back to me.

**Mr Douglas:** I thank the Minister for letting me intervene. You mentioned some of the great work that the community and voluntary sectors are doing. My colleague Danny Kinahan also talked about a community response. Would you agree that the social enterprise model is a very good model for community and voluntary organisations in which people from voluntary organisations can get together and run schemes as highly professional businesses? Have there been any discussions between your Department, the boards and, for example, Invest Northern Ireland about trying to increase some of that provision through social enterprises?

**Mr O'Dowd:** There have been no specific discussions between my Department, the boards and Invest NI on that matter. The Member will accept that my primary responsibility is the provision of preschool education, but I acknowledge the fact that I am spending public funds, which can stimulate the economy in many different ways. There is clear evidence that where there are well-run community and voluntary settings we are making an impact, not only on children's lives but on the socio-economic character of communities. I am a great supporter of community and voluntary interventions in areas because they make a community stronger.

**Mrs Cochrane:** I thank the Minister for letting me come in again. I want to go back to the point about challenging the perceptions around the difference between a playgroup and a nursery. Those perceptions go right down to the booklet that is produced by the education and library boards, which separates them out and puts the playgroups at the back of the book. If they were integrated throughout the book, that, perhaps, might go some way towards challenging those perceptions.

**Mr O'Dowd:** I will certainly ask my officials to take a note of that. When you do things such as that, it perhaps sends the wrong message to parents about the quality of education offered in these settings. I will follow that up with the education and library boards and encourage them to approach that in a different way.

I assure Members who represent East Belfast and adjoining areas that we will keep the situation under review and that we are still involved in the process. The message that has to go out is that we should encourage parents to continue to engage with the education and library boards. We will do everything in our power to ensure that there is local provision in east Belfast or in the closest geographical areas.

**Mr Newton:** I thank the Minister for giving way. I want to raise the point again about the potential use of the Orangefield campus for a facility that would address some of the oversubscription in the area.

**Mr O'Dowd:** I had taken a note of that; I apologise to the Member for not responding to him. The Orangefield High School site is owned by the Belfast Education and Library Board. It is its responsibility to find an alternative use for it if it wishes to keep it in the education sector.

I ask the Member to raise that with the Belfast Board. I will certainly ensure that a note is passed to it to state that that issue was raised during the debate and that providing preschool education on that site may be one of the areas that it wants to look into in the future. Sorry, Mr Deputy Speaker, I am finished speaking.

*Adjourned at 5.25 pm.*

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# Northern Ireland Assembly

Monday 12 May 2014

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

*Members observed two minutes' silence.*

## Matter of the Day

### Oscar Knox

**Mr Speaker:** Order. The Rt Hon Peter Robinson has been given leave to make a statement on the death of Oscar Knox, which fulfils the criteria that are set out in Standing Order 24. Other Members who wish to be called should continually rise in their places. All Members will have up to three minutes to speak on the subject. Members will know that there will be no points of order on any other matter as we deal with this issue.

**Mr P Robinson:** Of course, these remarks will be about the passing of wee Oscar. However, I think that, in keeping with the views that his family expressed, they will be more about a celebration of the life of Oscar Knox.

From time to time, we come together in the Chamber to mark the death of someone who has perhaps given great public service; someone who has committed themselves and made some real achievement, whether that is in sport or the arts; or someone perhaps from our own number who has passed away. On all those occasions, it is a recognition of the service and achievement of someone's lifetime. On this occasion, some people might ask why we are marking the passing of a five-year-old boy. The truth is that, for many of us, when we go through life, we admire those who show courage in the face of suffering, who can smile through pain and discomfort, and who show that they do not lie down when faced with adversity. Although we all admire that when we see it in an individual, when you see it in the life of a young child, it is particularly poignant.

I had the pleasure and honour of meeting Oscar. He was a young boy who was faced with a very aggressive form of cancer. It brought pain and suffering into his daily life. It obviously impacted on his entire family circle. In effect, he could not have a normal life.

Absolutely everybody who met him was won over by his personality and the mischievous innocence of the young boy. He had a way of making you smile. You could not have been in his presence without smiling. When the deputy First Minister and I met him and he turned the office upside down, we were almost exhausted after he left because so much energy was displayed during that time. It is right that we should honour somebody who showed such fortitude in the face of adversity and brought so much joy and love to so many people.

It is sad that he has passed. The words that would have brought tears from any stone were his words in the midst of his suffering when he said that he did not want to be a boy

any more. That indicated that somebody who had fought so hard for so long was suffering so much.

Today, we pass our condolences to Stephen, Leona and wee Izzie. People are inclined to forget the role of wee Izzie. Anybody who has children knows that, if one child is getting paid a lot of attention, it can affect the other child, but Izzie was so much a part of it all. She recognised the difficulties that her brother was facing, and it will be a very difficult time for her in the months and years ahead. We send our condolences to them. It is at times like this that I am inclined, particularly on the death of a child, to remember the exhortation of Christ to his disciples, which also provides a promise for those who lose a child at such an early age:

*"Suffer little children to come unto me, and forbid them not: for of such is the kingdom of God."*

**Mr M McGuinness:** Go raibh maith agat, a Cheann Comhairle. First of all, thanks to you for accepting this matter of the day. We have just come through a weekend of contrasts. We had the absolutely fantastic Giro d'Italia in Belfast, with the people of the city and the people of the North, Armagh and Dublin rising to what was a fantastic world event. There was a lot of joy, happiness and good craic. The contrast was the loss of Oscar Knox. Here, today, we think of wee Oscar, his father, Stephen, his mother, Leona, and, as the First Minister has said, very importantly, wee Izzie.

Oscar was a wonderful and very special little boy who, at five years of age, had such an impact on all of us. It was Stephen Hawking who said that we are very small but we are profoundly capable of doing many great things. Oscar Knox was very small. He was only five years of age, but he was absolutely and profoundly capable of doing many great things. He united our community. We had the sight of Rangers fans and Glasgow Celtic fans expressing their support, and, over the weekend, the messages that went up at the Brandywell, Celtic Park and many other places. Even last night in Philadelphia on the steps that Rocky ran up during that famous film, the sight of Irish-Americans placing candles with Oscar's name written on the stones was absolutely amazing.

The day he came to Parliament Buildings was incredible. It was probably one of the most memorable days in the history of this Assembly. Is it not incredible that a five-year-old could have such an impact on grown men and women? He caused mayhem. He was like an Exocet missile running through the Building, and we absolutely loved it. We loved him, we loved having Izzie there to run with him, and we loved having Leona and Stephen there.

The message for all of us is very, very clear: we have to get real about what is important in life, and what is important in life is the future and our children. Oscar was an exceptionally gifted little boy. He had the capability to bring people together from a wide spectrum of our society. If we are to learn any lesson from that, it has to be that we have to be more united, because Oscar was a unifier.

It is heartbreaking for me to look at the photograph of him standing on my desk with one little arm around the First Minister's shoulder and the other around my shoulder because that sends the message, "I depend on you guys." All our children depend on all of us.

We have to rise to the occasion for the sake of our children and for the sake of Oscar. I was very, very proud to know him. Yesterday, I attended his Mass of the Angels, and as we left the church we were handed seeds of his favourite flower, the sunflower. I went home and planted them in the front garden. We will never forget him. Go raibh maith agat.

**Mr Byrne:** Like the First Minister and deputy First Minister, I express my party's sympathy to the family of wee Oscar: his parents, Stephen and Leona Knox, and his sister, Izzie. Leona's family come from Castlederg, and I have known them for a long time. There was a very moving service yesterday in St Bernard's Church, Glengormley, where Father Damian McCaughan very much reflected the life and experience of little Oscar. He was a great inspiration to the wider public, and the Knox and McMenamin families are to be congratulated on the big social media campaign that they have conducted over the past two to three years in fundraising for research for this very rare cancer sickness that affects children.

Like others, we were moved by the character and gaiety of little Oscar and by the courage that he showed in dealing with his sickness. We hope that, in the days ahead, the two families — the Knox family and the McMenamin family — will take some succour from the wider public support that they have engendered in recent times.

**Mrs Dobson:** Oscar Knox was Northern Ireland's wee superhero. I know that I join with all Members when I say that it was with deep sadness that I heard that, in the words of Stephen and Leona, Oscar had gained his angel wings on Thursday evening. Northern Ireland shed a tear for one of its own.

In his five short years, Oscar did so much for everyone else. He helped people who never got the opportunity to meet him. He was a five-year-old who united and captivated Northern Ireland with a sheer zest for life, teaching us the real values of love and compassion. He was symbolic of all children who fight hard against terminal illness and was the public face of countless children who suffer in silence. As Oscar's illness returned, Northern Ireland held its breath, hoping against hope that he would pull through.

I know what it is like to have an ill child, to sit in hospital waiting on the results of endless tests, holding your breath tight in hope and in love. It changes your focus on what is important in life. As parents across Northern Ireland tucked their children in last night, they paused and held them that little bit longer, saying an extra prayer for a brave little boy who was called home to God.

Oscar's favourite film was 'Peter Pan', and it is poignant to think of those angel wings and the little boy who will never get the chance to grow up.

Oscar epitomised all that is good in Northern Ireland. On behalf of the Ulster Unionist Party, let me say that our thoughts and prayers are with Leona, Stephen, Izzie and the entire family circle, today and in the days that lie ahead. As they face each new morning without their beloved Oscar, they should know in their hearts that Northern Ireland will never forget him. Oscar's legacy of love will live on.

#### 12.15 pm

**Mr Ford:** I add my condolences and sympathy to Oscar's family. It is absolutely clear from what is being said in the Chamber this morning that Oscar did not just touch the lives of his immediate family and family circle, the neighbours in Mallusk or the parishioners in St Bernard's; he touched the lives of people right across Northern Ireland, by his cheerfulness, the way he responded to his difficulties, and how he was, literally, the person who could stand between the First Minister and the deputy First Minister and cause mayhem, possibly even on a scale that is not normally achieved in this Building.

So it was no surprise to see the tributes and the turnout yesterday, as people celebrated his life, because it was, as his parents wanted, a celebration of a life. It was also a reminder to us that, although Oscar was unique in some ways — he was certainly unique to Stephen and Leona and to wee Izzie — he was not unique in the context that there are other children in this society who face life-limiting illnesses. There is a Children's Hospice on the edge of north Belfast and Glengormley, which has other children in it facing similar difficulties. As has been said already, it is something that should remind all of us about what is really important in life and what should really concern us, and some of the squabbles that go on in the Chamber are a little unedifying when we stand this morning and pay tribute to a five-year-old who could actually set an example to all of us.

So let us remember those who cared for Oscar, because he was cared for well by his family and so many professionals. Let us remember that with gratitude. Let us remember the way he was able to live his five years to the full. Let us also remember those who suffer in a similar way and also need our support, and let us remember Oscar's example and ensure that we meet the needs of the people of Northern Ireland in full in this Chamber and provide the leadership that we were shown by a five-year-old.

**Mr Agnew:** On behalf of the Green Party in Northern Ireland, I express our condolences to Oscar's family on his sad passing, but, at the wishes of the family, I would like to celebrate Oscar's life.

We often use the phrase, "you are one in a million", but for a child such as Oscar to be diagnosed with Jacobsen syndrome, which affects approximately one child in 100,000, and also the particular form of cancer, high-risk neuroblastoma, which also affects one child in 100,000, little Oscar was in fact one in 10 billion. I think that that is displayed in the affection shown across Northern Ireland, and indeed across the world, by people who followed

Oscar's story through his illness and his many exploits in the short time that he had with us.

As the father of a five-year-old son, I know how much joy and work children of that age can be. I know that Oscar's family will have made the most of that time, knowing that his time would be short. Indeed, as has been pointed out, he packed a lot into those short years. His many achievements have been mentioned. He met our own First Minister and deputy First Minister and, as has been said, brought them together in common cause. He also led out his beloved Celtic in a Champions League qualifier. So there are certainly happy memories for the family to look back on and take comfort in.

I would like to echo some of the comments of Mr Ford, in paying credit to the Children's Hospice. It has seen an increase in donations due to the publicity around Oscar, whose public profile has helped to bring contributions for its work. Unfortunately, there are many sick children in our society, and it is important that we do everything we can to help and support them. I also pay tribute to the Royal Belfast Hospital for Sick Children, which saved the life of my sister when she was a child. The hospital did all that it could to treat Oscar and support his family, and they do excellent work there. It must be an extremely difficult job working with severely sick children, and I commend the staff for their work.

Finally, I want to mention little Izzie. As has been said, it is a tough time for all the family, but it is important that her life is maximised so that further joy will be brought to the family from her life.

**Ms P Bradley:** I rise as a resident of Glengormley. I do not imagine that there is a single person living there who does not know the name of Oscar Knox. You only had to travel around Glengormley, whether it was to the chippy or to the local newsagents at the bottom of Carnmoney Road, to see the boxes fundraising for Oscar Knox. On Saturday, the streets in Glengormley were lined with people cheering and waving the Giro on, and, yesterday morning, the streets were lined again to remember Oscar. What a shining light he was.

Yesterday morning, I said goodbye to my son at the airport; he is embarking on a new life and a new career. Last night, I sat in my back garden and had such happy memories of the home that we have, and I remember 24 years ago buying my house off a lovely couple called Brian and Susie Knox. They had a lovely son, Stephen, who played in the same garden that my son played in. As I sat there just before 10.00 pm, the skies in Glengormley were filled with lanterns, and it was such a beautiful evening. It was so still and so peaceful, and I thought that it was a fitting memorial to see all those lovely bright lights up in that sky remembering wee Oscar.

On behalf of all the residents of Glengormley, I can say that our thoughts and prayers are with Stephen and Leona, Oscar's sister, his grandparents and all the family, and we wish them all well and hope for the future. They know that wee Oscar's bright shining light will go on forever.

**Mr A Maginness:** I pay tribute to the family and friends of Oscar Knox. The family made a moving and fitting tribute to their beloved Oscar at the Mass of the Angels in St Bernard's, Glengormley yesterday. Oscar's brave battle with neuroblastoma, an aggressive and rare form of cancer, captured the hearts of the public. He brought

together people from all communities and was a beacon of real hope. For families who have a sick child, he offered hope and inspiration and has given them tremendous courage. Father Damian McCaughan said at his funeral mass:

*"by being an ordinary boy and staying ordinary even in the midst of his illnesses, he inspired others to do extraordinary acts of love."*

Oscar's innocence — or, as the First Minister said, his mischievous innocence — and his gentle nature helped to unite people across Northern Ireland and, indeed, the world. If we want his legacy to live on, we must, in our ordinary lives, try to have an extraordinary impact for good. Oscar's family, particularly his parents, Stephen and Leona, must be experiencing a great deal of real pain at this time. I am sure that the outpouring of sympathy from the public and, indeed, from the Assembly will be a great comfort through this most difficult of times. Many hearts were touched yesterday evening when Belfast City Hall was lit up teal and yellow, the colours used during the Oscar Knox appeal. That reminds us that Oscar's legacy lives on and continues to touch people.

Yesterday evening, the sky across Belfast was lit up with lanterns, and, in homes across the North, families lit candles to remember the short but very special life of this remarkable and courageous little boy. According to Edith Wharton:

*"There are two ways of spreading light: to be the candle or the mirror that reflects it."*

Oscar's light will continue to shine, and we all have a duty to make sure that it does.



## Speaker's Business

**Mr Speaker:** I want to return to a subject that I have returned to in the Chamber on a number of occasions, which is Members not being in their place at Question Time. Let me give you an example: last Tuesday, nine Members were not in their place for Question Time, even though they had put down a question down to a Minister. If that is a record, it is a shameful one. There may be some Members who will wear it as a badge of honour. It is an abuse of the procedures of the House and a total discourtesy to Ministers and to other Members who come to the Chamber hoping to be called for a supplementary.

I am conscious of other things happening outside the House, but that is no excuse for nine Members to be missing from one session of Question Time. To allow for the fact that the timing of business may change, Members and Ministers have a responsibility to manage their engagements to ensure that they will be in the House when business is down in their name. It is not for the House to speed up or slow down to suit the diaries of Members or Ministers. I know that some Members may think that it is not a big issue, but I have discussed it with colleagues in other institutions, and I know that such behaviour would be very much frowned on in other institutions. In fact, it would not be tolerated.

I am conscious that Members submit their name to ask a question but then do not turn up in the House and give no reason for not doing so. I do not believe that there are any circumstances in which a Member cannot turn up, especially when their name is down for a question. The Deputy Speakers and I are keeping a watching brief on the issue. Certainly, if there is no improvement by the end of May, I, along with the Deputy Speakers, will have to look at putting some sanctions in place for Members who just do not turn up in their place. Quite a number of Members have not come to the House to apologise or give a reason why they were not in their place, and we have a list of those Members. That may be the first sanction that we will use for Members who have not come to the House to make an apology.

Let us be honest: I can understand that minds are somewhere else, but that is no excuse, especially when Members have their name down for business of the House.

Let us move on, and I hope that Members will take that warning on a very serious situation.

## Ministerial Statements

### North/South Ministerial Council: Transport — Roads and Transport

**Mr Kennedy (The Minister for Regional Development):** At the outset, I add my tribute to the truly inspirational Oscar Knox and offer my sincere sympathy to his parents, sister and entire family circle.

Mr Speaker, in compliance with section 52 of the Northern Ireland Act 1998, I wish to make a statement on the meeting of the North/South Ministerial Council (NSMC) in the transport sector, which was held in Armagh on Wednesday 16 April 2014. The meeting was chaired by me and attended by Minister Varadkar and Minister Durkan. My statement will address the agenda items that relate to my Department.

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

The Council discussed the recently introduced UK road user levy for HGVs and, in particular, its impact on road hauliers using Northern Ireland roads. It agreed to continue to liaise on the matter, particularly on the possible exemption from the levy of the A5. We discussed the need to continue to share vehicle keeper data following the recent announcement of the centralisation of vehicle registration and licensing functions in Swansea.

The Council held a discussion on various priorities within its remit and noted that they will be contained in a report to be considered at a future North/South Ministerial Council institutional meeting as part of the ongoing review into sectoral priorities.

#### 12.30 pm

The NSMC welcomed the continued cooperation between the Department of Transport, Tourism and Sport and the Department for Regional Development on strategic transport planning throughout the island. We noted the opportunities for cooperation in developing the strategic road network of the island; enhancing connections to the north-west of the island; the future enhancement of the Enterprise service in particular and investment in the wider overall railway infrastructure; and driving a shift to public and more sustainable modes of transport, and the potential for shared cross-border public transport services in border areas.

The Council noted that my Department is undertaking a Northern Ireland gateways and connectivity review to assess whether principal gateways and cross-border connections are sufficient to support the delivery of the Executive's economic goals. The Council noted the continued cooperation on EU transport policy by officials in influencing the strategic direction of European policy, as demonstrated during the TEN-T and Connecting Europe Facility (CEF) negotiations and in securing EU investment in cross-border connections. We noted the opportunity that exists for EU funding on transport-related projects on the island and that officials continue to press the case for inclusion of transport-related themes in the forthcoming INTERREG programme. The Council also discussed opportunities to develop walking and cycling greenways in each jurisdiction and on a cross-border basis. We agreed

to the possibility of holding a seminar relating to all-island cycling strategies.

The Council noted that work is progressing on reports to inform the appropriate assessment processes on the A5 to address impacts on all designated environmental areas and proposed mitigation. The Council noted that those reports will be the subject of a public consultation exercise, which commenced at the end of April 2014, and that a review of other matters considered in the environmental statement is ongoing and will lead to the publication of an updated environmental statement, which will also require a public consultation exercise. The Council noted that the draft vesting order and direction order will also be reviewed and published at the same time as the updated environmental statement. The Council noted the development of an outline programme, which may lead to a further public inquiry in spring/summer 2015. We welcomed the fact that construction work on the A8 project is progressing well and that the road is expected to be fully open to traffic by spring 2015.

The Council welcomed the proposal to use INTERREG IVa funds to upgrade the Enterprise service — approximately £12.24 million — and refurbish the Drogheda viaduct — approximately €6.2 million. It welcomed the cooperation of both jurisdictions in ensuring the successful completion of those projects. We noted that a report on the prioritisation of railway capital expenditure for 2015-2035, including the Enterprise service, will be published shortly by the Department for Regional Development.

The Council welcomed the fact that the Department for Regional Development and the Department of Transport, Tourism and Sport have successfully worked together during the negotiations leading up to the agreement on the TEN-T and Connecting Europe Facility 2014-2020 regulations, which resulted in the Cork-Dublin-Belfast railway line being included in the 2014-2020 TEN-T core network. We welcomed the continued cooperation between the Department for Regional Development and the Department of Transport, Tourism and Sport in future investment plans for the Enterprise service.

The Council agreed to hold its next NSMC transport meeting in November 2014.

**Mr Spratt (The Chairperson of the Committee for Regional Development):** I thank the Minister for his statement to the House this afternoon. With regard to the UK road user levy, will he advise the House whether he raised the possibility of exempting Northern Ireland hauliers from toll charges in the Republic? In the present economic climate, those charges are costing our hauliers tens of thousands of pounds every year. Can he also provide some further details on the opportunities to develop walking and cycling greenways in each jurisdiction and on a cross-border basis? Finally, can the Minister advise what investment he proposes for the rail infrastructure in Northern Ireland and the Enterprise service?

**Mr Kennedy:** I am grateful to the Chair of the Regional Development Committee for his questions. There was some discussion on the transport levy issue. It is fair to say that there is a difference of opinion — I think that that difference will be reflected in the debate in the House later this afternoon — as to the impact and the other consequences felt by Northern Ireland hauliers in

respect of tolling in the Republic of Ireland. There was no agreement on the matter; we simply agreed to liaise. However, there is an awareness of the concern of a great many Northern Ireland hauliers about the impact of charges that are imposed on them when travelling in the Republic of Ireland. I accept that point, and we will look at that issue as we go forward.

On opportunities to develop cycling, it would be remiss of me if I did not refer to the huge success that Northern Ireland and, indeed, the whole country, has enjoyed as a result of last weekend's Giro events. I want to pay my tribute to everyone concerned. I want to pay a special tribute to Roads Service, Translink and all the agencies under my direction. In particular, I want to single out Roy Gordon from Roads Service, whose work in preparing for this for the last number of months was truly remarkable.

The entire event was superb. It received widespread support and acclamation from the Northern Ireland public. There are iconic images that will remain, endure and live long in our memories. To address the Member's point, it also provides us with a real boost to assist my efforts to grow cycling in Northern Ireland. I am, therefore, keen to further explore EU funding opportunities and cross-border greenways and tourist routes that we can improve on and to bring forward infrastructural changes that will be positive for the cycling fraternity and people generally. I have raised this at the North/South Ministerial Council and am pleased to say that both jurisdictions are very much on the same page on the issue.

On the final point about railway infrastructure, I indicated in the statement that there will be a statement on future priorities as we move forward to look at the next 20 years of railway provision. I expect that announcement to be made later this week.

**Mr Principal Deputy Speaker:** Thank you, Minister. Would you mind pointing the microphone towards you when you are speaking?

**Mr Kennedy:** Sorry.

**Mr Principal Deputy Speaker:** It is something to do with my age.

**Mr Lynch:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas sin. I thank the Minister for his statement. Following on from the Chair's question, I was part of last week's visit to Mulranny, County Mayo, to view the 40 kilometres of greenway that have been built for cycling in County Mayo. It has been hugely successful for the area, economically and socially. Last year, there were 200,000 visitors, bringing in €7.2 million. Is the Minister aware of the significant success that greenways can bring?

**Mr Kennedy:** I am grateful to the Member for his question. I was not aware of the project in County Mayo, but, yes, I am very much aware of projects much closer to home, including the Comber greenway and, indeed, the proposals that Newry and Mourne District Council and others have made for the link to the Cooley peninsula and the opportunities that are there with that.

The success of the Giro d'Italia last weekend has focused the mind and will concentrate the mind as we go forward, because, in my view, there has to be a legacy here. We cannot simply use the pictures, however iconic they are, from the various locations, including Titanic, the Giant's



Causeway, Armagh and the entire route in Northern Ireland; we have to look at cycling as a lifestyle. In particular, it has benefits for the environment, for health and for finance as a safe and sustainable alternative mode of transport. I think that those opportunities are there, but there are also challenges. That is why I will want to challenge my Executive colleagues to ensure that we put appropriate finance in place so that, as we move forward, we are not just paying lip service to the Giro or to cycling generally and that we can make a real difference. I think that greenways and even cross-border cooperation will all be part of that.

**Mr Dallat:** I thank the Minister for his statement and for his continuing support for the railways. I think that it is very good news that the Cork-Dublin-Belfast railway is now set as a core project. Does this encourage the Minister and his counterparts in the Republic to address the immediate problems of overcrowding, integration and speed of the Enterprise train? With your permission, Mr Principal Deputy Speaker, I add that I used the train last Wednesday. The Minister will be delighted that it was overcrowded and that there were a lot of happy people, but there is a concern that a 20-year programme does not address the immediate problems.

**Mr Kennedy:** I am grateful to the Member for his question, and I acknowledge that he has been a long-standing supporter of the railway network in Northern Ireland and in Ireland generally. I am encouraged by that.

He will know of, as I referred to in my statement, the upgrade that we are planning to the Enterprise service. I am not content with that in itself, and I do not see that as completing the task. I think that there are ongoing challenges, including the standard of Wi-Fi that travellers generally have been experiencing. I want to see that improved, and I want to see network improvements and to see speeds of journeys and travel times improved as well.

I hope that my announcement later this week about moving railways forward over the next 20 years will be seen as a positive indication of my clear support for the rail network and the opportunities that will exist and do exist for it to be further enhanced and improved. Yes, even at this early stage, we are, to some extent, the victims of our own success with the increased numbers. I do not want that to become a negative where people say that they will not go by train simply because it is overcrowded. There are capacity issues that we have to address. A lot of it will come down to availability of finance, and that is why I will be glad of the Member's ongoing support in that respect.

**Mr Swann:** Minister, the great success of the Giro at the weekend has been mentioned. Especially successful was the north Antrim section, which passed my office in Ballymena and went through Ballymoney and passed Councillor Sandra Hunter's pink sheep on the Causeway Coast and the fantastic scenery there.

Minister, reference was made to the fact that you are looking for support for EU funding on a North/South basis. Have you sought any support for greenways from your Executive colleagues or the NI MEPs, because a legacy of the Giro is that the cycling fraternity will come back to the Giro route, and that is something that we can surely build on?

12.45 pm

**Mr Kennedy:** I am grateful to the Member for his question. He was indeed a great vision in pink.

The whole country was transformed and transfixed. It really did catch the imagination of everyone, whether they witnessed it in person or watched the television pictures. I am pleased with that, but legacy issues remain and include greenways, funding and how we can perhaps avail ourselves of European funds. I am keen to do that. The Member will know that I have been working hard on that basis, including doing work with the current MEPs. I am hoping that that work will continue, particularly with whoever is elected along with Jim Nicholson next week. We see that the opportunity is there and very much want to make a real difference when it comes to cycling provision.

**Mr McCarthy:** I thank the Minister for his statement. Along with the Deputy Chair of the Regional Development Committee, I had the pleasure of cycling the Great Western Greenway in County Mayo last week. I encourage the Minister to invest in local greenways; for instance, the Comber greenway and those in Newry and Rostrevor.

However, given what the Minister said in his statement, this is also dependent on EU funding. Rather than scaremonger about a possible withdrawal from Europe, will he tell the Assembly that he and his party are fully committed to remaining in the EU and that he will encourage the Executive and, indeed, the Westminster Government to remain in the EU so that we can all benefit?

**Mr Kennedy:** I thank the Member for the question. It seemed to be an attempt to draw me into cheap electioneering, and I will not make any comment on the Alliance Party policy, which is the introduction of the euro as the financial measure for Northern Ireland and the rest of the United Kingdom. I do not want to say anything on that.

Seriously, I do take seriously the opportunities to avail ourselves of funding and to look for the funding of projects from a Northern Ireland point of view. I believe that my record in the Executive, and the record of my Department, which is by some distance the best of any Department, proves that. I am determined that we will go forward on that basis and on a positive note.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Minister, I welcome the fact that the A5 dual carriageway featured in the most recent North/South ministerial report. Throughout the past number of weeks, I am sure that many in the House met people from different sections and sectors. We met businesspeople in the north-west recently, and it was very much brought home to us that failure to get the A5 dual carriageway constructed is probably one of the biggest impediments to economic development in the north-west. I welcome that progress has been made in the past year in reports, which are now open for public consultation, and I encourage people to take part in that consultation.

In addition to the meeting at North/South level, I understand that your Department and representatives of Monaghan County Council and Donegal County Council meet regularly to discuss how the N14 and N2 would interface with the proposed dual carriageway. Is there any progress update on that ongoing piece of work?

**Mr Kennedy:** I am grateful to the Member for his question. He will know that there are ongoing meetings at an official

level, as he would expect, to discuss all those issues. I will attempt to update him if it is felt that there is anything significant on that issue.

**Mr Byrne:** I welcome the Minister's statement on North/South transport issues. In particular, I welcome the reference to the A5 once again. How reassured is the Minister that Minister Varadkar is much more positively inclined now and sees the merits of the connectivity to the north-west to the rest of the island through the counties of Donegal, Derry and Tyrone? Lastly, where the heavy goods vehicle levy is concerned, do the Minister and his counterpart in the Republic recognise that the A5 is an arterial route linking both parts of the Republic through west Tyrone?

**Mr Kennedy:** I am grateful to the Member for his question. I do not think that it is particularly helpful to personalise the issue. I think that Minister Varadkar has had a challenging period as Transport Minister in the Republic of Ireland over recent years and has had to deal with very severe cutbacks to his financial position. As I understand it, the position is still that the Irish Government remain committed to the A5 scheme. Indeed, that is the situation with the Northern Ireland Executive as well.

In answer to your second question on the HGV levy, as I said, there are clear differences of opinion on that. There is certainly a clear view from the Northern Ireland freight industry about its concerns about having to pay tolls and various taxes as it uses the roads in the Republic. It is also clear to me that, at some point in the future, when legislation is provided for, the Irish Republic intends to introduce a similar levy. So, I think that those are issues that remain to be discussed.

## North/South Ministerial Council: Transport — Road Safety

**Mr Durkan (The Minister of the Environment):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. In compliance with section 52 of the Northern Ireland Act 1998, I wish to make the following statement on the sixteenth meeting of the North/South Ministerial Council (NSMC) in the transport sector, held in Armagh on Wednesday 16 April 2014. The meeting was attended by me, Danny Kennedy, the Regional Development Minister, and Minister Leo Varadkar TD, Minister for Transport, Tourism and Sport. Minister Kennedy chaired the meeting. I will address those agenda items for which my Department has responsibility: mutual recognition of penalty points, road user safety, and vehicle safety policy and enforcement.

The meeting discussed the UK road user levy for heavy goods vehicles (HGVs) and, in particular, its impact on road hauliers from the South using Northern Ireland roads. We agreed to continue to liaise on the matter, in particular on the possible exemption of the A5 from the levy. We discussed the need to continue to share vehicle keeper data, following the recent announcement of the centralisation of vehicle registration and licensing functions to Swansea.

We had a discussion on various priorities in our remit and noted that those will be in a report that is to be considered at a future NSMC institutional meeting as part of the ongoing review into sectoral priorities. The Council discussed mutual recognition of penalty points, and we noted the good progress that the joint steering and working groups have made in working through all the issues that were identified, some of which are complex and difficult to resolve, including through a public consultation. We noted that meetings of the steering and working groups have been paused so that officials can further examine and pursue relevant issues that have been identified. When progress has been made on those issues, we will be updated and will proceed. A further update will be provided to the next NSMC transport meeting in November.

The Council welcomed the continued sharing of knowledge and experience between officials from both jurisdictions on the delivery of road safety measures. In light of the casualty figures for 2013, we noted the approaches being taken in each jurisdiction to reduce the number and severity of injuries across the island.

We welcomed the new and ongoing road safety campaigns and the work to enhance road safety education services, including: the 7 Deaths and Attentive Driver 2014 campaigns by my Department and the focus on motorcyclist safety by both the DOE and the Road Safety Authority; the roll-out of new campaigns by my Department addressing cyclist safety and, next month, speeding; the Weekly Statistics high-profile road safety media campaigns by the Road Safety Authority and an Garda Síochána; the implementation by my Department of cycling proficiency recommendations, ongoing outreach to schools and plans for on-road training; the roll-out by the Road Safety Authority of various road safety campaigns in 2014 addressing drug-driving and speeding; and campaigns to support the introduction of increased penalty points and changes to the driver licensing system.

The Council welcomed the introduction of Ireland's Road Traffic Act 2014, which includes provisions to further reform the driver licensing regime, adjust the penalty points regime and make a number of amendments to legislation on commercial vehicle roadworthiness testing. We welcomed progress on my Department's Road Traffic (Amendment) Bill, which I am pleased to be introducing later today. The Bill will include provisions on drink-driving, the reform of the learner and restricted driver regime, graduated driver licensing and the mandatory wearing of helmets when riding a quad bike on public roads.

In relation to vehicle safety and enforcement, we welcomed the continuing proactive cooperation to target a wide range of illegal activity within the goods haulage and passenger transport industries, including: my Department's recruitment of additional enforcement officers, with the aim of increasing the level of roadside enforcement carried out in Northern Ireland; enhanced roadside enforcement as part of the Road Safety Authority's commercial vehicle roadworthiness reform programme, which has resulted in an increase in the number of roadside checkpoints and an increased focus on the standard of school buses; an increasingly targeted approach towards enforcement; and continuing liaison on successful cross-border enforcement operations in both jurisdictions, which has resulted in prohibition actions for non-compliance with vehicle and driver regulations.

The Council welcomed the continued cooperation on enforcement of EU tachograph and drivers' hours rules and the training exchange for enforcement officers planned for 2014. We also welcomed the recent establishment of a tripartite enforcement planning forum to maximise the benefit of enforcement efforts and identify synergies from a coordinated enforcement approach.

**Ms Lo (The Chairperson of the Committee for the Environment):** I thank the Minister for his statement. The HGV Road User Levy Act tries to transpose an EU directive to set out a framework for tolls and charges to ensure equality for all member state road users. From his discussions with the Minister from the Republic of Ireland, has his counterpart given any indication as to how we could avoid being seen as indirectly discriminating against other hauliers from Europe if we were to exempt Irish hauliers on the A5?

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Chairperson of the Committee for her question. The issue of the HGV levy was, indeed, the subject of discussion, as it was just minutes ago during questions on Minister Kennedy's statement and will be later today, as it is the subject of a debate.

Minister Varadkar, like me, remains committed to getting the best deal for drivers on this island. However, that does not necessarily equate, in my opinion and his, to discrimination against drivers from other parts of the EU. We have to look at the circumstances on this island that are, by and large, unique in that drivers or hauliers could be going from one member state through another member state and then into the member state that they left from, which does not equate to any set of circumstances within the EU. Therefore, given the unique circumstances here, I believe that we have reason, rationale and justification for continuing to make that argument.

## 1.00 pm

**Mrs Cameron:** I thank the Minister for his statement. Following the theme of the Chair of the Committee with regard to the UK road user levy for HGVs, was the issue of the potential loss to the Northern Ireland economy if the A5 exemption is not forthcoming raised at the meeting?

**Mr Durkan:** I thank the Deputy Chairperson for her question. The issue of potential damage to the economy in Northern Ireland was raised, as was the economy of the Republic of Ireland and the hauliers from Republic of Ireland upon whom this will have a direct impact. The impact on the economy here is not quite so obvious, but the Member is aware of how it could happen, given that businesses here — those working on the maintenance and repair of HGV lorries — could be adversely impacted in that lorries will cease to come from the Republic of Ireland to have their maintenance carried out here if they would be subject to the levy upon doing so.

**Mr Boylan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Cuirim fáilte roimh ráiteas an Aire. I welcome the Minister's statement. Minister, hardly a weekend goes past without a fatality on our roads across the island. Is there anything that we can learn from Ireland's Road Traffic Act 2014 or anything from it that we can incorporate into the new piece of legislation that you propose to bring forward?

**Mr Durkan:** I thank the Member for his question. I lament with him the fact that it seems rare that a week, or a weekend, goes past without a fatality on our roads, either here in the North or in the Republic of Ireland. We are very closely linked; we share our roads and our road users. At this point, Mr Deputy Speaker, I pay tribute to a lady from my constituency and from your city who lost her life recently on a road in Donegal, which shows that this is something that affects all roads and both jurisdictions on the island.

It is vital that we look and learn from the Republic, that it looks and learns from us, and that we look at the legislation, action and measures that other jurisdictions have brought forward to improve road safety. It is vital that we get something that works and that reduces the number of fatalities and serious injuries on our roads, and I am prepared to work with anyone and everyone to do so.

I am glad to be able to introduce the Road Traffic (Amendment) Bill to the Assembly today, and I very much look forward to it going through its process. I imagine that the Member will be busy when it hits Committee Stage. During the call for evidence, I think that we will be inundated with people who feel that they have a contribution to make and an idea about what we could do to make our roads safer. I look forward to hearing from them.

**Mr Dallat:** I thank the Minister for his statement. I acknowledge his ongoing efforts to reduce the number of deaths on the roads. However, he will be aware that, in the past two years, the number of deaths has increased, although the number of serious injuries may have fallen. Does he agree with me that the need now is greater than ever for the two jurisdictions to collaborate, to work together and to share ideas and experiences in order to regenerate our efforts to reduce further the number of people who tragically lose their life on the roads?

**Mr Durkan:** I thank the Member for his question. I largely reiterate my previous answer to Mr Boylan about the importance of collaborating and sharing experience,

information and knowledge to improve our road safety in order to reduce the number of people tragically losing their life or being seriously injured on our roads.

It is a sad fact that the number of deaths on our roads increased last year, and that appears to be on the increase yet again this year. However, we must not lose faith. The number of deaths on our roads has reduced drastically over the past number of years. We have actually seen Northern Ireland and, indeed, the Republic of Ireland go from being one of the areas with the highest number of road deaths in Europe to being one of the safest places in which to drive on the road. We have to look at what has worked and what has helped us to achieve that huge reduction in the number of fatalities on the road. I believe that we should maybe go back to basics to achieve similar reductions again.

**Mr Elliott:** I thank the Minister for the update on the meeting. He mentioned the mutual recognition of penalty points and went on to say that some of the issues are "complex and difficult to resolve". Will he highlight which issues are complex and difficult to resolve?

**Mr Durkan:** I thank the Member for that question, which is complex and difficult to answer. Real progress has been made in advancing work on the mutual recognition of penalty points. I think that it would be safe enough to say that everyone in the Chamber, and indeed everyone outside it, recognises the sense and logic in us attempting to do that. However, some legal issues have arisen. Minister Varadkar and I remain committed to resolving those issues, which I do not believe will be in any way fatal to our ambition to see the mutual recognition of penalty points introduced.

It is worth bearing in mind that we now have mutual recognition of disqualifications, which, a few years ago, was unthinkable, and many people thought that it could not be done. I, therefore, believe that the current stumbling block in the way of introducing the mutual recognition of penalty points can and will be overcome in the not-so-distant future, given my resolve and that of Minister Varadkar and Members from all round the House to ensure that it happens.

**Mr Weir:** I thank the Minister for his statement. In a similar vein, the issue of mutual recognition of penalty points has been ongoing for quite a long time; it has been a long-running saga. In light of that and the Minister's optimism that the stumbling blocks can be overcome, what does he envisage being the timescale for this to be brought to a conclusion and put into effect?

**Mr Durkan:** When Minister Varadkar and I have received and considered the further advice that we are awaiting, I will be in a better position to advise on timescales. I can assure you that I will do my utmost to ensure that we play our full part in moving forward as promptly as possible.

**Mr McElduff:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I refer to the Minister's opening remarks on the road user levy. Does he agree that that is really the introduction of an unnecessary obstacle to North/South mobility in the area of trade? Is the Minister prepared to seek a joint meeting with Minister Varadkar and Stephen Hammond to address the urgency of this?

**Mr Durkan:** Go raibh maith agat, a Príomh LeasCheann Comhairle. I thank Mr McElduff for the question. I accept

and agree with his opinion that this does indeed present a barrier to trade; an unnecessary and an onerous barrier, particularly on HGV drivers — sorry, hauliers — in areas such as Donegal.

I have absolutely no bother meeting or being involved in a meeting with the other Ministers from other jurisdictions on this. I have been in regular correspondence with Minister Hammond. As recently as last week, I responded to a letter from him that was less than positive, but we will go on to that in more detail this afternoon.

I have been liaising closely with Minister Varadkar on this. Our officials are in regular contact, and we sing from a similar hymn sheet in what we are pushing Minister Hammond for.

**Lord Morrow:** My question is similar to those of Mr Elliott and Mr Weir in relation to the good progress made by the joint steering group on the enforcement of penalty points on both sides of the border. It is a bit disappointing to hear the Minister just say, "Well, we have made good progress", but not elaborate and tell us what that "good progress" actually goes to. Furthermore, can he give us any indication of when this is likely to be in force and in place? I think that that is necessary to deal with some of the issues that have been raised in the House today, not least the number of fatalities on our roads.

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Lord Morrow for that question. I am glad that he shares my eagerness to see this issue resolved and to see the mutual recognition of penalty points brought in.

Work is continuing. It involves consideration of issues around the processing of cases through the courts system and timing issues around the application of penalty points and how long they remain on the licence. For the policy to be workable and effective, these investigations are essential to ensure that the scheme operates effectively across jurisdictions, given our separate and, in some instances, different driver licensing and criminal justice processes.

The issues that are currently presenting difficulty revolve around the courts. I have raised this matter with our Justice Minister, and I know that Minister Varadkar has raised it with his and will do so with his new one before too long. This is an issue that he is keen to see resolved.

**Mr Eastwood:** I thank the Minister for his statement and his answers thus far. What impact will his proposed new arrangements for learner drivers have on insurance costs for young drivers?

**Mr Durkan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank Mr Eastwood for his question.

The proposals around the graduated learner driving programme are contained in the Road Traffic (Amendment) Bill that will be introduced this afternoon. It will have several benefits. Most significantly and importantly, it will improve road safety. Young people — and new drivers, I should say, because not all new drivers are young — continue to be over-represented in our traffic collision statistics and incidents on our roads.

This programme aims to get people ready to drive as opposed to getting them ready to pass a driving test, and it has been shown to be extremely successful in other parts of the world in reducing collisions and incidences of fatalities and serious crashes on roads.



It will also have the positive impact of reducing the cost of insurance, which is extremely onerous, particularly for young and new drivers.

1.15 pm

**Mr I McCrea:** Following the highly successful Giro d'Italia that Northern Ireland has witnessed over the past few days and the Minister's statement on cycling proficiency recommendations, can he outline what he plans to take forward in order to ensure that the number of young people who will, no doubt, aspire to win the Giro d'Italia and other races will have the appropriate qualifications for riding on our roads?

**Mr Durkan:** I thank the Member for his question. It is normally Minister Kennedy who peddles cycling. However, in this instance, I join Members around the House who earlier welcomed the success of the Giro and commended all of those involved.

I did the cycling proficiency test a number of years ago. It is rolled out across some 500 schools, and over 8,000 pupils avail themselves of it each year. Pupils enjoy doing it, and, fortunately, it benefits them greatly and enables them to cycle more safely on the roads. However, we are looking at the cycling proficiency scheme to see how it could be enhanced and improved even further, perhaps with the inclusion of on-road training. As it stands, a lot of the scheme takes place in the confines of the playground. It is vital that I, in conjunction with my colleague Minister Kennedy, who is trying to promote active travel and get more people involved in cycling, ensure that we have a cycling proficiency scheme that will, with more and more people taking to bikes and taking to our roads on two wheels, make sure that they are properly and safely tested.

**Mr Principal Deputy Speaker:** Thank you, Minister. That concludes questions on your statement.

**Mr McElduff:** On a point of order, a Phríomh-LeasCheann Comhairle. I think that the protocol is to apologise to the House if I have missed my place. Is it in order for me to do that now?

**Mr Principal Deputy Speaker:** Yes.

**Mr McElduff:** OK. Thank you. Keep 'er lit. I missed my place last Tuesday 6 May —

**Mr Kennedy:** Resign. *[Laughter.]*

**Mr McElduff:** I arrived in the Chamber at 2.04 pm to ask question 6 and was somewhat alarmed that questions had moved so speedily. At the time, I went along to the Speaker's Office and conveyed my apologies to his staff. I would like to do so more formally now, particularly in the presence of the Minister for Employment and Learning, who was the offended Minister on that occasion. With that, I will take my seat. Go raibh maith agat.

**Mr Principal Deputy Speaker:** I welcome the fact that you have had the courtesy to come to the House and apologise personally. It is quite a serious matter. The Speaker spoke to it at some length earlier this afternoon. He reminded Members of the amount of preparation that is involved and the fact that, if people miss their turn, other Members who may have wished to ask a supplementary are disadvantaged. Again, I welcome the fact that you had the courtesy to come along and make your apology in person. Thank you.

## Committee Business

### Committee Membership

**Mr Principal Deputy Speaker:** As with similar motions, this will be treated as a business motion. Therefore, there will be no debate.

*Resolved:*

*That Ms Claire Sugden replace the late Mr David McClarty as a member of the Committee for Employment and Learning. — [Mr Swann.]*

**Mr Swann:** It is with great pleasure that I move that Claire Sugden replace the late — unfortunately — David McClarty as a member of the Committee for Employment and Learning. As Chair, I welcome Claire to the Committee.

## Executive Committee Business

### Road Traffic (Amendment) Bill: First Stage

**Mr Durkan (The Minister of the Environment):** I beg to introduce the Road Traffic (Amendment) Bill [NIA 35/11-15], which is a Bill to amend the law relating to the prescribed limit of alcohol for drink-driving offences; to make further provision for breath testing; to make provision relating to certain offences being specified as fixed penalty offences; to amend the law relating to disqualification on conviction of certain offences; to amend the law, as respects certain vehicles, relating to the age at which a provisional licence may be obtained, the requirements to be satisfied to take a test of competence to drive and the restrictions to which newly qualified drivers are subject for a period after passing such a test; to make provision relating to completion of an approved course as an alternative to licence revocation during a new driver's probationary period and extending requirements to wear protective headgear; and for connected purposes.

*Bill passed First Stage and ordered to be printed.*

### Work and Families Bill: Second Stage

**Dr Farry (The Minister for Employment and Learning):** I beg to move

*That the Second Stage of the Work and Families Bill [NIA 34/11-15] be agreed.*

This is an important and significant Bill that deals with flexibility and choice for working people and, in particular, working parents. Most notably, it will empower parents to share statutory paternity leave and pay in the first year after the birth or adoption of a child. The Bill has a strong economic rationale and a strong equality of opportunity rationale.

Providing parents with flexibility has the potential to minimise the consequences associated with women being detached from the labour market for a substantial time. The Bill will benefit the wider economy as it has the potential to sustain working parents' attachment to the workplace. This should enable employers to retain and build on the skills and talents that women bring to the workplace and remove some of the structural barriers to career progression.

We know that there are issues in our economy from the differential participation of men and women. Women are excelling in training and education, including attending university in greater numbers than men. However, there are issues regarding the retention and progression of women in the workplace. Put very simply: we cannot hope to compete in the global marketplace if we do not fully utilise the local marketplace of talent.

It is important to stress that the implementation of the Bill in its current form does not increase the overall amount of parental leave available to working parents. Rather, it allows for the existing provision to be shared, while providing for timely notification to employers. It will give employers much greater flexibility in how they plan for and manage absence. Furthermore, administrative systems will be designed in a way that closely mirrors the existing arrangements with which employers are familiar.

The Bill also recognises the critical role that adoptive parents play in our society through making adoption leave a day-one right and enabling them to receive statutory adoption pay at a rate equivalent to statutory maternity pay. The Bill provides rights to time off work to attend adoption appointments at a modest cost to employers. Primary adopters will be able to take paid time off on up to five occasions to meet the child whom they are proposing to adopt and to have discussions with relevant professionals. A comparable right to unpaid time off on two occasions will be available to the other person involved with the proposed adoption. There will also be a similar right for the father of a child or the mother's partner to accompany a pregnant woman to an antenatal appointment. The Bill extends the right to request flexible working, which has worked well since its introduction in 2003, making it available to all employees who have been with their employer for 26 weeks or more. Finally, it introduces a minor technical amendment to enable working time regulations to be consolidated.

The benefits to working parents of being able to share leave and pay in the first year are clear. Women should be better able to maintain their attachment to the workplace should they choose to do so, which will have very positive

career implications. Extending the right to request flexible working also builds on the success of the existing right but without imposing demanding additional administrative requirements on employers. I acknowledge that there are some concerns about potential additional burdens on employers. It is worth emphasising again that we are not talking about the creation of additional parental leave entitlement, but rather how it can be distributed. Moreover, there will be no increase in the costs to employers of making statutory payments, most of which are reimbursed. Furthermore, as I have highlighted, I believe that it is a positive Bill for business. The new provisions are designed to promote the increased retention of staff by creating a positive environment for employers and working parents to discuss how and when parental leave will be taken. The proposals may also result in some employees spending less time away from the workplace because they can now share parental responsibilities with a partner more equitably.

Before turning to consider the main provisions of the Bill, I want to set out briefly the context to these proposals. The coalition Government in Great Britain have legislated on a similar set of proposals through the Children and Families Act 2014, and the new provisions will come into effect from April 2015. My Department's consultation last year asked for views on the merits of the Great Britain proposals; the extent, if any, to which they should be implemented in Northern Ireland; and whether alternative options would be appropriate. As well as dealing with these broad policy questions, the consultation also invited specific input on the administration of any new system.

There were 28 substantive responses to the consultation, which showed significant support for mirroring the GB proposals on shared parental leave. There was also strong support for extending the right to request flexible working to all employees with appropriate service. I want to acknowledge the contribution of stakeholders throughout the consultation process, which has significantly influenced the content of the Bill. Its 24 clauses and two schedules reflect the findings of the public consultation.

I will now deal with the new shared parental leave and pay entitlements in Part 2 of the Bill, which represent a significant change from the current, more restrictive, additional paternity leave arrangements. Additional paternity leave cannot begin before the baby is 20 weeks old or the child in an adoption situation has been placed for 20 weeks. The leave can last for no more than 26 weeks and can start only when the mother or primary adopter has gone back to work. Once that has happened, there is no ability for the mother or primary adopter to utilise any residual leave entitlements. The new shared parental system will remove all those restrictions. It will enable parents, including qualifying parents in a surrogacy arrangement, to share leave and pay from the end of the compulsory maternity leave period, which is usually two weeks, for the full length of the remaining leave and pay entitlement. It will allow both parents to take leave at the same time or at different intervals if they choose.

Going back to work early will no longer mean that a person loses any residual entitlements, and, by agreement with the employer, it will be possible to take more than one separate block of leave. The amount of statutory leave and pay available for sharing will be equivalent to the amount of untaken maternity or adoption entitlement, which could

be up to 50 weeks of leave and 37 weeks of pay in the case of maternity or 52 weeks' leave and 39 weeks' pay in the case of adoption. All the entitlement must be used within a year of the birth or adoption. There will be no net increase in the total leave and pay entitlement of working parents as a result of the option to share. Employers will, therefore, not incur additional costs associated with statutory payments.

Parents will be asked to give a non-binding indication of their expected pattern of leave when they notify their employer of their intention to take shared parental leave. That will encourage parents to consider their plans from the outset, give employers an early indication of the potential leave pattern and, in turn, encourage open and honest discussions between employees and employers from the start.

The facility to share the rights recognises the realities of modern family life. Traditional roles are changing, and it is important that the law keep pace. I acknowledge that sharing entitlements will not be appropriate to everyone, and I expect that the traditional pattern of longer periods of maternity and adoption leave will continue in many situations. However, the new arrangements will be attractive to others.

Women are increasingly earning more than their male partners, and there are many other non-financial reasons why a couple would want to share caring responsibilities — not least to make an equal contribution to childcare and to bond with the child in those vital early months.

### 1.30 pm

The Bill also recognises the valuable role that adopters play in today's society. It does that through a number of important changes to adoption pay and leave. First, it provides for adoption leave to become a right from day 1. At present, an employee qualifies only if he or she has 26 weeks' service. The change should ensure that adoptions are not prevented from going ahead or delayed, which can unnecessarily increase the time that children spend in care. Secondly, that change is supported by the enhancement of statutory adoption pay to 90% of the adopter's salary for the first six weeks, bringing it into line with statutory maternity pay. Thirdly, the Bill extends the adoption and paternity leave and pay provisions to cover surrogacy arrangements.

I now turn to provisions in Part 3 of the Bill, dealing with time off for antenatal and adoption appointments. Those provisions will entitle fathers, husbands and partners, as well as intended parents in surrogacy arrangements, to take unpaid leave to attend up to two antenatal appointments with a pregnant woman. Pregnant women already have the right to paid time off to attend those appointments. The change acknowledges the increasing desire of many fathers and partners to be more closely involved in shared parenting from the very start. It is important that we challenge the stereotypical assumption that the care of children relates mainly to women.

There is also a new provision for adoption appointments. Primary adopters will be entitled to paid time off to attend five appointments after being notified of a match for adoption. The other adopter will be entitled to unpaid leave to attend two such appointments. Those appointments often involve the child and relevant professionals and

are an important early opportunity for adopters to begin to establish a bond with the child. Overall, those new rights will give adoptive parents, fathers and partners the opportunity to be present for very important life events in situations where an employer may not otherwise grant time off. Costs to business will be minimised by restricting entitlement for each appointment to a maximum duration of six and a half hours. In addition, only the new right for primary adopters is a right to paid time off.

I now turn to the right to request flexible working. Current legislation lays out a statutory process for making and dealing with requests, setting timescales for each stage. In last year's consultation, my Department invited views on whether it would be appropriate to replace that process with a code of practice-led approach, which is the preferred option in Great Britain. The message from the consultation was clear: the current process is working; it is familiar to employers; and it provides clarity and certainty. The Bill, therefore, leaves it unchanged. I believe that, in order for that process to work, we need buy-in and support from employers. The decision is, therefore, aimed at addressing employers' concerns.

Clause 19 extends the right to request flexible working to all employees. It does so by removing current restrictions that mean that the right is available only to parents and carers. In seeking to extend the right in that way, I understand that many businesses already go beyond statutory requirements. I also accept that some businesses have limited opportunities to offer particular types of flexible working. I stress that all employers will continue to have the right to turn down a request on business grounds. However, I strongly believe that well-thought-through requests will, in many cases, start a discussion process that ultimately results in mutually satisfactory working arrangements being agreed. Flexible working is not prescriptive; a wide variety of arrangements is possible.

It is well established that flexible working benefits employees and businesses through reduced labour turnover, increased productivity and reduced absenteeism. Businesses need to be adaptable. Increasingly, they need flexibility in the way in which people work. My Department will produce supporting guidance for employers to enable them to manage requests from what will be a wider pool of potential applicants.

The generally positive response to the wider consultation proposals gives me confidence that the systems envisaged are consistent with supporting the competitive position and growth of the economy. Furthermore, it is important that those measures are implemented in a way that offers working families and employers flexibility and certainty about the practical application of those rights. I understand the concerns that have been raised about the regulatory impacts of those proposals. That is why I have decided to leave unchanged the process for requesting flexible working.

I intend for the administration of shared parental systems to be done with as light a touch as possible and for them to mirror closely the processes with which employers and employees are already familiar. Undoubtedly, the absence of some employees can affect employers as well as other employees. It is a particular issue for small businesses, especially when absence is unplanned. That is why shared parental leave regulations will include requirements for employees to provide an early indication of their expected pattern of leave and will limit, unless otherwise agreed, the

number of occasions on which an employee can apply to change plans.

I want to maximise certainty for employees and employers. I also want to encourage a culture in which open and honest conversations can take place between employers and employees from the outset. As such, there will be provision for situations in which agreement cannot be reached, with the default position being that leave will need to be taken as a single block, starting on a date specified by the employee. I believe that the proposals contained in the Bill represent a balanced package of measures.

Northern Ireland is the only region of the UK where employment law is devolved. It is my desire to create a modern, efficient and integrated employment relations system that has a strong economic focus, while protecting the rights of individual employees. I am satisfied that the proposals in the Bill are consistent with that objective.

I should point out that the Bill contains provisions that touch on the responsibilities of ministerial colleagues in the Department for Social Development and the Department of Health, Social Services and Public Safety. Officials in our respective Departments are working closely on the relevant matters, and I extend my thanks to Ministers McCausland and Poots for facilitating the work. I also thank the Employment and Learning Committee for its support throughout the consultation process.

As I already indicated, this is a very substantial Bill, and I know that the Committee has already made preparations for its scrutiny of the provisions. I want to put on record my Department's commitment to support the Committee once the Bill moves Committee Stage.

In summary, the Bill will allow for a sharing of leave and pay between working parents that better reflects the needs of modern families. It will also help businesses to retain and progress talented individuals, particularly women, and enhance the flexibility of the Northern Ireland labour market. I look forward to listening to Members' comments in today's debate, and I commend the Bill to the Assembly.

**Mr Swann (The Chairperson of the Committee for Employment and Learning):** I thank the Minister for laying out the first stages of the Work and Families Bill. I make my opening comments as Chairperson of the Employment and Learning Committee. I thank the Minister for his reassurances that he and his Department will work with the Committee as we work through the Bill.

I thank the Minister for outlining the general principles of the Bill, and I am pleased to speak in the debate on behalf of the Committee. The Committee recognises and supports the Minister's aim of allowing parents the ability to manage their parental and work priorities with flexibility. The Committee has spent considerable time scrutinising the proposals that are now before the Assembly.

The Committee first considered the proposals in the Bill on 1 May 2013 when Department for Employment and Learning officials set out the policy context and its plan to consult on the shared parental leave proposals. The Committee noted that, on 16 April 2013, the Assembly had debated and approved the Parental Leave (EU Directive) (Maternity and Parental Leave) Regulations (Northern Ireland) 2013 that implemented the revised 2010 parental leave directive. That legislation, which had been supported by the Committee, increased the entitlement of unpaid



parental leave from 13 weeks to 18 weeks. During the Assembly debate on the directive, the Minister noted that responses to the public consultation on implementing the directive in Northern Ireland had indicated a desire for consideration of wider changes to rights for working parents.

During the briefing, departmental officials advised that, on 4 February 2013, the UK Government had introduced the Children and Families Bill for Great Britain, with proposals on a wide range of measures, including a framework for significant changes to statutory paid and unpaid leave entitlements associated with the birth or adoption of a child and an extension to the right to request flexible working to cover all employees rather than, as at present, parents and carers. The Department therefore advised that it would consult further on the issues to develop a Northern Ireland response.

Committee members sought clarification on a range of issues during the briefing. The Committee sought clarification on the Minister's consideration of adopting the GB legislation by way of a legislative consent motion and was informed that, given that the Children and Families Bill for Great Britain was at Report Stage, it was unlikely that the Department's consultation would be finished in time to allow for a legislative consent motion and that an NI proposal would allow for more flexibility in timing and proposals.

The Committee also questioned officials on negotiations with other relevant Departments to ensure that there would be no resistance from the Executive. We were assured that the relevant Departments — the Department for Social Development, the Department of Health, Social Services and Public Safety and the Department of Enterprise, Trade and Investment — had been involved from an early stage and were content with the proposals.

The officials were also asked to explain the range of opinions that had been put forward in the consultation on flexible working proposals. They outlined employers' concerns about extending the right to all employees and said that that could have a negative impact in two ways: first, employers feared that they would face a large number of requests, which would take up a lot of administrative processing time; and secondly, the equality impact assessment questioned whether extending the right to flexible working to all employees would dilute its effectiveness for existing categories of people who are able to request it, such as parents and carers of adults. The officials pointed out to the Committee that those issues were to be addressed in the consultation.

The Committee also drilled down into the Department's assertion that the Bill will enhance working parents' rights and asked the Department to explain why no specific provision was being included for parents whose child has a disability.

The Committee also sought, at great length, assurance that the Bill would not lead to significant additional burdens on employers and to more red tape, especially given the high proportion of SMEs in Northern Ireland and the reasons for treating large companies and SMEs the same in the legislation.

The Committee also explored the many permutations of how the proposals could impact on employers in practice. It was content that those issues were to be explored in the consultation.

On 25 September 2013, the DEL officials returned to brief the Committee on the responses that were received to

the consultation and on the Department's proposals going forward. The Committee noted that, of the 32 responses from stakeholders to the consultation, the consensus was that respondents were positively disposed to the main proposals set out in the consultation document and that they should correspond to those in Great Britain.

The Committee once again asked questions about the disproportionate impact on SMEs and was assured by the officials that the Department would seek to put in place arrangements to minimise the administrative burden for all employers and working parents.

More recently, on 26 March 2014, the Committee received a briefing from departmental officials on the principles of the Bill. The Committee asked for clarification on the impact of the Bill on flexible working for carers and parents. Officials explained that there was no change but said that the Bill will extend the right to request flexible working to all employees who have the necessary period of service, which is currently 26 weeks. The Committee also examined the process that is to be followed for requesting flexible working and looked at the statutory and non-statutory aspects of that.

Another issue that the Committee raised was how the legislation sat with the Department of Enterprise, Trade and Investment's commitment to reduce red tape and get rid of redundant regulations. The officials explained that the inclusion in the Bill of the consolidation of the working time regulations would assist in that aim.

I look forward to getting into the detailed scrutiny work of the Bill, and I assure the Assembly and the Minister that we will fully examine the minutiae of the clauses and speak to all interested parties. I look forward, as usual, to working with the Minister and his officials, who have always been very obliging to the Committee.

I will now speak as the Ulster Unionist employment and learning spokesman. We welcome this legislation coming forward at this stage. We hope that the administration of the shared parental leave will have as light a touch as the Minister said and will be as straightforward as possible. We also hope that it will not place unnecessary financial and administrative burdens on our SME sector. We take some reassurance from the officials' commitment that small employers will remain entitled to recoup 100% of any statutory payments plus 3% compensation for the extra national insurance contributions that are payable. That compares with 92% of the recovery entitlement for larger firms.

We hope that the outworkings of the Bill and its regulations will be employee led, will entail minimal administrative demands on businesses and will ensure that employers are given sufficient notice of intended leave periods. We welcome the section of the Bill that provides for statutory adoption pay to be paid at 90% of earnings for the first six weeks. That will also facilitate paid time off work for primary adopters to attend up to five introductory meetings before a child is placed with them for adoption, as well as unpaid time off for secondary adopters to attend two such meetings.

I support the Bill's passage to its next stage.

**1.45 pm**

**Mr Buchanan:** I welcome the Second Stage of the Work and Families Bill to the Assembly, where there will be an

opportunity for all Members to debate its various aspects, from draft format right through to receiving Royal Assent.

I welcome the Minister's outline of the Bill and the reassurance that he gave on some of the issues. Following the consultation, which closed on 23 August 2013, it is clear that, of the various options included in the consultation paper, one emerged with substantial support from consultees, namely that the Department should provide the same leave, pay and flexible working entitlements as are to be introduced in Great Britain, with an exception on flexible working. Here in Northern Ireland, the desire is to remain under the present system of statute-based procedure, rather than be governed by a code of practice and supporting guidance, as is the case in Great Britain.

For many working families in Northern Ireland, I have no doubt that the Bill will be welcome. It will provide the legislative framework for parents to voluntarily share their parental leave and pay entitlements following the birth of a child. A new provision, which allows for adoptive parents to access adoption pay and leave will, I believe, be a further encouragement to them and other working families who have a desire to become adoptive parents.

However, in seeking to bring forward legislative changes and the proposed flexible working arrangements, we must be very mindful of the disproportionate impact that they could have on our small business sector. Some 90% of businesses in Northern Ireland are small and medium-sized enterprises, and many of them find the current regulations extremely burdensome, perhaps to the extent that, for some businesses, regulation is a hindrance to expansion. We must ensure that those firms are not being further strangled by any changes that may come about.

With employers and employees currently having to work with 11 sets of regulations, which they find cumbersome and difficult to comply with, I welcome the provision in the Bill to consolidate those into a single set of regulations. The establishment by the Department of a working group on better regulations, involving all the key stakeholders, to bring together a draft set of regulations that combines and consolidates those 11 sets into one, is a positive move. Hopefully, it will help to remove some of the red tape and bureaucratic burden that faces the small business sector today.

Although there are positives and negatives in the Bill, which will affect the small business sector, it is important that the Department works to ensure that any necessary changes do not place an added burden on that sector, which is the backbone of industry and provides employment for thousands of employees throughout Northern Ireland. It is important, whatever changes take place for working families and parents, that they are brought forward in a way that is least painful for small businesses.

I look forward to working through the various aspects of the Bill and scrutinising them at Committee Stage so that we can bring forward something that will be of benefit to all: the small business sector, working family parents and those who need parental leave in Northern Ireland. I welcome the Bill and support it.

**Mr P Ramsey:** Like the Chair and Deputy Chair of the Committee, I welcome and support the Second Stage of the Bill. The purpose of devolution should be to do the

best for the people of Northern Ireland, and this is a good opportunity to address inequality in our society and create a culture of shared parenting that will enhance Northern Ireland's reputation and competitiveness.

It is important that the proposals in the legislation are implemented in conjunction with the work of all the other Northern Ireland Executive Departments. The Minister specified two Departments that cooperated with him in preparing the legislation. The legislation must also dovetail with other key policies and strategies, including early years, childcare, play and leisure, and the cohesion, sharing and integration strategy. Similarly, consideration must be given to how it impacts on the work of DETI, rural development plans and poverty reduction strategies.

The SDLP, as a party, is committed to continuing to ensure that standards are raised in children's early years development to give them the best start in life and provide a strong foundation for their active involvement in society.

The plans on shared rights to leave and pay in the legislation are welcome as it is imperative that we support hard-working families and enable them to make the right decisions for their children and for their finances. The measures, including allowing for greater choice and flexibility in caring arrangements for more families, and the transferable nature of leave entitlement being proposed, will certainly help in that regard.

Policies must be in the best interests of the child and be child-friendly as the paramount guiding principle, and the Minister outlined that. Research has suggested that strong, stable families offer the best environment for children to thrive and fulfil their potential. Good parental leave policies must therefore be complemented by good family policies, including on childcare, early years and nursery provision. Parents and families are most often the primary carers in the early years of a child's life, and support for the family structure is therefore central to positive childcare policies.

Government support for families should focus on easing the external pressures on them. The increasing fragmentation of society can be attributed in part to pressures from the working culture that demands longer and more typical hours. Flexible working policies for mothers and fathers are therefore inseparable from good children's policies. Child-centred policies that encourage children to develop to their full potential must also be supported in the changes. This includes extension of the provision of free nursery places to all three- and four-year-olds and extending the Bright Start programme to private daycare providers.

It is also important to note that the changes should have a positive impact on the promotion of equality, as moving towards greater shared parenting will reduce women's disproportionate caring responsibilities, which are a key factor in the discrimination faced by many women in the workplace. With an increase in zero-hours contracts and the volatile job market, many low-paid workers and those on short-term contracts could still be excluded from taking parental leave. Minister, that is wrong, and I know that you are examining the issue of zero-hours contracts as well. It is imperative that the issue of zero-hours contracts is adequately addressed to protect and give some comfort and peace of mind to workers. Alongside those proposed changes, employers must be given the best possible support to ensure that more and more indigenous Northern

Ireland companies can become major employers with an international reach and, as a result, be moved to a more equal employment in Northern Ireland.

Although we support the main thrust of the Bill, it is imperative that it is flexible enough to benefit the different — and these are a couple of key points I want to raise with the Minister — social situations that parents and children find themselves in. Some weeks ago, I raised with officials at the Committee for Employment and Learning the issue of kinship carers. This issue is so relevant across Northern Ireland at present, and we should acknowledge the major responsibility and role that they have. I ask the Minister to consider amending some of the terms of the Bill to cater for and protect the unique and sometimes very difficult situations that kinship carers find themselves in. I have spoken privately to some of the officials, and I am sure that many Members in the Chamber have been lobbied over the past year. There has been a big strong lobby from key players in the kinship campaign, and it is important that they are recognised in law so that they can be identified and have comfort and peace of mind as they prepare to act as parents for those children. We support the Second Stage of the Bill.

**Mr Lyttle:** I rise on behalf of the Alliance Party to welcome the introduction of the Work and Families Bill to the Assembly, and I believe it will prove a positive example of devolution working for the benefit of people in Northern Ireland. It is a good example of a Northern Ireland Minister — in this case, the Minister for Employment and Learning — taking heed of UK Government proposals, in this case the Children and Families Bill, but consulting widely with the people and employers of Northern Ireland to deliver devolved policy that is in the best interests of working families and economic development in Northern Ireland.

I welcome what I assess to be the core aim of the Work and Families Bill: the delivery of a more effective, flexible, balanced and shared approach to parental leave entitlement, paid and unpaid, for working parents during the first year after the birth or adoption of a child. I agree with the premise of the Bill that getting a good work/life balance is the right thing to do for families and children — for their early years development, for better health and well-being and for improved educational outcomes — as well as for the flexibility and effectiveness of our workforce. I welcome the fact that the Bill aims to strike a balance between flexible access to leave and pay for working parents and certainty for employers in a globally competitive economy.

I welcome and support the key principles of giving working families greater control over care arrangements for children and increased shared parental involvement during formative stages of children's lives. I also welcome and support the promotion of female participation in the workforce and improved choice for parents regarding childcare options. I also welcome the challenge it presents to traditional assumptions about the balance of responsibilities at home and at work. I think that it is sensible that the Bill retains current arrangements whereby a new mother/primary adopter is entitled to 39 weeks' paid and 13 weeks' unpaid maternity or adoption leave and the statutory steps to deal with requests.

I welcome the positive proposals that the Bill puts forward, such as the rights for parents to attend antenatal appointments. As a young dad, I found antenatal appointments to be eye-opening. They were extremely

useful in preparing me for what was a completely new life journey. I welcome the introduction of that right in the Bill. There are also rights for primary adopters and secondary adopters to attend pre-adoption appointments, and statutory adoption leave is a day one right. As well as that, there is enhanced statutory adoption pay. I think that that shows that the Bill recognises the vital role played in society by adoptive parents. I am sure that the Assembly would join me in paying tribute to those families across Northern Ireland. I agree with Mr Ramsey's recognising the key role that kinship care plays in Northern Ireland. I know that there are some fantastic organisations doing fantastic work in that regard.

I also welcome what seems to be a sensible requirement on employees to provide a non-binding indication of their expected pattern of leave as part of notifying an employer of their intention to share parental leave, in order to assist employers with planning around that leave period. Having up to 20 keep-in-touch days per person for people on shared parental leave presents employees with a good way to stay connected to their employment.

I welcome the meaningful consultation responses that were garnered by the proposals. NIPSA, for example, welcomed a move towards greater shared parental responsibility, and the Confederation of British Industry (CBI) recognised this as an opportunity to revolutionise the approach to working parents. However, as other MLAs have done, I recognise that concerns have been voiced, mainly in relation to any possible burden and disproportionate impact for small employers and businesses.

Concerns were raised about the fact that intermittent absences are much harder for a small employer to accommodate, and proposals were made as to how that might be addressed. The Bill has taken those into consideration. One such proposal is some form of advance notice of planned leave in order to alleviate the burden. Concern was also expressed for how the proposals might impact single mothers and the rate of pay for fathers. Hopefully, those are issues that can be taken into further consideration.

In conclusion, I acknowledge that whilst there are some concerns, I encourage the Department to use clear, plain English and creative communication on exactly what this legislation will mean in real terms to working parents and employers in Northern Ireland. I also seek the assurances of the Minister, and would welcome those today, that the administration of the new arrangements will be easily understood and not overburdensome for employers. I welcome the fact that a Northern Ireland Executive Minister has brought substantive and relevant primary legislation to the Northern Ireland Assembly, which will permit detailed scrutiny of proposals, not least by the Committee for Employment and Learning. Most importantly, it will permit wider consideration of how best to facilitate the important contribution that working families make to our economy and society.

**Mr Principal Deputy Speaker:** As Question Time begins at 2:00 pm, I suggest that the House takes it ease until then. The debate will continue after Question Time when the next Member to speak will be Mr David Hilditch.

*The debate stood suspended.*

2.00 pm

*(Mr Speaker in the Chair)*

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

#### Praxis Care

1. **Mrs Hale** asked the First Minister and deputy First Minister, in light of their strategy to improve the lives of people with disabilities, whether they have had any engagement with the Northern Ireland Office on Praxis Care at Hillsborough Castle. *(AQO 6070/11-15)*

**Mr M McGuinness (The deputy First Minister):** Mr Speaker, with your permission, I will ask junior Minister McCann to answer the question.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** The Secret Garden is an extremely worthwhile programme that offers a wide range of opportunities for adults with learning disabilities. It provides an important person-centred environment which helps people to acquire the skills necessary to secure employment and reach their personal potential. There is a duty of care on all those involved to ensure that this issue is handled sensitively.

Praxis Care was the subject of a debate in the Chamber on Monday 28 April in which all parties acknowledged the work carried out by Praxis Care and called on the Secretary of State to explore all possible avenues to ensure that the employment provided and work carried out by Praxis at Hillsborough Castle remains on site. Although we, as OFMDFM, have not held direct discussions with the NIO on the matter, I understand that the Health Minister met the chief executive of Praxis Care and the Secretary of State to discuss the matter. It is our hope that the situation can be resolved to the satisfaction of all those involved.

**Mrs Hale:** I thank the junior Minister for her answer. If finance is the issue with possible relocation or recompense, should OFMDFM not consider funding under the Executive's disability strategy?

**Ms J McCann:** As the Member will be aware, the disability strategy has a number of elements to it. The purpose of the strategy is to set out a high-level policy framework to give guidance to Departments to make sure that they carry through their responsibilities under the UN Convention on the Rights of Persons with Disabilities. We have identified a number of signature programmes already within that strategy.

I met Praxis Care, and I visited the Secret Garden. The Member will agree that the 16 people with learning disabilities working there depend very much on that site in everyday life. They and their families feel that they need that for the social interaction it gives them. We should explore all avenues to ensure that those people are kept on that site. I have also contacted the NIO and the Secretary of State to express that. We should do all we

can to ensure that the 16 individuals are kept on site and their jobs kept open.

**Mr McKinney:** I thank the Minister. Is the decision to close the Praxis Care garden and coffee shop at Hillsborough Castle compatible with the Bamford mental health review? It argued, among other things, that people with learning disabilities need stimulation and trust.

**Ms J McCann:** As I said in my previous answer, I brought the debate to the Floor of the House. There was all-party support for the motion. There is a responsibility on the Secretary of State and the Northern Ireland Office to ensure that the employment of those individuals continues. Also, Praxis Care has invested up to £400,000 in the site. There is a responsibility on the Secretary of State and the NIO to ensure that, if they are relocated, that investment is returned in some way. It is only fair and just that that should happen.

**Ms Boyle:** Go raibh maith agat. I thank the junior Minister for her responses thus far. Does she believe that everything possible is being done to support Praxis? What individual support was given to those who work in the Secret Garden?

**Ms J McCann:** We know, through our discussions with the NIO and the Secretary of State, it is not as though the reception area and the coffee shop facility will not be needed in any future plan and development of the site. The responsibility of the Executive is to put pressure on the NIO and the Secretary of State, who are ultimately responsible for this site, to ensure not only that the money that Praxis Care has invested is not lost but, more importantly, that the 16 people who have learning difficulties remain working on the site. It is very important for their social interaction. When you go there and visit the people concerned, it is very clear that it means so much to them every day. We need to ensure that the Secretary of State and the NIO treat this sensitively and that the people who work there remain on the site.

**Mr Copeland:** I thank the junior Minister for her answers thus far. More generally, what is her assessment of the scale of poor mental health and well-being across Northern Ireland and of any identifiable causes of the problem?

**Ms J McCann:** In OFMDFM, we have responsibility for the disability strategy and to ensure that other Departments fulfil their responsibilities under that. The disability strategy was agreed by the Executive in 2013 and implements the UN Convention on the Rights of Persons with Disabilities. It is to ensure that we take forward the work that improves the lives of children and adults with a disability. I believe that the strategy covers all types and forms of disability for all ages: children, young people, adults and older people. Our responsibility in OFMDFM is to monitor other Departments and their actions, and we will definitely take that forward through monitoring and evaluation.

#### Social Investment Fund

2. **Mr Easton** asked the First Minister and deputy First Minister how much funding has been allocated to date for projects under the social investment fund. *(AQO 6071/11-15)*

3. **Ms P Bradley** asked the First Minister and deputy First Minister for an update on the delivery of the social investment fund. *(AQO 6072/11-15)*



**Mr M McGuinness:** With your permission, Mr Speaker, I will ask junior Minister McCann to answer these questions also.

**Ms J McCann:** With your permission, Mr Speaker, I will answer questions 2 and 3 together.

On 10 February, the First Minister and deputy First Minister announced that £33 million would be invested in 23 projects aimed at tackling poverty and deprivation through improved community-based services and facilities. These first 23 projects were identified as priorities by the steering group in each local area plan across the nine social investment fund (SIF) zones. Officials are working with lead partners to agree the letters of offer for these projects and further arrangements for their delivery. To this end, on 10 March, a conference for all lead partners was held, which provided a platform to move forward. Following agreement of letters of offer, lead partners will take forward the necessary procurement to deliver the outcomes described in the project proposals that have been approved.

We are keen to ensure that projects are fully established and under way as soon as possible. Officials are working to ensure that this is the case. A further 29 projects have been identified as being within the limits of affordability in line with the budget allocations for each zone. Work is ongoing to secure business case approval for these. Subject to this and final costings, we hope to announce further projects later this year.

Details of the 23 projects announced and the further 29 projects prioritised for funding within the budget are available on the OFMDFM website. We would also like to assure Members that the £80 million remains ring-fenced for the delivery of the social investment fund. It is our intention that this will be fully allocated to projects by the end of this year.

**Mr Easton:** I thank the junior Minister for that update on progress towards the realisation of projects under SIF. Will she clarify whether any letters of offer have gone out yet?

**Ms J McCann:** As I said in my previous answer, a conference was held in March. Letters of offer should be going out soon for the 23 projects that were announced. I am not sure whether the steering groups have received them, but they have certainly been in contact with our officials, who have taken them through the projects that will be getting those letters of offer. That is what the conference was for.

**Ms P Bradley:** I thank the junior Minister for her answers thus far. Do any projects that are due to receive funding meet one of the key aims of the social investment fund, which is to address dereliction in communities?

**Ms J McCann:** The Member will be aware that the projects that were looked at were put forward by the steering groups themselves, so they were the priority projects in that area. The groups were waiting to see the allocations that would go across the zones, and, when those allocations had been decided and the groups had been informed about them, they had to re-prioritise some of their projects. Some of the 23 projects that have been announced and the 29 that have been prioritised look at dereliction and new capital build. The projects that I am talking about, which go right across the North, are listed on the website.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her answers thus far. Will she outline how any procurement models employed under the social investment fund will ensure that local delivery partners are given opportunities to deliver initiatives?

**Ms J McCann:** The Member raises an important point about ensuring that local delivery partners are given that opportunity. When procurement and government contracts go out, we hear that small and medium-sized businesses, particularly those from the community sector and from people who deliver in the community, can find the process difficult. However, our preference is for locally designed interventions to be taken forward where there is the capacity and capability to deliver that.

We believe that procurement projects could impact on training, employment and investment in local communities and, in the longer term, on regeneration. As such, social and environmental requirements can be included in public contracts in so far as they comply with procurement rules. Lead partners will be contracted to procure service providers who can deliver the specific projects that have been successful at appraisal stage, and we certainly welcome any collaborative approach whereby community groups can come together as consortia to build and deliver those projects, particularly within and across all the social investment zones. As I said, community groups can sometimes find it very difficult to do that.

**Mr Byrne:** Will the Minister outline how confident she is about the way in which the steering groups are operating, particularly the western steering group, on which Strabane and District Caring Services and Derg Valley Care are represented? Is she happy that there is a fair allocation across the zones?

**Ms J McCann:** The Member will be aware that, when members of the initial steering groups were being selected, we were very mindful to consider geographical representation. Obviously, these groups are right across the North, and they have to be a manageable size, so it was not always possible to ensure a spread of representation across individual zones. I know that appointed steering group members and their supporting consultants work very closely with each of the zones and with different organisations and groups in those zones to identify projects in the planning process. I can assure the Member that, when areas in a zone demonstrate evidence of objective need, they have been included in the plan. If someone in a certain area is not sitting in that zone, that does not mean to say that they do not have input into those groups and into taking forward those plans.

**Mr Cree:** I thank the Minister for her comments. How much of the £80 million will be spent in the current financial year or, indeed, in the next year if that is applicable?

**Ms J McCann:** The spend to date has been focused on the consultation and the work to get the steering groups up and ready to deliver. We also need the necessary approvals, structures and processes to be in place to ensure that the fund delivers to the benefit of the communities that need it.

I can understand that sometimes there is a view that not much money is being spent on the actual projects, but I assure the Member that, after the conference that was held on 10 March, we are in a better place than we were with connectivity and with keeping people up to date to get

the money out there as quickly as possible so that those projects and programmes can take place.

2.15 pm

### Jobs: Foreign Direct Investment

4. **Mr Lynch** asked the First Minister and deputy First Minister what impact their visits to attract foreign direct investment had on the recent job announcements. (AQO 6073/11-15)

**Mr M McGuinness:** A key focus of the Executive's Programme for Government 2011-15 is to grow the economy. We are committed to bringing investment, jobs, tourists, new skills and best practice by promoting local capabilities and developing mutually beneficial relationships with targeted countries, regions and international organisations. Securing international projects requires long-term relationship building and raising awareness of the many advantages of investing here. We will continue to be proactive in targeting countries and organisations in an effort to secure trade and investment opportunities.

Our international engagement during the past year has generated a number of significant benefits. As a result of recent visits to Japan in December and the United States in March, we have been able to secure investment from Fujitsu, with the announcement in December of a 192-job project for Derry, and, in February, Ryobi announced a £32 million investment, with the creation of 100 new jobs in Carrickfergus. We are pleased to report that we had a very successful visit to the west and east coasts of the United States in March. We had meetings with senior executives from Home Box Office (HBO) and Seagate Technology. Both companies make a significant contribution to the local economy. We also met Concentrix and we hosted a luncheon in San Jose, which was attended by over 120 potential investors.

HBO and Concentrix have since announced major investments here. The HBO investment will generate in excess of £20 million annually to the local economy, and Concentrix will create over 1,000 new jobs, which will contribute over £18 million a year in wages and salaries here. Of course the Convergys announcement in Derry, the announcements from EY, Capita, Schrader Electronics and, this morning, Wrightbus are all very good news.

The First Minister and I are confident that our personal intervention helps to bring potential investors over the line to commit to investing here. The First Minister and I continue to make a strong personal commitment to promoting economic growth during our overseas visits. In fact, that is the underlying objective for any visit that we undertake. We look forward to standing here in future to announce more very important new investments as a result of our overseas visits.

**Mr Speaker:** Can I just remind the deputy First Minister of the time limits? If Ministers need more time, they can certainly ask and they will get more time.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an LeasChéad-Aire as an fhreagra sin. I thank the deputy First Minister for his comprehensive answer. Will the Minister give us his views on recent investment by HBO and other investments in the film and television industry?

**Mr M McGuinness:** I think, by this stage, Members here as well as the general public will be well aware of the extensive publicity given in recent weeks to the phenomenal success that 'Game of Thrones' has been right throughout the international community. Investment in the four series to date of £9.25 million has returned over £98 million to the local economy in direct leverage spend. The economic impact of such investment in the TV and film industry is significant when coupled with the wider benefits that have been derived to date. Securing internationally mobile productions of that type has also led to the development of additional sound stage facilities, which will increase our ability to secure large-scale productions and will enable us to manage multiple productions at the same time.

We have a recognised credibility of association with international production projects, which has significant added-value opportunities for our economy, not least for tourism. NI Screen continues to engage with key stakeholders, including the Tourist Board and Tourism Ireland, on developing that opportunity. Tourism Ireland recently used 'The Shore', Terry and Orlagh George's Oscar-winning film, to highlight and promote the local tourist industry. The relationship with HBO has been very important. As a result of the success of 'Game of Thrones', the making of 'Dracula' and many other productions in recent times, we now have a very solid base on which to build.

**Mr Nesbitt:** The House is often told that Northern Ireland comes second only to London in attracting foreign direct investment into the UK. That is obviously something to be welcomed and embraced. Will the deputy First Minister help me embrace that further by giving us the comparative breakdown of what percentage of total FDI goes to London and what percentage comes to Northern Ireland?

**Mr M McGuinness:** I do not have those figures, but we will write to the Member with those. I think that, in asking the question, the Member knew fine rightly that that would be the answer.

The important thing is that we are doing well. The important thing is that, in recent times and against the backdrop of what has been a very cruel world recession, we have been battling on all fronts. More importantly, we have all been battling together. The overseas visits that we have engaged in have had a major impact in places like North America and Japan. Of course, the opening of a new office in Beijing, later this year, will provide a further opportunity to build on the relationship with the politicians in China. Against the backdrop of the world recession, what has happened here has been pretty phenomenal, but we have to keep it going. Far too many people are unemployed. Although all the signs appear to be very good when we listen to the experts who monitor all this, what is most encouraging about the news of the past couple of days is the prospects for people in the construction industry, which is hugely important for our indigenous businesses.

As for the ability that we have to compete with regions like London, and, indeed, many others, we have clearly shown that, as a result of the effort that has been made, we can compete with anybody. We will write to you with the exact figures in the percentage terms that you are seeking.

**Mr Eastwood:** Given its importance in attracting FDI, what involvement did the deputy First Minister or his Department have in the promotion of the enterprise zone in Coleraine?

**Mr M McGuinness:** The enterprise zone in Coleraine is effectively a pilot project. Principally, the responsibility for dealing with that resides with the Department of Enterprise, Trade and Investment. From our perspective, we are trying to ensure that we see the success of the Coleraine enterprise zone as a forerunner to other developments in other parts of the North. However, the departmental responsibility lies more with DETI than OFMDFM.

**Mr Allister:** What impact does it have on promoting Northern Ireland as a stable place when the deputy First Minister's mask slips and it emerges that his support for law and order is selective and conditional on his terrorist buddies not being pursued? What impact does that have on foreign public confidence?

**Mr M McGuinness:** I think that I, alongside the First Minister, have had a very positive impact in recording the success that we have seen over the past number of years, when more foreign direct investment jobs have been brought into the North of Ireland than at any other time in the history of the state.

The Member refers to my comments. I think that perhaps people should have listened very carefully to what I said, rather than work on a media interpretation, for which I am not responsible. I have made my position absolutely crystal clear: I fully support the PSNI and those who are committed to delivering impartial and accountable policing. I am absolutely opposed to those who would seek to undermine the progress that we have made on policing and justice and the wider peace process. Those elements, I am determined, will not turn the clock back to the dark days of policing, which included a lot of repression and sectarianism.

### Racist/Sectarian Attacks

5. **Mr F McCann** asked the First Minister and deputy First Minister, in light of the recent racist and sectarian attacks, and attacks on political party offices, what priority is being given to the implementation of Together: Building a United Community. (AQO 6074/11-15)

**Mr M McGuinness:** I condemn all racist and sectarian attacks. Building a united, shared and reconciled community is a clear commitment in the Programme for Government. The Executive have committed to deliver a range of measures to build good relations through the Together: Building a United Community strategy and, in turn, to create the conditions to progress further towards a prosperous, peaceful and safe society.

Work is progressing across all seven headline actions, and Departments are also working to drive forward the implementation of the other actions and commitments contained in the strategy. The strategy recognises that our community is increasingly diverse and envisions a society that is strengthened by that diversity, where cultural expression is celebrated and embraced, and where everyone can live, learn, work and socialise together free from prejudice, hate and intolerance. One of the key priorities in the strategy — “Our safe community” — aims to create a community where everyone feels safe moving around and where life choices are not inhibited by fears around safety.

I want a society free from hate and intolerance, and I am determined to prioritise the Together: Building a United Community agenda. I am clear in my resolve to continue to build good relations across our community. We must work to strengthen the peace that we have built over time and ensure that the more negative elements in our society do not undermine what we are trying to achieve. Together: Building a United Community is not only about tackling the physical structures of division but about the attitudes and behaviours that enable their continued existence.

**Mr F McCann:** Does the deputy First Minister believe that these attacks are being orchestrated?

**Mr M McGuinness:** I have been on public record for some considerable time over the past number of weeks making it clear that I believe that the attacks are orchestrated and that they are being orchestrated by the UVF. I call on that organisation to halt the activity immediately. The attacks are absolutely unacceptable and deplorable, and I call on all political leaders to speak out loudly and to stand together with victims of those hate crimes.

**Mr Campbell:** I suppose that everyone, both inside and outside the Chamber, will unite in condemning all attacks, whomever they are enacted on and whoever carries them out. Will the deputy First Minister not agree that his condemnation, unequivocal as it is, would carry more weight if he were to own up in an open and transparent manner to all the hate crimes that he engaged in when he was in the IRA?

**Mr M McGuinness:** I know that the Member who has just asked the question is, unlike me, very embittered. I have a lot to be bitter about in the past, but I do not intend to lead my life through hatred and bitterness. I want to contribute positively to everything that is happening in our society. It is about time that leading spokespersons from the unionist Benches who say that they condemn attacks on isolated eastern Europeans or attacks on Alliance Party offices, be those attacks because of racism or sectarianism, stood up and told the public whom they believe are responsible. Am I the only person who has the courage to do that —

**Mr Allister:** It is about time that —

**Mr Speaker:** Order.

**Mr M McGuinness:** I have made it crystal clear — *[Interruption.]*

**Mr Speaker:** Order.

**Mr M McGuinness:** I have made it crystal clear in the course of recent times that a lot of the violence that has occurred on the streets of Belfast has been orchestrated by elements in the UVF, with some assistance from elements in the Orange Order. I note that, on a number of occasions—

**Mr Allister:** Shame on you. Shame on you.

**Mr Speaker:** Order.

**Mr Allister:** Shame on you. *[Interruption.]*

**Mr M McGuinness:** — and I note —

**Mr Speaker:** Order.

**Mr M McGuinness:** I note — *[Interruption.]*

**Mr Speaker:** Order. Allow the deputy First Minister to answer the question.

**Mr M McGuinness:** I note that, on a number of occasions when I have been at the Dispatch Box, not one Member from the unionist Benches has had the courage to challenge my assertion that the UVF and the Orange Order are responsible. That is what we have been dealing with. Until such times as people are prepared to do what I do in the community that I represent — standing against even threats to my life from so-called dissident republicans — and unless we get to a point at which that is done by all of us, we are not moving forward.

**Mr Campbell:** Avoiding the question.

**Mr Allister:** How many people did you kill?

**Mr Speaker:** Order.

**Mr Lyttle:** On behalf of my party, I say that the attacks are not done in the name of the vast majority of people in this community nor do they reflect the values of the vast majority of people in this community.

Does the deputy First Minister agree that to have elected representatives, the PSNI, local authorities and the community and voluntary sector standing together against these abhorrent crimes is the most effective way in which to assist victims and help the PSNI prevent such crimes? Will he update the Assembly on whether any work has been ongoing in OFMDFM to re-initiate the Unite Against Hate campaign to facilitate that?

### 2.30 pm

**Mr M McGuinness:** For me, this is a time for leadership. We have seen totally and absolutely deplorable, despicable and unacceptable attacks on Alliance Party offices and, indeed, on those who work in those offices. We have also seen despicable attacks on isolated people from eastern Europe, principally the Polish community. In recent times, there has been a lot of speculation in the media about whether those attacks were sectarian or racist. For me, it does not matter what they were. If somebody has come here to build a life and a future for themselves and their children, they should be accorded the dignity and respect of every other person who lives in our society.

So I absolutely agree with the Member that this requires a coordinated approach and all of us to speak with one voice. Unfortunately, we have not been speaking with one voice in recent times. I would like to see people rising to the occasion and recognising that the people of east Belfast are overwhelmingly good and decent people but that they are effectively being dictated to by a gang of hoods and criminals. Those people need to be exposed in the same way that I stand against those in my community who try to plunge us back to the past through their violent activities. That is the responsibility of politicians. No campaign — not United Against Hate or anything else — will work unless we, the politicians, give leadership.

**Mr Speaker:** Order, Members. That concludes questions for oral answer to the deputy First Minister. We will now move on to topical questions.

### EU Membership

1. **Mr Cree** asked the First Minister and the deputy First Minister whether they agree that the comments from the head of the European Commission, who stated that the

EU should find ways to cater for the United Kingdom's needs, offer a clear basis for renegotiation of the United Kingdom's part in Europe. (AQT 1081/11-15)

**Mr Speaker:** Order. Members should not be reading out topical questions. The Member is a long-time Member of the House. I have watched a number of Members continually read out questions, especially supplementary questions and topical questions. That should not be happening.

**Mr M McGuinness:** The Member raised an important question, whatever about how he delivered it. Of course we, as a local Administration, have to be concerned about the ongoing debate, particularly in England, on EU membership and the prospect of a referendum. Personally speaking, I think that it would be a disaster for the island of Ireland and for us in the North if a vote in a referendum saw our withdrawal from the European Union.

I know that the big debate in England is about whether the British Prime Minister, David Cameron, has the ability to renegotiate aspects of Britain's membership of Europe. We do not have any control over that, except to say and to point out to those in England who have political responsibility that we absolutely need to be consulted on any decision that impacts our economic prospects here. I hold a very strong view, which, I think, many Members on both sides of the House share, that withdrawal from Europe would be a disaster.

**Mr Cree:** I thank the deputy First Minister for his response. Minister, what do you think are the main areas that should be renegotiated as far as Northern Ireland and its benefits are concerned?

**Mr M McGuinness:** In any of the conversations that we have had at Executive level, we have not raised any areas that we think need to be renegotiated with Europe. We do not have any influence or power in that. The member state is the British Government, led by David Cameron. He has direct responsibility for dealing with these matters. From our perspective, it is very important that we apprise him of our view on the dangers for our economic prospects of withdrawal from Europe.

That said, I do not know how this debate will move forward. Quite a number of important debates are taking place across the water at the minute, not least on what is happening in Scotland, which will also have implications for that region. These are issues over which we have little control but on which we have a strong view. It is very important that whatever happens does not damage the economic or employment prospects of the people we represent.

### Civil Service: Gender Balance

2. **Mr McGimpsey** asked the First Minister and the deputy First Minister whether, given the Assembly's commitment to equality and gender balance in the House, the deputy Minister is satisfied that, although 53% of the Civil Service overall are female, in their office only 22% of senior civil servants are female. (AQT 1082/11-15)

**Mr M McGuinness:** I just want to remind the Member that I am the deputy First Minister. I am not anybody's deputy. I think that — *[Interruption.]*

**Mr Speaker:** Order.



**Mr M McGuinness:** The Member's question is valid and it raises an issue that has to concern all of us about ensuring that people in the Civil Service who are female have every opportunity to rise to the highest levels. That represents a challenge to the Executive and the Civil Service, and it is one that we need to tackle very quickly.

**Mr McGimpsey:** I thank the deputy First Minister for his answer. Does he agree that, as far as rising to the highest level is concerned, the most glaring example of inequality is that we have 11 Departments run by 11 permanent secretaries here, and all of them are male? Can he indicate when he sees that situation changing?

**Mr M McGuinness:** I absolutely agree. That is not something to be proud of; it needs to be changed. The Executive, working in concert with the Civil Service and its head, need to recognise that that needs to be corrected as quickly as possible.

### Bring Back Our Girls

3. **Ms Fearon** asked the First Minister and the deputy First Minister whether they will lend their support to the local Bring Back Our Girls campaign for the 200-plus young girls who were kidnapped from their school in Nigeria. (AQT 1083/11-15)

**Mr M McGuinness:** Mr Speaker, with your permission, I will ask junior Minister McCann to answer that question.

**Ms J McCann:** I do not think that anyone right across the world could be anything other than horrified and appalled by the scenes that we saw in the aftermath of nearly 300 young girls being kidnapped from their local school. I think that that really shows how hate, intolerance and fundamentalism can be manifested.

I am glad that this case has got the international recognition that it needs. People from all over the world have condemned it in the strongest terms. That type of action is happening regularly to young girls who people believe do not have the right to be educated because they are girls. All right-thinking people need to send a clear message that that is wrong. We are horrified that some of these young girls have been threatened with being sold off as sex slaves, and we have seen the scenes of their distraught and devastated families. We should all make clear our condemnation of what happened and our support for the girls and their families.

**Ms Fearon:** I thank the Minister for her answer. Are the First Minister and deputy First Minister willing to write to the Nigerian Government to call on them to use all their efforts to find the girls and bring them home, and to unequivocally defend a woman's right to education?

**Ms J McCann:** Most definitely. The Member was with me at a protest at Belfast City Hall last week to promote the worldwide Bring Back our Girls campaign, which started on social media. I have had conversations with the deputy First Minister and I know that he is very keen to do what he can. I am sure that the same goes for the First Minister. As I said, no one could be anything but appalled and horrified at this event.

### Executive Meetings

4. **Mr Dickson** asked the First Minister and the deputy First Minister to confirm that, by the time they meet at

the next Executive meeting on 28 May, six weeks will have elapsed since the last meeting of the Executive. (AQT 1084/11-15)

**Mr M McGuinness:** Meetings of the Executive take place when we think that real business can be done. If there is nothing pressing, and there are occasions such as this — for example, when elections are taking place — whereby if there is something that cannot wait for the six-week period that the Member speaks of, we would deal with it immediately by calling a meeting of the Executive. I do not recognise the time frame of six weeks that the Member has put on the next meeting of the Executive, given that we have just recently had such a meeting.

**Mr Dickson:** Given that there has been only one meeting of the Executive in the past six weeks, can the deputy Minister tell this House and, more importantly, the citizens of Northern Ireland what business is being held up by the lack of such meetings?

**Mr M McGuinness:** Again, I have to remind the Member that I am not anybody's deputy. I am the deputy First Minister. That is the second time that that mistake has been made.

The Member should be assured that meetings of the Executive are held very regularly indeed. There are occasions when, of course, those meetings are not required to be held as regularly as they were previously. This is one of those periods. I am absolutely satisfied that nothing of major importance is being held up. There are issues that have not come before the Executive, but that is for different reasons.

### Parading

**Mr Gardiner:** Will the first deputy Minister confirm, sorry, the deputy First Minister — *[Laughter.]*

**Mr Speaker:** Order. It may be deliberate or it may be accidental, but Ministers should be addressed by their proper title in the House. That goes for all Ministers.

5. **Mr Gardiner** asked the First Minister and the deputy First Minister to confirm that the business of parading in Northern Ireland is a matter for Northern Ireland and the United Kingdom, not for foreign organisations or countries. (AQT 1085/11-15)

**Mr M McGuinness:** I know that some Members may be a bit nervous when they get up to ask me a question, but this is a wee bit ridiculous.

Parading is an area of huge importance for all of us in this House. As the Member well knows, a huge effort was made prior to and around Christmas and new year past in order to try to find a resolution through the Haass discussions. It is hugely important that we get back to that work. I understand that it is not going to happen this side of the elections, which are only days away, but I passionately hope that the parties can get together immediately afterwards. I note that the Member's party has absented itself from the discussions that have been held thus far, but for those of us who are willing to put their shoulders to the wheel in order to find a resolution, I think that it is very important that we do so.

There is a lot of talk about Richard Haass and Meghan O'Sullivan coming back. My preferred option is that the parties go into a room and find our own resolution. If that fails, there is a massive responsibility on both

Governments to pull their socks up and do more than they have done. Speaking for myself, I think that the performance of the British Government through that whole process has been a particular disappointment.

**Mr Gardiner:** I thank the deputy First Minister for his remarks, but can he confirm that no foreign organisation or body outside Northern Ireland and the United Kingdom will be involved in the discussions that we are having on parading?

**Mr M McGuinness:** I presume that the import of that is that he regards the Government in Dublin as "foreign".

**Mr Gardiner:** Yes.

**Mr M McGuinness:** I do not accept that analysis. There is obviously intense interest in the community as to whether the British and Irish Governments are going to play a positive and constructive role in assisting us, if required, to get a resolution to issues such as the past, flags, symbols and emblems and the issue of parading.

### Racist Attacks

6. **Mr Sheehan** asked the First Minister and the deputy First Minister whether they have met the PSNI about the racist attacks in east and north Belfast. (AQT 1086/11-15)

**Mr M McGuinness:** I was going to ask the junior Minister to answer this question but, given that time has run out, I will say that I think it is important that we all meet the police about what are unacceptable situations, particularly in some parts of Belfast. When I leave shortly, I will be meeting the Chief Constable of the PSNI, Matt Baggott.

### 2.45 pm

**Mr Bell:** On a point of order, Mr Speaker.

**Mr Speaker:** The convention is that points of order are not taken during Question Time. I am happy enough to take a point of order after Question Time.

## Environment

### NILGA: Partnership Panel

1. **Mr Hazzard** asked the Minister of the Environment what role the Northern Ireland Local Government Association will have in the new partnership panel to be established under the Local Government Bill (NIA 28/11-15). (AQO 6085/11-15)

**Mr Durkan (The Minister of the Environment):**

The partnership panel will comprise Northern Ireland Ministers and an elected representative from each of the 11 new successor councils. As provided for in the Local Government Bill, the panel may give advice to any Northern Ireland Department about matters affecting the exercise of any of its functions, make representations to any Northern Ireland Department about any matters affecting or of concern to those involved in local government and give advice to those involved in local government. The intention, therefore, is that the panel will promote joint working and cooperation between the Northern Ireland Executive and local government.

The Bill also provides for the appointment of a maximum of five representatives of such a representative body or

association of the district councils as appear to the Department to be appropriate. Although the Bill does not specifically name the Northern Ireland Local Government Association (NILGA), views were expressed by members at the political reference group meeting on 28 April that NILGA should have a role in the future of the panel. I intend to meet its office bearers shortly to discuss this point.

However, I believe that it is important to provide clarity on this issue as soon as possible. Therefore, as part of the process to establish the partnership panel, I intend to consult the new councils about their councillor nominations to the panel and will also use this opportunity to take on board the views of the councils about their association representation.

**Mr Hazzard:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer. How often will the panel meet, and what resources and support will it receive from his Department?

**Mr Durkan:** Go raibh maith agat as an fhreagra sin. I thank the Member for his question. As yet, the frequency of meetings of the partnership panel has not been established. One paper circulated at the most recent political reference group meeting suggested that the panel would meet every six months, but I do not think that that is enough. The panel will comprise Executive Ministers. I, as local government Minister, will be present at all meetings and will chair meetings of the panel. Other Ministers will be involved on an ad hoc basis, dependent on the agenda for discussion that day and its relevance to their Departments.

As I said, local government will select its own representatives on the panel; there will be one from each of the 11 new councils. I will meet the councils to discuss their nominations to ensure that they are nominating representatives onto the panel who are, I suppose, best equipped and have the experience and expertise to deal with the very important issues that, I would hope, would be raised at the panel. The panel will provide a good vehicle for dialogue at a political level between the Executive and local government, and we can use the panel effectively to ensure that local government and central government are singing off the same hymn sheet.

**Mr Eastwood:** Further to the previous questions, given the fact that some people in local government may think that the partnership panel could become a talking shop, can the Minister give them any reassurances that that will not be the case?

**Mr Durkan:** I thank the Member for the question. The panel is not a decision-making body, but under my chairmanship I intend that it will have a very productive role and not just be a "talking shop", as the Member put it. As I said, membership will be made up of central and local government decision-makers in their own right. I intend to build on that responsibility, while establishing and strengthening relationships between the two tiers of government.

A number of ingredients are required to ensure a successful partnership. The one that is foremost in my mind is that there is a shared ownership of the partnership panel and a feeling among the partners that there is something in it for them and that it is worth their while to attend and contribute. I intend that the panel will be based on the key principles of openness, trust and honesty, with shared goals and values. My message to the future

partners is that they must embrace that approach as well as the Executive's vision of local government reform. Members must move from parochial thinking on operations and create a foundation for strategic thinking on a regional basis.

We therefore need the panel to function fully. We also need collective thinking and practical input around the table, otherwise transformation projects like community planning, which are important to shaping services and improving the quality of life for local people, will simply not work.

**Ms Lo:** Given that each council is allowed to send its own representative, it is quite likely that the panel will be dominated by the two major parties. How will the Minister ensure that the smaller parties are represented on the panel?

**Mr Durkan:** I thank the Chairperson of the Committee for her question. An amendment was tabled and accepted during the passage of the Local Government Bill. That means that, as well as representatives from each of the 11 new councils, there will be representation from an association that will comprise up to 5 members. Reading between the lines, one would assume that that would reflect the five main parties or those that are represented on the Northern Ireland Executive.

I do not want to predetermine who will be elected, how many from each party will be elected in the elections next week or how each new council will select their representative on the panel. Given the new d'Hondt function and how it will be applied in the new councils — run from day one in every year — there will be an improved or enhanced possibility for “smaller parties”, as the Chair put it, to be represented on the panel and to get positions of responsibility and influence.

### Cycling Proficiency Tests

2. **Mr Gardiner** asked the Minister of the Environment, given that the number of cyclists seriously injured on roads has almost doubled in the last decade, whether he would consider introducing mandatory cycling proficiency tests before cyclists can use certain types of roads. (AQO 6086/11-15)

**Mr Durkan:** Over the past decade, there has indeed been an increase in the number of pedal cyclists who have been killed or seriously injured on our roads. The increase, however, is in the order of 21%: 38 cyclists were killed or seriously injured in 2003, rising to 46 in 2013. It is important to consider that rise in the context of the larger numbers of cyclists who are using our roads. Indeed, I believe that almost two-fifths of households here now own at least one bicycle.

My officials continue to monitor all road casualties as part of our work, along with road safety partners, towards an aspiration of zero deaths on our roads. My Department has taken a number of steps in recent years to raise awareness of cyclist safety issues among all road users. That has included a number of cycle safety campaigns, including the one that was launched last month. The campaigns were developed based on a range of qualitative and quantitative research. My Department will continue various interventions to reduce casualties, and I note that there was a welcome reduction in cycling casualties in the past year, from 57 cyclists killed or seriously injured in 2012 to 46 in 2013.

My Department currently offers a cycling proficiency scheme to all primary schools in Northern Ireland, and I am pleased to report that over 500 schools and 8,000 children participate in the scheme each year. The scheme teaches children to carry out manoeuvres and some rules of the road via the highway code. I have recently approved an enhancement of that scheme.

The question of mandatory cycling proficiency tests needs to be considered in the context of this range of other work. I have reflected on the Member's idea carefully and considered the road safety benefits and the costs that would be involved alongside the costs and benefits of other interventions. At this stage, there is no clear evidence to suggest that such a regime would address the problems effectively.

**Mr Speaker:** I remind the Minister of the time limit.

**Mr Durkan:** Sorry.

**Mr Gardiner:** I would like to take the opportunity to thank the Minister for his response and for giving me those details. I accept them, and I think that he is on the right path. However, I am still very concerned about the number of accidents involving cyclists compared with the number of car accidents.

**Mr Durkan:** I thank the Member for his supplementary and his interest in the topic. It is extremely topical given the Giro d'Italia fever that swept the North at the weekend. One would imagine that, as a result of the Giro and the excitement and fervour around it, we will see, this year and in future years, an increasing number of cyclists on the roads. Unfortunately, the more cyclists and other road users there are, the more likely they are to be involved in accidents. I do not like to single out any particular type of road user, such as cyclists. That is why the most recent campaign, which we launched in April, centred on the need for road users — be they cyclists or motorists — to respect one another's journey so that the finger of blame is not pointed at cyclists or motorists for being involved in more accidents. Many accidents and collisions could be avoided if, as road users, we all respected one another's journey.

**Mr Weir:** Will the Minister outline which cycling organisations he has met to discuss road safety and whether any ideas were generated in those meetings that could be implemented to improve road safety for cyclists?

**Mr Durkan:** I thank the Member for his question. I regularly chair the road safety forum, which comprises all types of road user and their representatives. A few cycling groups are represented — notably Sustrans and others, the names of which escape me. I will come back to the Member on that — sorry. It is vital to listen to road users' ideas when it comes to how we improve road safety. In answering Mr Boylan's question in the Chamber earlier, I said that I very much look forward to the public consultation on and Committee Stage of the Road Traffic (Amendment) Bill. That will provide an opportunity for road users' representative groups, such as Sustrans and other cycling groups, to have their input into legislation that is aimed at and, I believe, capable of improving road safety here and reducing the number of accidents, collisions, serious injuries and deaths.

**Mr Lyttle:** I welcome the Minister's response. Will he re-emphasise that he agrees that the key task is to bring about a fundamental cultural and attitudinal change to

ensure that all road users respect one another's rights to share the road, rather than singling out any one particular user?

**Mr Durkan:** I thank the Member for his question. He has obviously got the message that was central to DOE's most recent campaign. Although such an attitudinal change is vital for all road users and is extremely important to improving road safety, we must not lose focus of the rationale or ethos of the cycling proficiency scheme and the need for all road users to take responsibility for their actions on the roads.

3.00 pm

### Wind Farms: AONB Protection

3. **Mr Buchanan** asked the Minister of the Environment what protection is in place for areas of outstanding natural beauty, which are subject to a planning application for a wind farm. (AQO 6087/11-15)

**Mr Durkan:** Policy RE 1 of Planning Policy Statement (PPS) 18, which relates to renewable energy, does not distinguish between areas designated for their beautiful significant landscape value, such as areas of outstanding natural beauty (AONBs) and other undesignated landscapes. Nonetheless, the policy requires that all renewable energy development, regardless of whether it is proposed in a designated area or not, should not result in an unacceptable adverse impact on visual amenity or landscape character of that area.

To assist the Department in the consideration of wind energy applications, PPS 18 is accompanied by best practice guidance (BPG) and supplementary planning guidance (SPG) on wind energy development in Northern Ireland's landscapes. The supplementary planning guidance provides broad strategic guidance on the visual and landscape impacts of wind energy development for 130 landscape character areas (LCAs) across Northern Ireland. Within each LCA, the key landscape and visual characteristics are identified. As for the scenic quality of an area, the LCA will identify whether any part is subject to designation as an AONB. An assessment is also made as to the overall sensitivity of the landscape to wind energy development. SPG advice is taken into account by the Department as strategic guidance in processing planning applications for wind energy development across the whole of Northern Ireland.

**Mr Buchanan:** I thank the Minister for his response. Does he believe that an area of outstanding natural beauty should be exempt from wind farm development?

**Mr Durkan:** I thank the Member for his supplementary question. Wind energy interests everyone in the Chamber, and the closer we come to an election, the more interesting it becomes. Areas of outstanding natural beauty are designated as such because they are areas of outstanding natural beauty, and I believe that planning policy should afford some protection to that natural beauty. The fact that the current PPS 18 does not afford protection to the areas that it should protect has been raised with me on numerous occasions, inside and outside the Chamber. I recently put out my new strategic planning policy statement (SPPS) for public consultation, which, unfortunately, has now closed. It offered Members here, members of the public and people with an interest in planning an input into new planning policy. I have not had a chance to go through

all the responses, but, when I do so, I firmly expect that Planning Policy Statement 18, which relates to renewable energy, will be one of the most thumbed chapters. I expect representation calling for a strengthening of the policy in order to provide increased protection to the areas that the Member outlines.

**Mr McKinney:** Following on from that, when does the Minister expect the single strategic planning policy to come into operation? Do you envisage significant change to renewable planning policy?

**Mr Durkan:** I thank the Member for his question. As I outlined in my previous answer, I launched the draft SPPS for a 12-week public consultation in February. The public consultation has now closed, and over 700 responses were received. Although the SPPS is largely a consolidation of existing planning policies, including those in PPS 18 on renewable energy, there is also, very importantly, an emphasis on improving it in time for the transfer of the planning function to councils next April. My officials are analysing and carefully considering all the responses. Once that exercise is complete, I will decide on the final policy direction for renewable energy and the SPPS overall.

I envisage the draft strategic planning policy statement being completed by the end of 2014, subject to Executive agreement.

**Mr McElduff:** Go raibh maith agat, a Cheann Comhairle.

I thank the Minister for his replies to date. He will be well aware of strong community concerns in areas of the Sperrins regarding proposed large-scale wind farms. Will the Minister firm up on his previous commitment to visit the Broughderg area, where he might meet representatives from Broughderg, Glenelly valley and Lisnaharney regarding their concerns? Will he firm up on a previous commitment to visit that community?

**Mr Durkan:** I thank Mr McElduff for his question. I am aware that certain parts of the North are coming under particular pressure from wind energy development. Cumulative issues are coming to the fore, especially in the west, and my Department has already refused a number of planning applications. Some, however, are subject to planning appeals, which will be determined by the Planning Appeals Commission.

I am reconsidering PPS 18 through the emerging SPPS and whether there is a need to review the balance between the benefits of wind energy and the cumulative impact on the environment and local communities. Mr McElduff identified some of those communities, and I have already given him a commitment to visit them. I have met representatives from those communities in office meetings, and I assure Mr McElduff that I will call the next time I am in the neighbourhood.

**Mr Cree:** Is there any evidence that wind turbines are harmful to public health?

**Mr Durkan:** I thank the Member for that question. Wind energy applications, as the Member will be well aware, tend to attract quite a number of objections. The objections are founded on many things, such as applications being detrimental to residential amenity, taking away the view and creating a noise.



Often, and increasingly so, objections suggest that wind turbines are detrimental to human health. Where such an objection is raised, we are duty-bound as a Department to seek the view of the Public Health Agency, which we do. Often, if not always, the Public Health Agency finds that they are not detrimental to public health. If there was ever any doubt over something being detrimental to human health, I would not approve it or stand over its being approved.

### Councils: Transitional Work Streams

4. **Mrs Overend** asked the Minister of the Environment for the estimated cost of the transitional work streams of the local government reform programme that councils will fund over the 2014-18 period. (AQO 6088/11-15)

**Mr Durkan:** In 2013, the Executive agreed to provide councils with a reform funding package of £17.8 million over the 2013-15 period. There is also a further commitment of up to £30 million for rates convergence following the creation of the 11 new councils in April 2015.

Over recent months, senior local government officers have undertaken a detailed financial assessment of those additional transition work streams that are unavoidable and are not covered by the £47.8 million funding package provided by the Executive. A total upper limit for those costs likely to be incurred during the transition period, excluding the Executive funding package, has been estimated at £33 million over the 2014-18 period.

Those costs have been calculated at a regional level and are based on the transition costs data capture exercise completed by the local government sector. Naturally, the final costs will be dependent on decisions that are for the new councils to make, including their structure, how best to manage their assets and estate, and how quickly they can start to realise further savings through joint working. I ask that local government considers the impact of the choices it makes on ratepayers, and I encourage councils to be ambitious in their approach to joint working.

**Mrs Overend:** The figures that the Minister has given are quite concerning. Does he accept that many councils simply do not have the reserves or the room to pay for those costs without passing them on to their residents via an increase in rates?

**Mr Durkan:** I thank the Member for her supplementary question and recognise the concern that she has raised that some councils will simply not be able to afford this. It is a concern that has been raised with me by representatives of local government — though not all representatives of local government, I might add — over the past number of months. It is anticipated and, indeed, fully expected that the reform of local government will yield huge savings, including to local government. Therefore, I believe that it is only fair that local government should contribute to the cost of reform. I do not dismiss the concerns that have been raised about the affordability of these measures. However, I point to the fact that, through the Minister of Finance and Personnel, we have sought and gained permission from the Treasury that those costs can now be capitalised. Therefore, that should facilitate and make easy any borrowing that local government might need in order to meet the costs.

**Mrs D Kelly:** The Minister mentioned the estimated cost of savings from RPA. Is he in a position to quantify any of

those potential savings? Can he tell us whether the PwC report was on the money, so to speak, about the potential cost savings?

**Mr Durkan:** I thank Mrs Kelly for her question. The economic appraisal of local government service delivery, published by PwC in October 2009, indicated that, under the preferred option, implementation of the local government reform programme could involve expenditure of up to £118 million over five years but achieve savings of £438 million over 25 years. That is considered the benchmark cost to bring about a model of a fully transformed local government sector and what associated savings might be expected. The sector's subsequent ICE programme and 'Case for Change', which included an alternative to the regional Business Support Organisation, projected savings in the region of up to £570 million for less upfront investment in the same timescale.

The local government reform programme is based on a model that involves significant upfront costs, currently estimated at an upper level of £80.8 million during the transition period, while delivering substantial longer-term savings projected, as I said, between £438 million and £570 million over 25 years. Those projected savings and any associated costs will be refined further, once the new councils are established and the work on organisational design is complete.

**Mr Speaker:** That concludes the period for questions for oral answer to the Minister of the Environment. We move to topical questions.

3.15 pm

### HGV Road User Levy

1. **Mr Lynch** asked the Minister of the Environment whether he has any plans to meet the British Minister with responsibility for transport to discuss exempting all local roads from the HGV levy. (AQT 1091/11-15)

**Mr Durkan:** Go raibh maith agat as an cheist sin. I thank Mr Lynch for the question. It is one that I expect to be asked again later this evening as we debate the HGV levy.

This is an issue that I have written about to my British counterpart, if you like to put it that way, on numerous occasions, most recently last week. However, to date, I have not sought a formal meeting with him. I am aware that Minister Varadkar, the Republic of Ireland Minister, has sought and obtained a meeting with him, and I have been liaising closely with my Southern counterpart on the issue to ensure that we are very much asking for the same thing. We have, to date, been asking for the same thing. Unfortunately, neither of us has got it thus far. That will not stop me trying. As I said, I wrote back last week to Stephen Hammond, and we are keeping a very close eye on and maintaining a focus on the situation. This afternoon's debate will, I am sure, also ensure that we do that.

**Mr Lynch:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. Are the Minister's officials involved in any enforcement arrangements at this time?

**Mr Durkan:** I thank Mr Lynch for his supplementary question. As negotiations are ongoing between me, Minister Varadkar and Minister Hammond on exempted routes, if not all exempted roads, I believed that it would

have been premature of me to bring the SL1 to the Environment Committee. As that subordinate legislation has not gone through Committee, DOE officials do not have the power to enforce here, and therefore are not enforcing. No one is currently enforcing the HGV levy in Northern Ireland.

### Councils: Planning Powers

2. **Mr Craig** asked the Minister of the Environment, while sticking with the topical local government elections, whether he has issued any guidance to the new super-councils on how they should handle the planning powers that are being given to them. (AQT 1092/11-15)

**Mr Durkan:** I did not know that there are elections. [Laughter.] I thank the Member for his question. Over the past number of months, I have been around all bar one of the 11 statutory transition committees to meet individuals who will, one assumes — I am sure that they assume — form the new councils. They have been sharing concerns with me, and one of the principal concerns is the transfer of the planning function. I remember, as a councillor on Derry City Council, sitting with colleagues who occasionally rubbed their hands when we were having a planning committee meeting, saying to the planners things such as, "I can't wait until we get you in here". However, as the time approaches and that is becoming more of a reality, councillors seem to be saying, "We don't want you in here", as it dawns on them that, along with the power of planning, will come a tremendous responsibility. Therefore, planning possibly comprises the largest part of the capacity-building programme for new councillors.

Community Places is a well-known and worthwhile organisation that has been awarded the contract from the Department to take part in planning and to give out that planning to the new councils, councillors and council staff. Planning staff will need training as well, as they get used to the new regime. Training will take place in many other ways. I am very hopeful of setting up mock planning committee meetings when councils are operating in shadow form so that councillors can get a grasp of what will be expected of them. Another difficulty that is going to be posed to councillors, now that, they, or at least the members of the planning committee, will have the responsibility for making planning decisions, is that their traditional lobbying role will be somewhat compromised, if not castrated. So, that is something that they are going to have to weigh up as well.

**Mr Craig:** I thank the Minister for that. That is the nub of the issue; as a decision-maker, you cannot be a lobbyist. Has any guidance been given to the actual size or make-up of the planning committees within the new super-councils, as it seems illogical that all councillors would be on them, as is common practice today? Has any thought been given to indemnity or some sort of insurance for the planning committees, because we can see the legal nightmare that could face them?

**Mr Speaker:** I remind the Minister of the two-minute rule.

**Mr Durkan:** Do not worry; I will not take as long this time.

The size of the committees will be a matter for the new councils. However, what Mr Craig referred to as "common practice", where planning committees comprise all council members, will certainly not be the case. I cannot imagine

that there will be a huge queue of councillors to join the planning committees. Also key to this will be the new statutory code of conduct for councillors. Some councillors could now find themselves having to make a decision on something that they were previously or are currently lobbying on. They might inherit that case.

The issue around indemnity is also very important. That will also be involved in the capacity-building and new code of conduct for councillors and councils.

### Dereliction Fund

3. **Mr Maskey** asked the Minister of the Environment, through an update on the transfer of powers to local government, whether he has given any consideration to city centre gateway projects, financed by the dereliction fund, in, for example, areas such as Cromac Street. (AQT 1093/11-15)

**Mr Durkan:** I thank the Member for his question. The dereliction fund has been a hugely successful initiative. It was launched by my predecessor, Alex Attwood. To date, 24 of the 26 councils have successfully availed themselves of the scheme. The scheme has had a huge, beneficial impact on town and city centres for relatively small amounts of money. Unfortunately, my bid to get more money for the dereliction fund, at the most recent monitoring round, was unsuccessful. However, I will make a new attempt in the June monitoring round. I have been inundated with correspondence from MLAs and councillors from across the North. They have seen how the dereliction fund has benefited other areas, and their own, and they would like to see more. So I am hopeful that my colleagues in the Executive will give me more to give to them.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for that response. Has the Minister considered having further discussions with DSD, for example? I am thinking in particular of areas in and around Cromac Street, for instance, which is a gateway from a residential area right through to the city centre and, of course, outward. It would help to regenerate that area, plus much improve the economic opportunities in the lower Ormeau area.

**Mr Durkan:** I certainly recognise the benefits that regeneration can bring. As the Member outlines, it is important that my Department liaises and works with other Departments such as DSD, which is responsible for regeneration on such issues as this. The debate on the business improvement districts is ongoing, and I know that it is to come back to the Assembly. In my Executive response, I have considered how my dereliction fund could tie in with that so that you could maximise the benefit of government intervention into an area or areas, rather than one Department trying to do something now and someone else coming along three years later to try to do another bit. It is vital that we collaborate to get the biggest bang for our buck and to benefit the businesses and people of the region when doing so.

### Paramilitary Murals: Giro d'Italia Route

4. **Ms Lo** asked the Minister of the Environment whether he, along with the House, agrees that the Giro at the weekend was a great success, albeit that I noticed that a number of photos taken of the event in Belfast were of cyclists passing paramilitary murals, and whether



he further agrees that broadcasters would have used more positive images if, alongside not putting up election posters, those murals had been repainted. (AQT 1094/11-15)

**Mr Durkan:** I thank Ms Lo for her question. First, I reiterate my thanks and congratulations to all those involved in making the Giro a success. I also thank political parties here for the spirit in which they entered into the agreement not to put up election posters along the route. We displayed a great deal of maturity, and we showed that we can work together to achieve things when they are for the common good. However, there are those outside the House who refuse to do that. I do not have within my remit any control over paramilitary murals or, indeed, flags. I regret very much that I do not, but I believe that we can work collectively to tackle the blight of paramilitarism right across the North. We must be resolved to do that.

**Ms Lo:** I thank the Minister for his willingness to do that. I would like to see him working on that with other Executive colleagues. Are any moves afoot to ensure that murals are re-imaged or removed so that we can showcase Belfast in a better light for future events?

**Mr Durkan:** These issues were raised throughout the Haass discussions. Richard Haass was unable to resolve them in a couple of months, and I have been unable to do so in a couple of weeks. You could say that we have been unable to resolve them in a couple of centuries. However, that should not dilute our desire to deal with these issues; it certainly will not dilute mine or my party's. We are happy to work with any and all parties to tackle this issue head on.

The new councils can play a vital role in the removal of murals and the re-imaging of communities, particularly through the new power of community planning, whereby everyone can have their say about what their area should look like. It is vital that we encourage people to participate in that process.

**Mr Speaker:** That concludes Question Time.

## Speaker's Business

**Mr Speaker:** Before I take Jonathan Bell's point of order, I want to raise two issues. Question Time is very important in the House because Back-Benchers can hold Ministers to account. All parties do extremely well when called to make a contribution. However, I am concerned that long-standing Members of the House, who have been elected to the House for some years, still want to read out supplementary questions. I ask long-standing Members of the House to set an example; they should refrain from reading out supplementary questions. I do not have any problem with Members who want to refer to notes at their table, but even seasoned politicians in the House still want to read out supplementary questions. I assure Members that that would not happen in any other institution.

On the other issue, it is important that when Members come to the House they address Ministers by their proper title, whether that is the First Minister, the deputy First Minister or any other Minister. I know that, for most Members this afternoon, it was not deliberate. It was accidental more than anything else, and I am being honest when I say that. However, it is important that Ministers who come to the House are shown respect.

### 3.30 pm

**Mr Bell:** On a point of order, Mr Speaker. During the Office of the First Minister and deputy First Minister Question Time, the Member for East Antrim referred to the next Executive meeting being on 28 May, as well as some other things that could cause confusion. I will clarify that the next Executive meeting is set for 29 May. He made some comment about six weeks. However, as of today, the Executive have sat twice in the past six weeks. The Executive normally sit fortnightly. Obviously, with the local and European elections being on 22 May, they are not meeting that day. However, the Executive will meet twice in May.

**Mr Speaker:** Order. That is a very important clarification on that particular piece of business. *[Interruption.]* Order, Members. The junior Minister has now corrected what was said earlier; that is important. There is a procedure whereby Ministers come to the House to correct information that is not correct; that is important.

**Mr P Ramsey:** On a point of order, Mr Speaker. I learned today on a visit to the Business Office that I was not in my place during DCAL Question Time on 29 April. I was in another place, but I want to apologise to the House and to the Minister involved.

**Mr Speaker:** I appreciate the Member coming to the House and apologising. I hope that that sets an example for other Members. I know that the Member was in hospital at that time. At the Table, I have a list of Members who were in their place this afternoon but who did not feel fit to rise in their place and apologise before they asked their question. We have, at the Table, a note of Members who have still not apologised to the House.

**Mr Swann:** On a point of order, Mr Speaker. Although my name is not on that list, the name of my party colleague Mr Cree is. Mr Cree had informed me, as Chief Whip, that he would not be in the House. I failed in my duty to inform the Business Committee, so I apologise to the House and to Mr Cree.

**Mr Speaker:** That is a very brave Chief Whip who has taken his responsibility very seriously. I appreciate the Member coming to the House and explaining the reason why his own Member was not in the House; that is vital. Let us move on.

## Executive Committee Business

### Work and Families Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Work and Families Bill [NIA 34/11-15] be agreed.*

**Mr Hilditch:** As a member of the Employment and Learning Committee, I have been afforded some background and detail of what is a substantial Bill making its way through the legislative process. I appreciate the efforts of the Department in trying to timetable the work to allow proper scrutiny. If the Bill moves to Committee Stage today, all stakeholders will have the opportunity to participate in a rigorous and robust scrutiny of the Bill's contents and new entitlements.

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

The Bill comes at a time when, on one hand, there are still very real concerns regarding the economy and, on the other, the need and desire to create a family-friendly society that will potentially help support economic growth and prosperity by making arrangements in work better for modern day living by increasing employees' morale and their commitment to their employer. However, a balance must be struck.

This legislation has already gone through Westminster, and I understand that similar employment practices have been very successful with some of our European counterparts. However, we, in Northern Ireland, are somewhat disadvantaged as around 90% of our businesses are in the small to medium-sized employer category. Given the additional pressure and demands being placed on those businesses with the introduction of this legislation on 15 April, Members will want to know what assistance and support will be made available by the Department. Many of these businesses have fewer than 20 employees. The administrative burden of change should be carefully considered by the Department.

Although GB has moved to a code of practice, I understand that, as a result of consultation, the intention is to retain the statutory procedures that govern flexible working arrangements. The Minister may wish to give some further explanation and detail of that.

At a previous briefing, I raised the issue of absence figures in the workplace and how the Bill may have a positive impact on that through the enhanced flexible working rights. To date, research indicates that flexible working arrangements could have a beneficial impact on absence, which, recently, has been a pretty topical issue. Again, the Minister may wish to elaborate on any benefits, particularly to small businesses.

On reading through the Bill, my attention is drawn to a couple of areas of personal interest due to the nature and type of constituency work that comes our way. I refer to clauses 10 and 11, which have the potential to bring many positive changes to families who want to plan for surrogacy. It is intended that parents in surrogacy cases who are eligible and intend to apply for a parental order will also be eligible to apply for adoption leave and paternity leave and pay for the first time under the Bill. This void in the current legislation was highlighted to me at the end of last year when a young family brought their case to my

office. The mother was unable to gain assistance initially from her public sector employer because her situation did not comply with the current HMRC guidelines surrounding her planned surrogacy. However, with the baby arriving early, you can imagine the stress and pressures on a family at a very fragile time, particularly as the mother had suffered cervical cancer and was not able to have children. I have to say that the Department was very helpful in discussions and in explaining how change was coming by way of this Bill. Thankfully, after persistent negotiations with the Department and her employer, it was able to give some assistance, although, unfortunately, in financial terms, it was less rewarding for her than if she had been granted maternity. Thankfully, the new legislation will allow for cases such as that of my constituent and relieve the additional trauma and stress of what is meant to be a very happy time for a family welcoming a new baby.

The Minister will be aware of my interest also in the plight of agency workers and the need for equality in the workplace. This sector is constantly growing, and some of our biggest employers use the agency system of employment to a high degree, and rightly so if it suits their needs and requirements. I welcome the inclusion of agency workers in Part 3 of the Bill and their right not to be subjected to detriment. Again, if progress to Committee Stage is afforded, that will form an important area of scrutiny of the Bill and one that I look forward to. Agency workers make up a crucial part of our workforce and contribute immensely to our economy.

In closing, I again emphasise the need for balance between the demands of a flexible working life for employees and the needs of employers, where additional pressures and administrative burdens can often mean the difference between success and failure. Hopefully, all stakeholders will contribute at Committee Stage and that balance can be found.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for introducing what is a sensible and progressive proposition. We fully support what the Minister aims to do, and we look forward to detailed scrutiny at Committee Stage. We are certainly willing to support the passage of the Bill at this stage. Despite the fact that the Bill is around 80 pages long, there is very little to say on it. Most of our scrutiny will be done at Committee Stage. Broadly, it is only right that additional flexibility be offered to parents. Society has changed and continues to change. Mothers are no longer the sole carers of children. Fathers and other carers play a crucial role in rearing children, and it is important that the legislation reflects that. We all accept that spending time with newborn children and with newly adopted children is very important, and I think that we all have to ensure that all parents are given the opportunity to do that. It is right that we allow this change to take place.

As well as considering what is in the Bill, in the Committee's scrutiny, I will want to explore further how this Bill will take forward the rights of employees on zero-hours contracts and the rights of agency workers, which Mr Hilditch mentioned. As Pat Ramsey does, I want to tease out further the issue of kinship carers and what support is being offered to them. There is also the issue surrounding workers who are based on one side of the border and work on the other, or frontier workers, as they are often called. They miss out on such legislative changes far too often,

so, in Committee, I will want to ensure that those groups of people are not being left behind through these proposals.

During the earlier part of the debate, before Question Time, I had to step out to engage with a primary school from Mullanaska in my constituency. I asked the 45-odd children from P6 and P7 whether they thought that this was a good idea and whether they support it.

They mandated me on their behalf to support the Bill and vote in favour of it, so I do not really have much choice other than to do that. I welcome the Bill, commend the Minister for taking it forward and look forward to dealing with it in detail through the Committee Stage.

**Mr Ross:** Like other Members, I think it is sensible legislation that has the right aims and objectives. I do not intend to go over all the contents of the Bill; other Members have done that pretty well. My colleague Mr Hilditch has reminded the House of the contents, raised some of the areas of the Bill that could help employees and given some examples of that.

As the Minister rightly acknowledged at the beginning of his contribution, there will be a regulatory burden, particularly on small businesses, but I commend the Minister and his Department for trying to bring together and consolidate existing regulations that are on the statute book. That is a positive thing to do, and I hope that he and other Executive Ministers will work with the DETI approach of the review of red tape that is going on, which can help to consolidate existing legislation, simplify it and make it easier for businesses right across Northern Ireland. Perhaps some day we will even see a Minister bringing a repeal Bill to the House, which I am sure would be welcomed by many members of the business community. What we want to do ultimately in Northern Ireland is, of course, protect workers and employees, but we also want to create the most business-friendly environment that we can, because it helps businesses take on additional members of staff. It also helps us to attract overseas investment and encourage existing jobs in the UK to set up shop here in Northern Ireland if we have an attractive regulatory system here. That is what we ultimately want to do.

The Bill will bring about additional flexibility. Flexibility is a positive thing for both employees and employers and can help companies be more productive. There are a few areas of the Bill that have caused some concern among the business community, and perhaps we will be able to identify or examine those in closer inspection during the Committee Stage. Most of the work on the Bill will be done when we speak to business organisations or companies that will have to deal with the practical implications of the Bill. The common theme that has come from the business community is that it wants to have a simple piece of legislation simplifying the rules that it has to adhere to. If the system encourages more dialogue between employers and employees then, again, that is something that we should encourage and that will help to put an easier system in place.

One of the issues that have been raised with me — other Members have referred to it — is the impact, particularly on those small businesses, of having to find temporary members of staff at relatively short notice and the difficulties that that brings about in making sure that they are adequately trained to fulfil that role. For some small companies that do some specialised work, that can be

particularly challenging, and the period of eight weeks has been raised as creating a particular challenge in training people to an adequate standard. Also, in terms of the blocks of time that people may take off, if individuals take off one week at a time intermittently, that can cause particular difficulties for small or family-run companies that do not have the resources to cope with that. Again, at Committee Stage we may wish to examine that further and see whether it is a sensible part of the Bill. Other Members have talked about the fact that in Northern Ireland the majority of our economy is made up of small businesses, so it is something that we need to look at very carefully.

I am happy enough to support the Bill at this stage and look forward to the Committee Stage, when we can look at those issues in more detail.

**Dr Farry (The Minister for Employment and Learning):**

First of all, I thank all the Members who contributed to the debate and, in anticipation, thank the members of the Committee for what will no doubt be some very detailed scrutiny and consideration of the Bill as it goes through Committee Stage — of course, subject to the Bill being supported in the House today at Second Stage.

The Bill represents an important development in how we support working families here in Northern Ireland. It shows that we are serious about supporting women and men in their roles as employees contributing to our economy and as parents contributing to our society and its future. We ask for support today to agree the Second Stage of the Bill so that it can be referred to the Committee for that more detailed scrutiny. I give the House an assurance that my Department will provide whatever support the Committee requires to undertake its scrutiny and to discuss any potential amendments that the Committee may wish to take forward. I will endeavour to respond to as many of Members' comments as I can. No doubt, many of the themes raised will be further bottomed out during the formal Committee Stage.

**3.45 pm**

I thank the Chair of the Committee for his comments, his recognition of the detailed work conducted to date and the very constructive relationship that we have built up, particularly on this matter, between members of the Committee and my officials. Hopefully, that will continue over the coming months.

It is worth putting it on record that perhaps we had the opportunity to consider this as a legislative consent motion (LCM) tying Northern Ireland in with the legislation going through in Great Britain. However, in doing that, we would have missed an opportunity to give the House its proper place in considering legislation for Northern Ireland. Given the stronger profile in our economy of SMEs, as many Members stressed, it is right that we reflect on the particular circumstances that prevail in Northern Ireland when considering this legislation. Although we may, on a case-by-case basis, consider LCMs, in this situation it was appropriate to bring it to the Assembly as a Bill.

The Chair referred to some of the particular challenges — the regulatory burdens and the potential equality impacts — that will flow from the Bill. One area of concern is the pressure that will flow to certain categories from the extension of the right to request flexible working. We will look at that in greater detail as the Bill goes through.

He also referred to the important point about the full recovery of statutory maternity pay by SMEs. That applies to situations in which the employer national insurance contribution bill is £45,000 or less.

Tom Buchanan, as Deputy Chairperson of the Committee, raised concerns about the potential impact on business. That was a common theme that most Members returned to. I fully recognise and respect that. In response to the comments made, it may be worth stressing a number of points at this stage. We are committed to a light touch on regulation and the administrative burden that will be placed on businesses. We are working with businesses to ensure that we put in place guidance to assist them when the new measures are introduced. It is also worth stressing that, in so far as we can, we will seek to replicate existing procedures for maternity and paternity leave and, in that way, use something that is familiar to employees and employers today.

It is worth reflecting on the point of view of SMEs themselves. This may not necessarily be seen as a burden that they have to absorb. Positive benefits may accrue for SMEs from the legislation. It is worth stressing that any decisions have to be based on the individual choice of the parents concerned, in particular the mother. An SME could find that, under this legislation, a mother decides to return to work earlier than would otherwise have been the case. Rather than a valued member of staff being away for a longer period, the legislation could enable her to return more quickly. You can see how, through shared parental leave, particularly when it applies to valuable employees, the risk of absence could be somewhat mitigated. Of course, a range of factors will determine the decisions that parents take on how they use the legislation, but that may be one positive benefit flowing to SMEs from it. We are keen to encourage the full participation of men and women in our economy.

Pat Ramsey commented on the wider policy context behind what we are doing. I very much concur with his comments about what we can do to support childcare and early years provision and our wider policy of support for the economy. That has been endorsed by the Executive and sits within the wider suite of policy interventions that my Department and other Departments are making, along with the Executive as a whole through their Programme for Government and economic strategy. Like others, the Member referred to how that works in the context of zero-hours contracts and agency workers. Members will note that we intend to launch a consultation on the use of zero-hours contracts in Northern Ireland before the summer recess. That will be an open consultation, and, in due course, the Executive and the Assembly will take their view on what reforms, if any, will be taken forward in Northern Ireland.

The Member referred to kinship, as did others. We are more than happy to have those discussions during the Committee's detailed consideration of the Bill. I certainly appreciate the point that he and others made.

Chris Lyttle referred to the importance of the consultation in a Northern Ireland context. The fact that we have a dedicated Northern Ireland Bill as opposed to a legislative consent motion has enabled those discussions. It is important that we take the views of local businesses into account, given the profile of our economy. He also highlighted the moves on adoption, not least because



the Assembly may also consider an adoption Bill during this mandate. What we do here will reinforce moves in that direction as we seek to modernise adoption law in Northern Ireland and make it easier for young people to be supported in a caring and welcoming home environment.

David Hilditch stressed the importance of the balance that has to be found between supporting the economy and family-friendly policies. I concur with him, and we seek to strike a balance. However, we should not necessarily see the situation of supporting the economy and family-friendly policies as being a choice that we have to make of how we find a trade-off between the two. Those aspects can be mutually reinforcing: more family-friendly policies would be a boost to our economy, and a range of benefits would flow from flexible working and our ability to retain and progress workers better, particularly skilled workers. As we know, women have been more disengaged from the labour force than men. We miss out on a large element of our local talent pool, and it is important that we fully adopt that.

There is one difference in our approach compared with that in Great Britain, and Mr Hilditch identified it: they are adopting a code of practice whereas, in Northern Ireland, we propose to retain the use of statutory procedures. That very much reflects the feedback that we received in the consultation. Stakeholders from across the spectrum preferred the certainty of statutory procedures to the uncertainty of a code of practice, so we respect those views. We are open-minded, of course, and, if a contrary view is expressed by the Committee, we will take that into consideration.

I concur with Mr Flanagan about the changing nature of family life, and I welcome the contribution from his primary school visitors. It is good to know that they are thinking so far ahead about how they will engage with the economy and family life. We note their interest and their wise counsel on the future direction of policy.

With regard to Alastair Ross's comments, I stress that I am committed to reviewing red tape. We are working on better regulations, particularly for employment law. That can extend either to the consolidation and simplification of existing regulations or, on occasion, to the repeal of certain regulations. If something is redundant, I am more than happy to consider removing it from our legislative and regulatory burdens on businesses and organisations. As part of the Bill, we are taking the opportunity to enable the consolidation of working time directive regulations, and, hopefully, the House will welcome that. Regulation can, at times, be positive and can, at other times, be negative. It is important that we consider things on their individual merits. Overall, we must seek to keep issues to a minimum for businesses while capturing the benefits that can come from regulation.

Having family-friendly policies in place can provide benefits for us in attracting investment. More and more, companies think about quality-of-life issues when choosing locations for investment. Hopefully, a modern set of family-friendly policies will encourage companies to make investment decisions, including the potential relocation of staff from overseas. Equally, it may encourage some of our younger people to stay in Northern Ireland and build their career here, knowing that they will be supported in the family choices that they may wish to make in due course.

As for how blocks of time could be an issue for businesses, I want to stress to companies that there will be a default position, which is that the leave has to be taken as a single block. Where it is not possible for parents to agree a different system for how shared parental leave will be taken, the default position will be a single block of leave on the start date that the parents request. That is a very strong built-in protection for SMEs. There will not be anything, bar that, without the direct consent of the businesses concerned.

This is important legislation that strongly demonstrates the commitment of my Department and, indeed, the Executive, to supporting the economy and working families in Northern Ireland. I commend the legislation to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Work and Families Bill [NIA 34/11-15] be agreed.*

## Private Members' Business

### HGV Road User Levy

**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 Flanagan:** I beg to move

*That this Assembly expresses concern at the implications of the heavy goods vehicle levy being introduced by the Department for Transport; notes with concern the deeply negative impact that this levy would have on hauliers based in border areas and on island-wide trade, which generates £2.3 billion for the island, with the larger return to the local economy; further notes that the additional levy would increase costs to local consumers; and calls on the Executive to exert maximum influence on the British Government to ensure that the local road system is exempt from this levy.*

Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to participate in this important debate. From the outset, I want to put on record my opposition and that of my party to the ludicrous proposal from the British Government to charge hauliers based in the rest of Ireland a fee of £10 a day or a £1,000 a year to use the road system here. The levy came into effect on 1 April. Many thought that it was an April Fools' joke, but, unfortunately, it was not. The proposal will have a deeply negative impact on cross-border trade in Ireland. It is time to build up, not split, our island economy.

The island economy generates £2.5 billion in profit, with the larger return to the local economy. In today's economic climate, we must ensure that every opportunity is taken to grow our local economy. The economies of Ireland, North and South, are interlinked and interdependent. If we are to maximise the return on the island economy, we must maximise economic growth. That means ensuring that there are no added impediments to economic growth. The heavy goods vehicle (HGV) levy as it stands is a major barrier to the growth of the local economy.

All HGVs crossing the border into the North are now liable to pay a levy of £10 a day. This has the potential to drastically lower the potential of our small and medium-sized enterprises (SMEs) to compete on the island market, particularly in the agrifood sector, which is our fastest growing, North and South.

#### 4.00 pm

We need to ensure that every avenue to support local economic growth is optimised. Sinn Féin has been vocal in its opposition to this levy; its representatives, North and South, have been to the fore in highlighting the issue in every elected forum. The British Government need to exempt northern roads from this regressive charge. We are unique, in that we are the only devolved area that shares a land border with a different jurisdiction.

The exclusion of the North will have only a marginal impact on Treasury, as any imports or exports to Britain will still have to pay the cost when landing in Britain. The increased cost for hauliers will be translated to the consumer. The

only benefits from this levy will be the minor benefits to the British Exchequer.

The current situation is ridiculous. Our border areas face significant challenges. They have higher rates of unemployment and deprivation, but our businesses along the border perform much better at exporting than do other local businesses. These businesses are also heavily reliant on border trade to survive.

The HGV levy will result in increased costs for these businesses, and it could destabilise or even close some small businesses. In instances where the costs cannot be borne by business, the consumer will pay — consumers who are already experiencing a cost-of-living crisis. Our food and fuel prices are higher than anywhere else. Daily disposable income does not cover even the cost of a return train ticket from Portadown to Belfast or from Belfast to Derry. For the benefit of all our citizens, it is time to focus on building and not dividing our island economy.

In my view, the Environment Minister, to date, has failed to address that issue. He has failed to challenge the Westminster Government. He has accepted their rationale of why we should introduce the levy, as opposed to presenting the case for exempting northern roads. He has failed to listen to the needs of Donegal hauliers. The Minister may well proclaim, when he responds, that the exemption of two roads is a success for his Department. The exemption of two roads is actually quite pitiful, and much more could, must and needs to be done. The current Minister and his predecessor have claimed to support the Donegal hauliers, but they have clearly let them down. The British Secretary of State, Theresa Villiers, can, through an affirmative order, exclude roads from this levy. I want the House to send a clear message to her to do just that.

Two roads are currently exempt in the North: parts of the A3 and of the A37. That is not enough. Selecting a small number of roads makes no sense. Where would you stop? Should the A5 from Derry to Aghnacloy be included in the exemption list? Should the A4 from Belcoo to Ballygawley be exempt? What about the A46 from Belleek to Enniskillen and then on to Belfast, Cavan or Monaghan? What about the A32 from Kinawley to Omagh? What about the A8, which now links Cork with Larne?

Picking a few roads will just not cut it. It is much easier to exempt all roads in the North from this levy. It makes no sense to split the island economy. We know that North/South cooperation works, whether it relates to the economy, health or education. When joint enterprise has been applied, we have all felt the benefits of cooperation, but, unfortunately, barriers still exist, and regressive steps will only reinforce and magnify current barriers.

We should be developing island-wide transport infrastructure, not dividing it. This levy is one of several regressive steps, alongside the lack of progress on the Narrow Water bridge and the A5. There are no advantages in that for an island nation of 6.5 million people, on the edge of Europe, with two separate tax regimes, two currency and legal systems and two economies. Harmonisation, cooperation and mutual benefit make sense.

What makes sense is maximising the return of the island economy for the local economy. What makes sense is protecting people from a further rise in food costs as a direct result of a regressive and poorly planned



levy, directed from Westminster, in the interests of the protectionist agenda in the south-east of England. What makes sense is ensuring that there is free movement throughout this island. What makes sense is exempting local roads from the British HGV levy.

That levy may well make sense in the south-east of England, the place the British Government consider when they set their economic policies and then treat us as an afterthought, if at all, but such a move makes no sense here in Ireland. We are told that this levy compares with the tolling system that is in place in some other member states. That is not the case. All road-users pay those tolls. HGV-users from that member state cannot get a refund from them for their excise duty costs. It is a tax on all users, not just users from another member state. I heard today that Danny Kennedy, in particular, has been promoting that falsehood.

The likely outworking of this HGV levy will be that if hauliers, particularly southern-based ones, have to pay a levy to use the road system in the North, the Dublin Government may well introduce a similarly regressive move for hauliers in the North. Protectionism and partitionism are not in our best interests. If we are to achieve what I believe that all of us want — regardless of our religious or political outlook — for our children and future generations, which is a better, peaceful, stable and sustainable future, both economically and politically, we owe it to the people of Ireland, North and South, of all traditions and origins, to explore every possibility and every idea to deliver the best possible future for everyone. That means ensuring that we protect and enhance the economic returns of this island for all our citizens. Ensuring that our roads are not subject to the proposed HGV levy will be a significant step in the right direction.

**Ms Lo (The Chairperson of the Committee for the Environment):** Let me say at the outset that there is no agreed Committee position on the issue. However, I will update the House on the work that the Environment Committee has carried out as part of its scrutiny of the proposed secondary legislation that will implement the enforcement of the levy in Northern Ireland.

On 20 February 2014, the Department briefed the Committee on responses to the consultation on the proposals to introduce secondary legislation relating to the UK HGV Road User Levy Act 2013. Departmental officials advised the Committee that the levy's key objective is to ensure a fairer arrangement for UK hauliers, as foreign-registered HGV road users do not currently pay to use the road network in the UK, whereas UK-registered HGV road users pay charges or toll fares in most other European countries. Officials also indicated that the Driver and Vehicle Agency (DVA) will act as the primary enforcement agency in Northern Ireland and said that, alongside the PSNI, it will enforce the charges and penalties for non-payment. The Committee was subsequently contacted by Donegal Truckers, which believes that the levy will adversely impact on the high level of business that takes place between the North and the South. Members agreed to pass the correspondence to the Department for its comments on the issues that the truckers raised.

In his response, the Minister stated that, although the levy is an excepted matter, he had made robust representations to the UK Department for Transport on increasing the extent of exempted routes in Northern Ireland. He

confirmed that he did not intend to move the secondary legislation until he had received and considered the reply to his most recent correspondence.

The Committee also sought clarification on how the HGV road user levy is being implemented, including information on any exemptions and infraction risks. The Department's reply, which was considered at the Committee's meeting on 6 May, confirmed that all Northern Ireland hauliers are paying the levy, as it is collected in combination with vehicle excise duty. The Department confirmed that significant numbers of Irish hauliers have also paid the levy via the online payment scheme. The Department also stated that it does not believe that its current position puts the UK at any significant risk of infraction.

Members felt that departmental officials are in somewhat of an invidious position, as it appears that they are able to draw drivers' attention to the levy but are not able to enforce penalties for non-payment. Therefore, the Committee agreed to seek further clarification from the Department on exactly what is taking place when non-UK HGVs are stopped on Northern Ireland roads.

As I said at the outset, the Committee has no agreed position on the levy but is continuing to take a keen interest in the issue.

If I may, I will make a few brief comments as the Alliance Party MLA for South Belfast. The HGV road user levy came into force across the UK as a whole on 1 April to transpose the EU directive, which sets out a framework for rules on tolls and charges in all member states. The directive prohibits direct and indirect discrimination on road levies to ensure fair competition for all HGV road users in the EU. We have not been able to adopt the secondary legislation to enforce the law because of the proposed exemption of the levy for Irish hauliers. There are already parts of the roads that criss-cross the border.

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

**Ms Lo:** Although I understand the arguments of the motion, my concern is that we may be deemed to be indirectly discriminating against hauliers from other EU member states and we need to resolve this fairly quickly.

**Mrs Cameron:** I am glad to be able to speak on this issue this afternoon. I was initially broadly in support of the motion, but given the proposer's remarks I am afraid that I simply cannot support it.

As Deputy Chairperson of the Committee for the Environment I have had the pleasure of meeting representatives of local companies and the Freight Transport Association to discuss the heavy goods vehicle levy.

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

**Mrs Cameron:** No thanks.

It is worth noting that they very much support the legislation, which, in their view, will provide a level playing field for operators and owners in Northern Ireland. They see particular benefits in the opportunity to improve and regulate the safety aspect of heavy vehicles and they are of the view that these changes will make the market fairer and more competitive. Given the charges hauliers here have to pay to allow them to operate on roads across Europe, they welcome similar measures being introduced here, but there are some concerns which I will highlight on their behalf in my remarks today.

Generally, I am keen that the Northern Ireland Executive do everything they can to support our haulage industry, which faces enormous challenges to remain competitive and viable against the background of an economic downturn and spiralling fuel costs. Now that the economy is turning around, we must help this industry to move forward on a sure footing. We must also ensure that further support is given to the industry by providing a road network that is fit for purpose and is in good condition.

We know that good infrastructure requires investment and we also know that, in an effort to help the industry, vehicle excise duty has been froze in recent years, yet the wear and tear that these heavy vehicles cause on our roads has not stayed the same. The heavy goods vehicle levy will help us to make up this difference.

Earlier, I mentioned the difference between hauliers based in Northern Ireland and those in other countries. In many countries in the EU, drivers from Northern Ireland are subject to tolls in order to access the roads network. Closer to home, there are no exemptions or special circumstances for drivers who make a trip to Dublin. In that sense, there seems to be little by way of agreement or fairness in how the toll charges are operated in the Republic. This levy will help to address that imbalance.

That imbalance is further exaggerated by the situation of the Northern Ireland-based companies that watch their competitors fill up with cheaper diesel before entering the Northern Ireland network and do not pay anything by way of a levy here. I would expect that most reasonable people would see that as unfair and imbalanced. It is our job in the House, no matter what the aspirations of individual parties may be, to support and encourage Northern Ireland-based companies to maximise their business operations. If we can do that in partnership with other countries that would be progress, but we are where we are for now.

One area where I see a need for concession is in certain routes that would bring benefits to Northern Ireland. This has been recognised by the Freight Transport Association, which cites the example of companies on the island such as Dale Farm, which has operations on both sides of the border and uses the A5, for example, to send vehicles into Northern Ireland for maintenance and repair purposes. It is important that that side benefit to our economy is not lost to us.

As I said earlier, I would have been content to support an exemption of the A5 but I cannot support this free-for-all messy motion.

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

**Mrs Cameron:** No, thank you.

I believe that the levy will improve operating circumstances for many vehicle owners who use our road network. I am content to argue for exemptions where they promote Northern Ireland businesses in the longer term, if it can be done, to address the imbalances of Northern Ireland-based companies operating in the South and I would welcome that too.

**Mr Eastwood:** I intended to start my remarks by saying that I welcomed the motion. Although I welcome the intent — well, I think I welcome it — behind the motion, the proposer's remarks sounded a bit more like a party-political broadcast for the European and local government elections in the South and not even for up here. It just

seemed like an all-out attack on somebody who is actually doing his job as a Minister in trying to ensure that we get the best possible deal for the people and the economy here.

**4.15 pm**

**Mr Campbell:** I thank the Member for giving way. On the point that he is raising, has he read the part of the motion that calls on the Executive to:

*“exert maximum influence on the British government”?*

Did he also hear the comments of the proposer of the motion, which were that Sinn Féin is vocal “in every elected forum”? That runs in stark contrast to the fact that they do not take their seats in the very place where they are asking us to exert influence.

**Mr Eastwood:** It is a rare enough occurrence for me to agree with Mr Campbell [*Laughter.*] But that is the case. We have a Minister who is dealing with an excepted issue. He is doing his job; he is going over there and battling and arguing. He is going over there with Minister Varadkar as well. They are singing off the same hymn sheet and trying to get this sorted.

We got this great stuff from Mr Flanagan about how the Minister was failing in his duty and everything else. Never mind the issues that are excepted; what about the issues that are actually the responsibility of this place and this Government? What happened to the A5 and A6 — especially the A6 — when his party colleague was the Minister for Regional Development?

Earlier, we were treated to a great speech from the deputy First Minister during Question Time when he told us about the great things that are happening in the economy and all the great jobs that are coming into Northern Ireland. I am surprised that somebody who represents an area like Fermanagh and South Tyrone would accept that as a true reflection of what is happening in the economy at the minute. From where I stand, I can tell you that people in my city are crying out for investment in infrastructure and for foreign direct investment, and they are not seeing it from this Executive — from Mr Flanagan's party or the party opposite. My party colleague is going to Westminster to fight to get this issue resolved and, although we agree with the motion, he ends up getting a barrage of abuse from Mr Flanagan. That is shocking to say the least.

Think of all the posters that went up around Derry about educational infrastructure at Magee? All that was guaranteed and was to be delivered. Where is that? Where are the 10,000 places for Magee? Where is the A6? Where are all the things that you are so concerned about today when a Minister who does not even have power or responsibility —

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

**Mr Eastwood:** I will, yes.

**Mr Flanagan:** I am wondering which of those issues has anything to do with the HGV levy. If you want to have a debate about what is going on in the city of Derry, let us have it. This is a debate about the HGV levy, so can you please get back to that?

**Mr Eastwood:** Mr Flanagan is the man who brought in the issues of failure and infrastructure. I could talk to you all day about failure in infrastructural —

**Mr Deputy Speaker:** Order. I remind the Member that I am chairing this debate. *[Laughter.]* I also forgot to remind the Member that he has an extra minute to speak on the subject.

**Mr Eastwood:** Thank you very much. The fact is that we are a week out from an election. We can all understand that there is a bit of toing and froing and that Mr Flanagan had to come in. We agree with his motion and we will still vote for it because we strongly believe that this issue needs to be resolved. But it is just not good enough to come in here and throw abuse at a Minister who is doing everything that he can, yet when he gets a bit back he cannot take it. I think that people will draw their own conclusions about some of that stuff.

The issue needs to be resolved, and the Minister is doing everything in his power to resolve it, in conjunction with Minister Varadkar in the South. It makes absolutely no sense to us that somebody coming from the north-eastern tip of Donegal through Northern Ireland's jurisdiction and out the other end on his way to Dublin would be charged. It makes no sense; it is ridiculous. In fact, Minister Foster agreed with that when she sent a letter to the Donegal hauliers that stated that there should be an ability to move goods freely within the jurisdiction and within the internal market that is the EU. That makes perfect sense. For us, that is what the EU is all about, and it is why we believe very strongly in staying in it. It should be about freedom of movement of goods and people and allowing people to develop businesses that can criss-cross borders without silly barriers being put in their way.

Unfortunately, because of Mr Flanagan's remarks, the tone of the debate has changed a little. In fact, the DUP does not support the motion. I do not understand that. We will support the motion. However, we will not take lectures from those who clearly do not deliver for the people of my city or his own constituency when it comes to economic development.

**Mr Elliott:** I welcome the opportunity to speak on the motion. The issue has been backwards and forwards to the Committee of the Environment for some time now. The Committee seems to be getting mixed messages about whether the legislation was implemented or is enforceable. Some ROI haulage companies actually told us that they were paying the fee. Then, we got a letter to say that it was not enforceable. Therefore, there are mixed messages and a huge amount of confusion on the issue.

I understand the Irish road hauliers' position on having to pay to come through Northern Ireland. However, I understand the reasoning for the legislation as well. I want to put on record that I support the legislation. What it does is put a more level playing field in place. Time and again, we hear from speakers that it will provide a much more level playing field. If I dare say so to Sinn Féin, it will provide a level of equality among haulage businesses whether they be in Northern Ireland, the Republic of Ireland or indeed anywhere else throughout Europe.

I note a letter that I think is from some Donegal hauliers. I really appreciate their difficulties. However, I also appreciate the difficulties, more so, of hauliers in Northern Ireland and their federation, who support the legislation. I will support local hauliers in Northern Ireland as opposed to those in the Republic of Ireland. They said in their letter that, as taxpayers, they have contributed over €25

million to Northern Ireland's infrastructure and have pledged a further €50 million by 2016. However, there is no explanation as to where that finance is going or what it is being provided for. It would have been much more helpful if they had provided a more in-depth analysis of that because, as far as I know, that money has not been provided anywhere. If it has, I apologise; but I think that they should have given us more detail.

In their letter, they go on to indicate that they already pay road tax that is over three times what hauliers from this jurisdiction pay. If they do so, it does not come to the UK or indeed Northern Ireland's revenue; it goes to the Republic of Ireland's revenue. Therefore, if they want that to be balanced up, there should perhaps be some compensation towards their haulage industry from the Irish Government. This might be a way to resolve the issue: that the Irish Government subsidise the Republic of Ireland's haulage companies in order for them to travel in parts of the UK, which obviously includes Northern Ireland.

I noted Mr Eastwood's indication of Minister Foster's letter. I do not know whether that refers to this particular piece of legislation. If it does, it was indicating that all those hauliers should have free movement throughout Northern Ireland. Perhaps, there will be clarification some time on whether that relates to this legislation specifically or is more broadly based and what the context of the letter is. I must say that if it relates to this legislation, it gives me significant concern.

Two roads are already exempt from the legislation. One weaves in and out from Fermanagh to Cavan. The other is in Armagh and goes into Monaghan, as far as I recall. I appreciate the Minister's difficulty, especially coming from his constituency, where just across the border are the north Donegal hauliers who use Northern Ireland quite a bit. I totally accept that. However, I say that if you use the roads and infrastructure in Northern Ireland, you cannot use them for free. You have to pay. When I travel down through the Republic of Ireland, I have to pay at two toll bridges on the M3. There are no toll bridges in Northern Ireland; therefore, those hauliers and road users get away pretty free in that respect.

So they have to pay for what they use. I think that that is one way of doing it.

**Mr Flanagan:** I thank the Member for giving way. I accept his point that there are tolls in the South, but it is not only drivers from the North who have to pay those tolls; all drivers who use that road have to pay that tax. It is not comparable with the HGV levy, as only people from outside the jurisdiction have to pay that toll.

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

**Mr Elliott:** Thank you, Mr Deputy Speaker. I acknowledge that, and I totally accept that all road users who use that road have to pay that, but the fact is that that is going back to the local economy in the Republic of Ireland. It has been indicated in the letter from the Department of the Environment to the Committee for the Environment that Northern Ireland road hauliers are already paying the levy by way of the vehicle excise duty. So, if our hauliers are paying it, why should other hauliers who come in to our jurisdiction not pay it?

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

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

**Mr Beggs:** Does the Member accept that local hauliers in Northern Ireland are unfairly disadvantaged against other European hauliers who might not be paying such high vehicle tax or might be filling up with much cheaper fuel in Europe, delivering goods to Northern Ireland and avoiding all those costs?

**Mr Elliott:** Yes —

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

**Mr Elliott:** Thank you very much, Mr Deputy Speaker. I acknowledge that my time is up. I also acknowledge and support my colleague's view. I oppose the motion.

**Mr Weir:** I will start with a confession, which is perhaps even rarer in the House than agreement between Gregory Campbell and Colum Eastwood. Despite the fact that I am a member of the Committee for the Environment, my knowledge of levies on heavy goods vehicles is relatively limited. Therefore, I came today with an open mind as to what would be said. I have to say that the more that I listened to the proposer of the motion, the more it indicated to me that this motion, which I had looked at initially and thought was not particularly well worded, is so badly worded and the arguments for it are so badly presented that I am left with no other option but to oppose it.

A lot of the points have been made. This is about trying to provide a level playing field and ensuring that what is there for Northern Ireland hauliers is similar to the position in the Republic of Ireland. We have a situation where Northern Ireland hauliers are not directly paying the levy, but they are paying via a different route through the tax that is put upon them, as Mr Elliott indicated. Consequently, we should look at the issue on the basis of how we can provide a level playing field.

The position of the Freight Transport Association, which my colleague met with, is that it supports the legislation as a whole. It is relaxed if there are specific cases where a strong case could be made for an exemption. Therefore, from that point of view, I do not oppose what has been said about the actions of the Minister already. If we had a motion that was narrowly focused in and a good argument was being made about a specific route that nobody else can use, subject to a level of reciprocity from the Republic of Ireland in its trying to provide a level playing field for our transport sector, that is something that I would have a lot more sympathy for. However, the blanket ban that says that we want the law thrown out across all roads in Northern Ireland defies logic.

It is not surprising that Sinn Féin tried to present this as the wicked British Government trying to impose this on people. That does not factually bear out. It is an EU regulation that is being transposed here. This is where I disagree with the Chair of the Committee. If the desire is to throw this out as a whole, it seems to me that the only argument is to be away from the whole of the EU. The argument that all of Northern Ireland should be exempt, as opposed to having a specific example, does not hold water. To be fair, the British Government are only putting in place what has to be transposed from Europe. So, this is not simply a question of them having the choice to provide blanket bans.

I do not want to stray from the content of the motion, but it seemed to me, for all the supposed sympathy that was being produced for road hauliers, that the tone of the proposition seemed to be a lot more focused on an attempt

to score some points at the SDLP's expense, rather than a genuine attempt to resolve the issue.

**4.30 pm**

I may disagree with the Minister on certain aspects of this, but at least, I think, at he has made some genuine effort to resolve the issue in a practical manner, whereas certainly the tone of what has been proposed by the proposer seems simply to try to take a kick out of the SDLP.

This is an issue that needs to be properly resolved. We are in a slightly farcical position at present. In Committee, the officials indicated to us that it has been in effect since 1 April, but it has not been implemented. DOE officials on the ground are left in an invidious position. As I understand it from the Committee discussion, at present, hauliers are sometimes being stopped by officials and told that this is actually in but is not being implemented. Presumably, the inference is that it might be implemented in the future, but it is not being implemented now. To be perfectly honest, I can see, even from the officials' point of view, a high level of embarrassment in trying to explain that. It seems to be a position that does not add up. We need to see certainty in this, and a resolution of it. If there are to be exemptions, particularly exemptions that benefit firms from the South, we need to see some reciprocity.

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

**Mr Weir:** I have to say that, while I came at this with an open mind, the words of the proposer have convinced me of my position, and not in the way that he had hoped.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an rúin seo. I speak in favour of the motion. Some Members have brought interesting points to bear. I will focus my remarks on the actual impact on business, as I see it. I have some great concerns. I live on the partition line and have a good understanding of business along it and the impact that it has had over the past number of years. I will make remarks in relation to that.

Let me pick up on a couple of points. Some Members talk about paying tolls when they go down South; others talk about road infrastructure. People should understand that the road infrastructure, especially around the border, is absolutely diabolical. People are paying taxes already, supposedly for the upkeep of the roads. Some Members have brought this argument that the levy is necessary to improve the road infrastructure or keep it up-to-date. That does not wash, and I do not buy that argument.

Mr Elliott raised the issue of tolls. There are a number of roads where you can travel from North to South without paying tolls, so I do not go down the road of supporting that argument either.

However, I want to pick up on one point and use it as an example. Over the past couple of days, we have seen a tremendous event here. Yesterday, I was in Armagh, and, over the past number of days, I saw the mayors of Dublin, Armagh and Belfast get together to deliver and support a great event for the benefit of this island. However, here we are today in the Chamber, and we are going to divide over this issue. The reason why we are going to divide is that a lot of Members do not understand the impact that this levy



will have on businesses along the border. That is the sad thing about this debate.

I thank the Research and Information Service for doing up the research paper. Let me pick up on a point in relation to Linwoods, which employs 250 people not five miles from where I live. That firm is greatly concerned about how the levy will impact on it. At the end of the day, if the levy is introduced on the hauliers, the hauliers will pass it down to the consumer. For the consumer to pay for it, the like of Linwoods are going to increase prices in order to cover it. It always comes down to the consumer and the jobs. That is how it will impact.

The sad thing is that, although this is being introduced through Westminster or whatever, in all the debate, the only thing I must say to the Minister is this: in all honesty, we did not have an opportunity to contribute to the debate. Had we had an opportunity, we would have said how it would impact on hauliers, businesses and consumers. We did not get that chance. I know that the Minister met the hauliers and has been trying his best, but it seems that, to every question that we asked the Department, it came back with a different answer. To be fair to the Minister, he sent some answers back. I want the Minister to clarify some points. Is this a live enforcement issue? I have heard that some people were stopped and told, «You do not have to pay it yet», and others were told, «You do have to pay it». I want clarification from the Minister on this: is it a voluntary scheme? To my knowledge, some firms in the South have paid. That means that some firms have paid and others have not. I cannot understand it. That is the feedback from people who have spoken to me. We need clarity on that.

During Question Time, the Minister talked about the SL1 that will come forward.

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

**Mr Boylan:** Yes.

**Mr Beggs:** My understanding is that this will remove the advantage for other hauliers who import directly from Europe to Northern Ireland and avoid much of the taxation that local hauliers have to pay. So can the Member please explain how it disadvantages local hauliers from Northern Ireland?

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

**Mr Boylan:** I mentioned Linwoods, and that information is in the pack, which the Member should read. Linwoods says that it will impact on delivery from Donegal to its place of work. It is saying that there will be an added cost. It is in the file that the Member got. He has had his chance.

I want the Minister to clarify whether there is enforcement and whether anybody has paid the levy. The Minister has given a commitment to meet the Minister. He has at least written to him about the matter. What impact has there been, and what questions have been asked about the impact on businesses in border areas? During the debate and in all the talking that everybody has done, nobody, other than my colleague, has mentioned anything about the impact on businesses. I want the Minister to clarify that. I support the motion.

**Mr A Maginness:** I assumed that the motion brought by Sinn Féin was a genuine attempt to tackle a difficulty that Donegal hauliers were experiencing. I am afraid that the

comments made by Mr Flanagan lead me to believe that, in fact, that is not the case and that it is simply a matter of Sinn Féin having a go at the SDLP prior to the elections in the next fortnight. The gratuitous and offensive attack on the Minister for failing in his duty is totally reprehensible. An attack of that sort should be rejected. The Minister has worked very hard on the issue. Prior to any input whatsoever from Sinn Féin — in Committee, outside it or anywhere else, even in the Executive — the Minister worked very hard to deal with the issue. So it is disgraceful for Mr Flanagan to come to the House in this way. I know that his colleague, in the previous contribution, tried to make up for Mr Flanagan's offensive remarks about the Minister, but that does not, in my view, repair the damage that has been caused.

It may well be that Sinn Féin presented the motion textually so that the DUP, which is sympathetic to trying to deal with the problem, would find it difficult to accept it. To that extent, Sinn Féin has been successful. Instead of trying to resolve a problem for people who are in genuine difficulty, you have made the problem politically much more difficult, and that is disgraceful. It does not serve the interests of the House or the interests of hauliers in Ireland, North or South, and I believe that that sort of destructive politics should have no place in the Assembly.

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

**Mr A Maginness:** I will give way certainly, if you want.

**Mr Flanagan:** I think that the Member's contribution is a wee bit over the top. I spoke for seven minutes, and three sentences reflected my concerns about what the Minister had done. I think that it is a bit over the top to say that I have offended the Minister and that he is offended.

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

**Mr A Maginness:** If the Member wishes to withdraw his offensive comments about the Minister failing in his duty, I am prepared to sit down and accept a further intervention in which he can do so and apologise to the Minister. Are you prepared to do that?

**Mr Flanagan:** I am prepared to stand up.

**Mr A Maginness:** No, only if you are prepared —

**Mr Flanagan:** Either you are giving me the Floor or you are not. Are you giving up the Floor or not?

**Mr A Maginness:** I am not giving up the Floor.

**Mr Deputy Speaker:** Order. I have to remind the Member again that, believe it or not, I am chairing the meeting.

**Mr A Maginness:** Obviously, the Member is not prepared to withdraw the offensive remarks and the ill-founded criticism of the Minister.

I refer the House to answers in the Oireachtas by Leo Varadkar, the Minister for Transport in the South. On 16 April 2014, he said:

*"My Department officials and I continue to engage with the UK authorities to seek an exemption from the HGV road user levy for the A5. I recently wrote again to Mr Hammond on the issue and I await his reply. This morning I met with my colleague in the Northern Irish Executive, Minister Mark Durcan to discuss this matter. While this is a function that is not devolved to the Northern Executive from Westminster,*

*he and his officials are working with us to ensure an appropriate resolution to the difficulties the UK road user levy is creating on our island for hauliers, in particular those from Donegal. The upgrade of the A5 is expected to bring significant benefits to both economies in the region and I would have concerns that any increased costs levied on Irish operators who are simply transiting Northern Ireland would have a detrimental impact on this economic benefit. I will continue to pursue what I believe to be a compelling case for the exemption."*

**Mr A Maginness:** That is corroboration, if any were required, because the Minister is an honourable man, and he has already stated to the House his representations to Mr Hammond and the British Government, and his discussions and cooperation with Mr Varadkar, the Minister for Transport in the South.

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

**Mr A Maginness:** No, I will not, because the Member has not added anything of value to the debate; in fact, he has devalued the debate and undermined the interests of those hauliers in Donegal who wanted honest political representations to be made here in the House. They did not want to be abused or misused in the lead-up to an election. I think that we have heard enough from the Member in that regard.

The DUP has expressed sympathy.

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

**Mr A Maginness:** I believe that most Members have sympathy with the issue, and I hope that it can be successfully resolved through an exemption negotiated by the Minister.

**Mr Allister:** I am opposed to the motion. In fact, I see the logic of the UK HGV levy and support it. Logically, it is very simple: we all travel on our roads, and if we meet a 44-ton lorry, we know that it is doing damage to the infrastructure of our roads. We know about the potholes in our roads. If the lorry we meet is, say, from McBurneys in my constituency, we know that they are contributing by paying their HGV licence; we know that the levy is incorporated in their licence; and we know that they are also paying into the Exchequer in fuel duty. However, if, immediately behind that lorry, there is a lorry from the Republic of Ireland or anywhere else in the EU, it is paying none of that. It has loaded up with diesel in the Republic that is 20p a litre cheaper. It is contributing nothing whatsoever on that score. It is not paying road tax, and now it does not want to pay the levy, yet it is doing the same damage to the road infrastructure and contributing to an increase in the number of potholes and the deterioration of our roads. Why should they not pay a levy for the opportunity and advantage to them of using our roads? That is the irrefutable logic pertaining to the levy. To give free passage and travel to Republic of Ireland hauliers is to impose a disadvantage and an inequality on our hauliers and road users. That is something to which I am totally opposed. I support the logic and theory of the levy. It is irrefutable in why it would exist.

#### 4.45 pm

I have a question for the Minister: why is it not being implemented? It came in on 1 April 2014, but it seems that it is not being implemented. Why? We also have the question of who is going to implement it. It might be a function for the now very pressurised DVA. Why could it not be afforded the opportunity to implement the legislation? In the implementing of it, there are further road safety advantages; it is not all about money. When a lorry is stopped to check the payment of the levy — they have the disc in that regard — there is also the opportunity to check the tachograph and other things to make sure that those lorries are living within the laws of the land, just as indigenous lorries are required to do. It is important that the Minister get on with implementing the levy. Not only will it bring monetary gain for the nation of which we are part, but it will have road safety potential in the added matters that may be investigated. It also creates a record, which is good to have, of what vehicles are operating in the country at any given time, something that is valuable right across Europe.

I have absolutely no sympathy with this Sinn Féin motion that thinks that Republic of Ireland hauliers should be free-loaders who travel our roads free of charge, doing the damage that all lorries do, with only the indigenous road hauliers paying through a levy and taxes for that. I am utterly opposed to the motion, and I will vote against it.

**Mr Agnew:** Cut corporation tax. Cut air passenger duty. Cut VAT for the hospitality industry. Freeze the regional rate. No water charges. Now, an HGV exemption is being proposed by the Assembly. When it is proposed by Sinn Féin in particular that Northern Ireland should have more fiscal powers, I worry because all we seem to do in the Assembly is say, "Where can we cut taxes, and how can we spend more on public services?" That is not responsible governance; it is irresponsible governance. I believe in public services, and Mr Allister highlighted the need to fund road maintenance. All the HGV levy proposes to do is charge those who damage our roads to help to pay for maintenance. Although it is very popular to say, "This group over here should pay less", "That group over there should pay less", we have to look at the issues holistically. If we keep cutting every tax, whether it be cutting taxes for big business or whatever, our public services will suffer. We all pay through the inability to fund our public services properly.

There are a lot of rare agreements; it is rare that Mr Allister and I agree. However, I certainly agree with him on this: this is something that UK hauliers pay when they pay their vehicle excise duty.

So, it is right that, when other hauliers come in and use our roads, they pay this duty.

The principle of the duty is also the right principle. As I say, we must pay for the maintenance of our roads. However, while our current structures make heavy goods vehicles necessary, they cause damage not just to our roads but inconvenience to our communities. The tax both looks to discourage the use of HGVs where they are unnecessary and incentivise the use of more fuel-efficient vehicles through reductions in the levy for lower-impact vehicles. In other European countries, such as Germany, there is the city logistic model whereby they have looked to reduce the use of HGVs while recognising the damage that they cause.



I do not criticise the businesses that use HGVs. I criticise our governance for not using more ingenuity and for not looking at innovative ways in which we can deliver freight. I criticise the failure of Northern Ireland; it is probably the worst country in Europe for using rail freight. That is, in large part, due to our poor rail infrastructure. However, we cannot invest in our rail infrastructure if we constantly — because it is popular — come out and say only that we should cut taxes for this business, that business and every other business that we can think of.

We have to be responsible. I very much believe in the principle that the polluter pays and, in this case, the principle of road users paying for the maintenance and upkeep of the roads that they use, particularly when we know that HGVs cause such considerable damage to our roads. Why should it be for the ordinary motorist to subsidise the haulage industry?

**Mr Flanagan:** I thank the Member for giving way. I fully agree that we should adopt the polluter pays principle. However, the indigenous-based hauliers, as Mr Allister referred to them, are not paying an extra levy. What they pay in a levy is deducted from their annual excise charge. It is only those not from the North who pay this additional levy.

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

**Mr Agnew:** I thank the Member for his intervention. This was a levy introduced by the UK Government that has added a component part to the vehicle excise duty. I do not understand his point of view, and I cannot agree with it. It is a fair tax, and the principle of the tax is correct. For that reason, I cannot support the motion.

**Mr Durkan (The Minister of the Environment):** I welcome the opportunity to reply to this debate on an issue that greatly concerns me. I thank the Members who tabled the motion on the UK HGV road user levy, though not necessarily for the way in which it was proposed. They share my concern about the impact that this UK Government decision may have on the economy of both jurisdictions on this island. I will inform the Assembly of the actions I have taken to engage with Department for Transport Ministers, who are ultimately responsible for the levy. I will also address some of the issues that Members raised today.

Let us be clear from the outset: the HGV levy is a tax that has been introduced by the UK Government. The levy, as a tax, is an excepted matter under the Northern Ireland Act. It has applied, under UK law, across the UK's roads since, as Members pointed out, 1 April 2014. I understand that the levy is generally supported by hauliers in Britain, but I am aware that one of the two representative bodies here has expressed reservations over its impacts. I do not believe that the UK Government has given proper consideration to the unique position here on the island of Ireland, particularly in respect of those in the haulage industry and those who rely on it to maintain and grow their business in the continuing difficult economic climate.

I strongly believe that further consideration of the levy is needed to maintain the stability of both economies. I have therefore been actively engaging with hauliers, haulage industry representatives and Ministers in London and Dublin to identify ways to ensure that the island-wide economy is not adversely impacted on by this new tax. Coming from the north-west, I understand the significant

economic problems and know that any increased costs will have detrimental impacts on island-wide trade and the economy, North and South. Although there are some signs of economic recovery, this is still a fragile process, and additional financial impacts such as this UK-wide tax could have a negative impact on the Irish transport industry, and therefore on delivery costs across the island.

Let us also be clear that there are potentially financial implications for transport-related businesses in the North; for example, those that service or repair HGVs for Southern operators who may have to pay the levy when bringing their vehicles into the North for that work to be carried out. Those hauliers may move to other servicing facilities. That is why I am working hard to explain to Department for Transport Ministers that we have a range of more complex issues to address on this island than those that impact on Britain.

The Department for Transport has taken the view that EU law prevents the exclusion of Northern Ireland from the scheme, so my focus has been on identifying measures that could mitigate the levy's impact. I understand that the EU laws under which the UK levy has been made are focused on key European routes, and I have therefore been engaging with Minister Varadkar, my Southern counterpart, and hauliers to identify routes that are strategically important to the haulage industry in the South but are not defined as key European routes — commonly known as TEN-T routes — and could be exempted from the scheme.

As a result of that engagement, I have identified the A5 as such a road. The A5 is of significant importance to the population of County Donegal and Derry because of its geographical position. It is the main arterial route from the north-west to Dublin city and port. It also provides local access to the Inishowen peninsula. The Irish Government have previously recognised the significance of the A5 to the area and, by providing £50 million towards its upgrade, is investing in a key route along which Southern hauliers travel. I wrote to Minister Goodwill, who is a Parliamentary Under-Secretary of State in the Department for Transport, to seek his agreement to extend the exemptions that are currently allowed for in the levy legislation for parts of the A37 and A3 to include the A5 for transit traffic to and from County Donegal. To date, the Department for Transport has not seen fit to agree to that, but I intend to press the point further, as I believe that the exemption of the A5 is allowable in legislation, possible as far as enforcement is concerned and appropriate from the point of view of Irish investment.

**Mr Beggs:** Will the Minister accept that the wording of the motion calls for an exemption for the "local road system"? I certainly read that to exempt the entire system, and that is unhelpful to obtain the very reasonable objectives that he has mentioned.

**Mr Durkan:** I thank the Member for his intervention. The wording of the motion was my starting point, if you like, in negotiation with the Treasury. As it is where I started and where I came from ideologically, I cannot oppose the motion today. However, the actions that I am outlining to the House now show where I am at now, and I will continue to act as mandated by the Assembly following today's debate. Should the vote be in favour of the motion, and I have to pursue again a complete exemption, I will happily do so.

## 5.00 pm

Turning to the issue of enforcing the levy, the Department for Transport's plans have been based on the premise that my Department, through DVA, will enforce it in Northern Ireland, including through the use of fixed penalty notices and deposits. That is not a position that I have agreed to. Indeed my predecessor, in correspondence with Department for Transport Ministers last year, highlighted the importance of the DVA office in Coleraine to any consideration of DOE enforcing the Levy. Members are aware how much weight Department for Transport Ministers have given to any arguments around the need to retain the DVA office in Coleraine. You know that more than anyone, Mr Deputy Speaker.

At present, therefore, to remove or at least reduce any confusion, the levy is by law in place throughout the United Kingdom and any haulier, regardless of country of origin, is required by law to pay for the use of roads in the United Kingdom, including in Northern Ireland. However, in the absence of the necessary agreements with my Department for DOE staff to undertake enforcement and my making secondary legislation through the Assembly to enable fixed penalty notices to be used for the offence of not paying the levy, the Department for Transport has a limited range of means by which to enforce payment of the Levy.

I should be very open with the House that the Department for Transport does have means of doing so through the arrest of drivers caught not paying the levy by Department for Transport staff or their agents, or through the making of witness statements and a prosecution file being passed to the Public Prosecution Service (PPS). It is for the Department for Transport to decide whether it wishes to follow those avenues, but it would be remiss of me not to make clear the possible consequences to hauliers of non-payment of that UK tax. Local hauliers, as some members have outlined, are already paying it as part of their vehicle excise duty payment.

I have indicated publicly on a number of occasions that I will decide my position on the Department for Transport's request that my Department enforce compliance with the levy once my discussions with Department for Transport Ministers on the A5 have been concluded. I do not believe that they have yet been so, as I believe that the Department for Transport has not to date taken sufficiently seriously the points that I have made to it and made again here today. The points include the Irish Government's part-funding of the upgrade of the A5, which was agreed in the negotiations that led to the St Andrews Agreement.

I have listened very carefully to all Members who have spoken during the debate and thank Members for their contributions. I will make the following comments on some of the points raised. Mr Flanagan started on a very positive and conciliatory note. He spoke of the interdependence of our economies North and South, the uniqueness of the situation here in Ireland and Northern Ireland, and the fact that the cost of the levy will ultimately end up being passed on to the consumer. Then there was a bit of a change of tone and he launched a blistering — maybe withering — attack on me, saying how I have failed. He said that I was claiming a success in the fact that two roads have been exempted. Sorry, I am not claiming that as a success and I am not settling for that. I have not implemented the levy.

Mr Flanagan's motion calls on the Executive to exert maximum influence in resolving the issue. Maybe his party colleagues in the Executive, including the deputy First Minister, might ride to the rescue and exert maximum influence. Hopefully that maximum influence is more successful than it was in protecting the DVA jobs in Coleraine when the Executive gave the same guarantee.

I have met the Freight Transport Association, representing Republic of Ireland hauliers who were supportive of my actions to date. Mr Flanagan's blunderbuss attack, rather than focusing on solutions, shows quite clearly that he is more interested in securing votes than securing jobs.

Ms Lo, as Chair of the Environment Committee, said that the situation needs to be resolved quickly. However, I am not going to rush something through when I believe that we can get a better and fairer deal. Mrs Cameron referred to representations that she has received in her capacity as Deputy Chair of the Committee and stated that she was unable to support the motion.

Mr Eastwood — he is not here now — valiantly attempted to defend what I have done as Minister.

**Mr Eastwood:** I am here.

**Mr Durkan:** Thanks for that, Colum.

I will continue working on the issue, which is an excepted matter. While expressing his support for the motion, Mr Eastwood said that he would not take lectures on failure from experts in it.

Mr Elliott stated opposition to the motion and said that Northern Ireland hauliers were already paying a levy through vehicle excise duty. Mr Weir spoke about confusion on the ground. I can confirm that, currently, the levy is not being enforced but drivers are being informed. I admit that that is causing confusion for drivers and, indeed, in some cases, for officials as well.

Mr Boylan sought clarification from me, but I now seek clarification from him as to who has paid the levy, or told the Member that they paid the levy, because I do not know who they paid. No one is collecting it here.

Mr Maginness quoted Minister Varadkar on our ongoing collaboration on the issue. Mr Allister spoke of the road safety gain that could be achieved through the levy, which is a fair enough point, but I would like to assure him that vehicle checks continue, even in the absence of enforcement of the levy. Mr Agnew spoke of the environmental impact of HGVs. I agree with him entirely that we need to look at more innovative methods for freight and transport.

To summarise my position, I do not believe that Department for Transport Ministers have, to date, taken sufficient account of the particular issues on this island when implementing the HGV road user levy. Over the coming weeks, I therefore intend to continue my engagement with Department for Transport Ministers, emphasising the importance of minimising any negative impact that the levy has on hauliers based in border areas and on island-wide trade. I remain committed to ensuring that the potential negative impacts of the levy on trade across this island are minimised.

**Mr McElduff:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom mo bhuíochas a ghabháil le gach Comhalta a ghlac páirt sa díospóireacht. My main

problem with the HGV levy imposed by Westminster is that it effectively —

**Ms Lo:** Thank you for giving way, Mr McElduff. I seek clarification about the motion. During discussions in Committee, we have always looked at just an A5 exemption. Are you talking in your motion of exemptions for all roads in Northern Ireland?

**Mr McElduff:** Yes, indeed. That is the content and spirit of the motion, as requested, for example, by Donegal Truckers, which has lobbied our Committee. The motion seeks the exemption of all local roads, including the A5. That is the intent of the proposers of the motion; let there be no doubt about that.

I believe that the levy effectively erects an obstacle to North/South mobility in the area of trade. I have a particular memory of a document that was in circulation around 2002, in which the North/South Ministerial Council looked at removing obstacles to cross-border mobility. There were a whole series of measures that could or should have been undertaken, and this goes against the spirit of that completely. There is also the fact that the levy does not take account of the particular circumstances of the island of Ireland, where two economies are interlinked and interdependent. It especially disadvantages hauliers in the county of Donegal, but not exclusively so.

However, it really does disadvantage hauliers in Donegal who have one point of exit from the county that does not come into the Six Counties, that being Ballyshannon bridge. The rest are in Lifford, Strabane etc.

I attended a meeting in Letterkenny with 150 hauliers from Donegal on a Sunday afternoon at the start of the year. The mood was very strong in that room in the Swilly Group building, and those hauliers set about actively campaigning against the levy. They thought that notification of the levy had come to them late in the day. I helped to facilitate the meeting with an informal meeting with Minister Mark H Durkan at the end of February. I am grateful to the Minister for responding on that occasion. I understand that the lobbyists — the Donegal Truckers and others — have kept in touch with the Minister, the Department and various political parties ever since.

The motion was proposed by my colleague Phil Flanagan, who emphasised that this hinders small and medium-sized enterprises when competing in the island market. What came to mind was a representation from Mr Christy Gallagher, a Lifford-based haulier, who said that if the exemption was merely confined to the A5, it would dissuade him and other hauliers from doing business elsewhere in the North; for example, delivering to companies in Dúnmanagh and other places would simply not be viable. Therefore, there is a knock-on effect. I think that Roy Beggs asked the question about knock-on effects for local businesses.

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

**Mr McElduff:** Yes.

**Mr Beggs:** Will the Member explain how he will ensure that local hauliers in Northern Ireland are not adversely disadvantaged by European hauliers who come in, perhaps from Poland or eastern Europe, with low tax on their vehicles and cheap fuel and deliver in Northern Ireland and other parts of the United Kingdom?

**Mr McElduff:** I am not going to turn hauliers from the South against hauliers from the North. However, I will refer to a statement made by Seamus McMahon of Linwoods, which is based in County Armagh, as it is very helpful in trying to explain the knock-on effect that it will have for customers of various products here in the North. Mr McMahon runs a large bakery in County Armagh that employs more than 250 staff, and he said that it could affect Southern hauliers bringing in packaging or ingredients to his business. Asked if, ultimately, it could mean costlier bread, he said that, yes, it could. He said that they would do everything in their power to ensure that that does not happen, but they could not rule it out. He talked about the price being passed on to the customer and said that, if they have a charge, he was sure that it would be passed on, as they would have to recover it. Therefore, I invite Members to consider the knock-on effects.

After Mr Flanagan spoke, I felt that there would have been the cut and thrust or the rough and tumble of political debate that you might expect in the Chamber. However, I thought that things became a little bit intemperate. I will not pursue that any further, other than to say that I thought that some Members were unduly harsh in their attacks on Mr Flanagan in perhaps the same way that Mr Flanagan was very robust towards the Minister — I hope that you are all keeping well: OK.

Moving on, the Committee Chair, Anna Lo, reminded Members of the role that the Committee plays in the scrutiny of secondary legislation, which has yet to come before the Committee. It appears that the Department of the Environment and the Minister are not yet ready to bring that secondary legislation to the Committee, and that is a good thing. I do wish the Minister well, and I wish any other Minister well who is engaged in the lobby, in pursuing the objective of ensuring that there is an exemption for all local roads. I know that the Minister is concentrating on the A5.

Other Members made various contributions. However, one point that should be made is that it is important to note that the Irish Government do not intend to introduce a reciprocal measure, and that is sensible.

#### 5.15 pm

It has been noted by the Donegal Truckers lobby that the Irish Government are intent on contributing and have contributed to roads infrastructure in the North as well.

I will do exactly what the Minister did and congratulate Colum Eastwood on the valiant defence of his constituency and his party colleague, the Minister.

Tom Elliott asked questions about the enforcement action or otherwise, because we, as members of the Environment Committee, are uncertain about that. The Minister helped to clear that up somewhat. However, this question still remains: what is the message that Department of Environment officials are communicating to hauliers at the Ballygawley roundabout, outside Enniskillen and outside Newry? If that is not enforcement, what is it? Is it information? With what authority is that being given and to what end?

I was disappointed to hear Peter Weir suggest that the DUP will oppose the motion. It is my understanding that the DUP is in favour of North/South cooperation where such cooperation is beneficial to everyone concerned.

My colleague Cathal Boylan nailed the myth that paying tolls in and around Dublin is in some way comparable. The tolls are collected within the state, apply universally to everyone and are not discriminatory in any shape or form.

I say to Alban Maginness that this is a genuine attempt to move the situation on and to promote the interests of predominantly the Donegal truckers lobby. I thought that Alban did well to similarly defend the Minister's track record.

Jim Allister was rather predictable in his contribution.

**Mr Allister:** Good.

**Mr McElduff:** That will do me. He is not inclined to look at anything objectively. If it comes from Sinn Féin, it is not good.

Finally, the Minister detailed a series of actions that he has been involved in. I wish him well in his ongoing negotiations and deliberations. This is the business of the wider Executive. I would like to see a situation arrived at on this small island, with six million people and two states, where we do not erect any undue barriers to trade and commerce.

*Question put.*

*The Assembly divided:*

*Ayes 32; Noes 39.*

#### AYES

*Mr Boylan, Ms Boyle, Mr Brady, 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 McElduff, Ms McGahan, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr O'Dowd, Mr P Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Boylan and Mr McElduff.*

#### NOES

*Mr Agnew, Mr Allister, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Gardiner, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Miss M McIlveen, Lord Morrow, Mr Newton, Mrs Overend, Mr P Robinson, Mr Ross, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mrs Cameron and Mr Elliott.*

*Question accordingly negatived.*

*Adjourned at 5.30 pm.*

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# Northern Ireland Assembly

Tuesday 13 May 2014

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

*Members observed two minutes' silence.*

## Executive Committee Business

### Local Government Bill: Royal Assent

**Mr Speaker:** I wish to inform the House that the Local Government Bill received Royal Assent on 12 May 2014. It will be known as the Local Government Act (Northern Ireland) 2014.

### Licensing of Pavement Cafés Bill: Royal Assent

**Mr Speaker:** The Licensing of Pavement Cafés Bill also received Royal Assent on 12 May 2014. It will be known as the Licensing of Pavement Cafés Act (Northern Ireland) 2014.

## Ministerial Statement

### North/South Ministerial Council: Education

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Cheann Comhairle. A Cheann Comhairle, le do chead ba mhaith liom ráiteas a dhéanamh i gcomhlíonadh alt 52 d'Acht Thuaisceart Éireann 1998 faoi chruinniú den Chomhairle Aireachta Thuaidh/Theas san fhormáid oideachais. Reachtáladh an cruinniú in Ard Mhacha ar 2 Aibreán 2014.

Mr Speaker, with your permission, I wish to make a statement in compliance with section 52 of the NI Act 1998 regarding a meeting of the North/South Ministerial Council (NSMC) in education format. The meeting was held in Armagh on 2 April 2014. This statement has been agreed with Minister McCausland and is made on behalf of us both.

Minister Quinn and I affirmed our commitment to work to broaden and deepen cross-border collaboration on education matters. We identified areas in which there may be further opportunities for progress, including youth policy, all-Ireland cyber-safety initiatives and awareness, and addressing obstacles to the transition from second- to third-level education between the jurisdictions. We also agreed that higher education should be included in the NSMC framework.

We noted the work being taken forward through the North/South future sectoral work programme since the previous NSMC meeting in November 2013.

We received a presentation from officials that provided an update on the work programme and included the outcomes of a workshop held on 25 March between DE and Department of Education and Skills (DES) officials. The event provided an opportunity for officials to brief one another on strategic approaches to addressing underachievement in their respective jurisdictions and to consider options for the exchange of best practice. The workshop demonstrated that both Departments are addressing similar challenges in similar ways, although the arrangements for the delivery of the support programmes may differ.

We agreed to the development of proposals to scope a cross-border pilot in support of leadership development that would include existing groups of principals in both jurisdictions. The pilot would involve existing groups of principals in a number of area-learning communities in the North working with equivalent groups of principals in the South. The intention is to provide a context for peer engagement on leadership matters that draws on the respective experiences in the different schools involved.



Ministers received a joint presentation from the chief inspectors of both inspectorates on their continuing programme of cooperation, which includes such activities as inspector exchanges; participation in professional development programmes; joint inspections of specialised projects; and regular meetings of senior management. I was pleased to be advised that successful and productive inspector exchanges between both inspectorates have been in place since January 2008. The exchange programme is providing many benefits to inspectors on an individual basis and to their organisations. I am encouraged by the professional exchange and learning that is taking place between both inspectorates.

I welcome the decision of Ministers at the NSMC to approve the continuing efforts of both inspectorates to extend cooperative activities, including their plans to implement the following key actions in 2014: North/South work on literacy and numeracy, leading to joint publications of good practice in 2014; enhancing inspection exchanges to involve inspecting with authority in other jurisdictions; joint inspections in agricultural colleges and Irish-medium schools; evaluation of the Education and Training Inspectorate's (ETI) work on promoting improvement in English and mathematics; and joint work on the development of the inspection of well-being in schools.

In January, I had the pleasure of meeting the chair, vice-chair and chief executive of the Middletown Centre for Autism. They outlined some of the work they have done, the positive feedback they have received and their plans for the future. I was left in no doubt that it was correct to endorse their expansion of services in 2012, and it is clear that the benefits of that expansion are being felt by children with autism, their families and educational professionals across each jurisdiction. I look forward to Minister Quinn and I being able to demonstrate our commitment to and support for the centre when we undertake a joint visit there before the summer.

It is pleasing to note that, through the North/South teacher qualification working group, both Education Departments continue to work with the teaching councils, North and South, to remove outstanding obstacles to teacher mobility on the island. The decision by the Teaching Council Ireland (TCI) to simplify qualification assessment through an increase in the use of in-house desk assessment of applications is to be welcomed. I also note that the TCI, in consultation with the General Teaching Council, is working to simplify assessment of qualifications of teachers for the purposes of their registration with the TCI and that this process will follow the completion of work on the review and redesign of teacher education programmes in the South, which is expected to finish in the first quarter of 2015.

I am pleased to report that both Departments continue to work to make it easier for teachers from the North to undertake the qualification to meet the necessary conditions of the Irish language requirements in the South. I am also pleased to report that, following agreement by all stakeholders, the way is open for St Mary's University College, Belfast to deliver the Irish language qualification in the North of Ireland, possibly in an online format. Progress on that is subject to validation of any proposal by the TCI.

Work on the implementation of an extension of the North/South collaborative programme of work in the Irish-medium sector for the 2013-14 academic year is nearing completion. An independent evaluation of the programme

that will look at its work up to the end of 2013-14 is to be commissioned. That is a welcome development and an opportunity to review how we have done to this point and what lessons we can learn. That will help to inform future work in the sector, and I look forward to the outcome of the evaluation.

All three funding Departments — DE, DEL and DES — have agreed to retain funding of the Standing Conference on Teacher Education North and South at the current level for the incoming year, 2014-15. That funding comprises a joint contribution of £25,000 from DE and DEL, with DES contributing an equivalent amount in euro.

With regard to school, youth and teacher exchanges, my Department continues to support the Causeway youth exchange programme and the North/South education and training standards committee for youth work.

Other ministerial colleagues and I were pleased to hear about the ongoing work of the dissolving boundaries teams during the 2013-14 school year.

Ministers agreed that the North/South Ministerial Council in education format should meet again on 22 October 2014.

**Mr Storey (The Chairperson of the Committee for Education):** I will ask a couple of questions as the Chairperson of the Committee for Education. Will the Minister update us on an issue that has been at the heart of all these North/South ministerial meetings since their inception: the obstacles for Northern Ireland students in the transition from second-level to third-level education? In particular, will he clarify what has been achieved to date in improving access for Northern Ireland A-level students to universities in the Republic of Ireland?

The Minister's statement refers to the North/South Ministerial Council framework being changed to include higher education, which is a concern. Will he clarify the protocol and procedure for doing that and whether that decision included his colleague the Minister for Employment and Learning? Has it been endorsed by the Executive?

I will now speak as a Member. I am glad that, at the commencement of our proceedings, Mr Speaker, you referred to our gracious Majesty The Queen in endorsing legislation. That was something of benefit and worth. There is little of benefit and worth in the North/South Ministerial Council. The sooner that it is closed down and that those resources are put into education, the better. It is the most pathetic effort by a Minister to come to the House with the most useless piece of paper that I have ever seen.

**Mr O'Dowd:** It is good to note that canvassing must be going well for Mr Storey. He is in good form. I would have hoped that walking the country lanes of North Antrim would have cheered him up, but apparently not.

For the Member, it is worth noting that, if the North/South Ministerial Council closes down, the Assembly closes down, because they are all part of one agreement: the Good Friday Agreement. Closing down the North/South Ministerial Council is a wee bit like turkeys wishing for Christmas.

I disagree with the Member that it is a waste of time or that I have brought a useless piece of paper to the Assembly today. The Member has only to look through the range of ongoing work programmes, particularly the cooperation between inspectorates, North/South and east-west. I

will focus on that because I know that the Committee is working on its report on the inspectorate. At the meeting, two chief inspectors gave a very interesting report to the Ministers present. They also reported on the work between the Welsh and Scottish inspectorates, as well as the two inspectorates on this island. There is cooperation in many different formats.

Work has been carried out on the obstacles to students from the North travelling to universities in the South. Minister Quinn and I are on the same page on this. However, admissions to universities in the South are controlled and run by an independent body, which, thankfully, is now taking those concerns on board. I welcome the announcement from Dublin City University and Trinity College that they are reviewing their admissions criteria to make them more accessible and equitable to students from the North and to ensure that they can access courses that are available there.

**Mr Hazzard:** I thank the Minister for a very positive and productive statement on the work of the North/South Ministerial Council. Will he expand on what seems to be positive, cooperative work between the inspectorates and why that is of benefit to local young people? Go raibh maith agat.

**Mr O'Dowd:** The inspectorates not only share best practice in how they carry out inspections and hold the various institutions to account on the quality of education that they provide but share best practice on numeracy and literacy across the island. We are learning from our colleagues in the South, and they are learning from us about how we are improving. With numeracy and literacy, there continues to be a mountain to climb. However, it is quite clear that there is a good working relationship between the inspectorates, which predates the North/South ministerial institutions. They are working well together, learning from each other and sharing experiences. As I said to Mr Storey, they are also sharing experiences east-west, which is to the benefit of young people and the inspectorate. Ultimately, it benefits the economy to have highly qualified, motivated young people leaving school, and we are learning how to do that from other jurisdictions.

10.45 am

**Mr Rogers:** Thanks to the Minister for his statement. I welcome the commitment to broaden and deepen cross-border collaboration on education matters, but, Minister, what has happened to the cross-border education survey? Has it evaporated into the ether? Do you have any plans to bring the recommendations of that survey to the House?

**Mr O'Dowd:** The North/South survey is one element of the work of the North/South Ministerial Council, and I would like to see it published. I have no difficulty with its being published, but it is a North/South Ministerial Council paper. It requires agreement from OFMDFM and my Department to bring it to the North/South Ministerial Council meeting, and it requires the agreement of the North/South Ministerial Council in education format to publish it. I have no difficulty with any of those procedures being followed. However, it is a snapshot of people's views at a period in time on cross-border education and the requirement, need and support for cross-border cooperation. However, in reality, it is happening in many areas along the border. It is working in practice, and there are growing demands in certain areas for greater cross-border collaboration on

education services. I assure the Member that I have no difficulty with publishing the survey, but it has to go through a number of procedures before I can do so.

**Mr Kinahan:** I thank the Minister for his statement. It is particularly good to see that leadership and professional qualifications are in it and part of the concentration on the inspectorate. I saw a vice principals' survey yesterday that showed that 89% of them do not receive adequate training and that 68% are working over the 48 hours allowed by the working time directive from Europe. Did you discuss how we will give better support to our teachers so that they get the training and carry on being the excellent teachers that they are but get all the help that they can?

**Mr O'Dowd:** Internally, in this jurisdiction, I am looking at and auditing the support services for school leaders and our teaching staff, and, once that audit is complete, we will decide on what other services are required. I accept that other services are required. I accept that the vast majority of our school leaders, principals and deputy principals, are doing a great job and often work above and beyond the call of duty. Through the NSMC, we are working our way through setting up a pilot scheme along at least one of the border corridors to look at sharing ideas between area-learning communities, particularly on leadership and how leaders can work together and learn from their experiences. Leadership is high on my agenda internally and high on the agenda at North/South Ministerial Council meetings.

**Mr McCarthy:** I thank the Minister for his statement, and I am glad to see that, among all the very important education topics, the Minister has not left out special educational needs. Despite some misgivings about the Middletown centre some years ago and given the ever-increasing number of students with autism, is the Minister content that the provision is up to scratch for the foreseeable future for the increased volume of students attending Middletown?

**Mr O'Dowd:** Not only are Minister Quinn and I satisfied, but the joint inspectorate report referred to the services at Middletown as outstanding. It is one of the quiet success stories of North/South cooperation. You are right: there were some political concerns at the start that, thankfully, have now been worked through, and the centre is providing excellent services to young people with autism and their families.

**Mr Newton:** I thank the Minister for his statement. I want to focus again on the Middletown centre, Minister. Can you confirm for us the financial breakdown of support for it and whether agreement has been received for a period of funding over the next number of years?

**Mr O'Dowd:** Apologies to the Member, but I do not have the exact funding figures in front of me. However, the budgets for the comprehensive spending review period that we are operating in have been agreed for Middletown. There was some debate in the earlier stages of this Assembly term about how much each Department would contribute, on what basis we would contribute and to what services we would contribute, but those budgets have now been agreed, and I am happy to supply the Member with the figures.

**Ms Maeve McLaughlin:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. I note that the Minister referred to area-learning communities and

the scoping of a cross-border pilot in support of leadership development. Is that the basis of a cross-border learning zone? Practically, how can that be delivered regarding timescales?

**Mr O'Dowd:** It is the start of something new. How it develops will depend on the evaluation of the pilot and the worthiness of the project in regard to the views of those schools that have been involved in it, the inspectorate and the independent evaluation, which, I think, is useful at the end of any pilot scheme. It has come about after deliberations between my officials and officials from the Department of Education and Skills in the South. It is seen as a worthwhile area to explore. The area-learning communities that have developed on this side of the border, in most cases, have proven to be very valuable to the delivery of education in their areas. We want to share ideas with our counterparts in the South around that. I do not have a specific timescale in front of me for when the pilot scheme will be up and running, but I assure the Member that officials are actively working on it now.

**Mrs Dobson:** I thank the Minister for his statement. My question is about Middletown. In his response to a question for written answer from me earlier this year, the Minister confirmed that just 20 children were referred for outreach support from April to November last year and, on average, they received just over 90 hours of direct support. What is the Minister's view on that level of uptake, given, as Mr McCarthy said, the number of children with autism? Does the Minister feel, as he said earlier, that it was correct to expand the services in 2012?

**Mr O'Dowd:** The area that the Member refers to regarding services out of Middletown is only one area of support being offered through the Middletown centre. We are now dealing with significantly higher numbers than the Member was quoted in response to the question that she asked me earlier in the year. I am more than happy to share with the Member the entirety of the numbers going through the Middletown centre and the support that is being offered by each jurisdiction, because each jurisdiction required different services from the Middletown centre. I am more than happy to share those figures with the Member, but I assure the Member that it is significantly more than the number that she refers to.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a ráitis. I welcome the Minister's statement and the continuing progress that is being made through the North/South Ministerial Council. With regard to the issue of area planning, the Minister's comments in the statement on deepening cross-border collaboration in education matters and his comments at the INTO conference on the need for cross-border solutions in certain areas, how do the Minister and his Dublin counterpart intend to work together to bring forward such innovative solutions in areas such as north-west Fermanagh and south Donegal?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as an cheist. I have raised the issue about north-west Fermanagh with Minister Quinn. He has agreed that our officials should sit down and discuss whether there is potential for cross-border cooperation, and, if there is potential, how that would work. The meeting has been agreed to, and I am awaiting an agreed date for it.

## Committee Business

### Northern Ireland Peace Monitoring Report Number Three

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

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

*That this Assembly notes the Northern Ireland Peace Monitoring Report Number Three produced by the Community Relations Council and supported by the Joseph Rowntree Foundation and the Joseph Rowntree Charitable Trust.*

It is my pleasure to move the motion this morning. The motion follows a briefing that the Committee for the Office of the First Minister and deputy First Minister received from the author of the report, Dr Paul Nolan, and the Community Relations Council (CRC). That briefing, which was on the Northern Ireland peace monitoring report number three, took place on 9 April 2014. As the name suggests, it is the third report and aims to monitor the peace process, year on year, by use of an indicator framework, which covers four main areas: the sense of safety; the sense of equality; the sense of cohesion and sharing; and the sense of political progress.

The report is produced jointly by CRC, the Joseph Rowntree Foundation and the Joseph Rowntree Charitable Trust. Although the Committee does not have an agreed position on the report, it agreed that a debate would be a useful way of discussing the issues raised.

Dr Nolan said that the purpose of the report is to:

*“provide a sort of X-ray of society to see where the problems might occur.”*

Consideration of the report is particularly timely given the proposal in Together: Building a United Community (T:BUC) to create a new equality and good relations commission. In creating that new body, the need for robust monitoring will be vital, so this report is certainly worth discussing further. The Committee is still awaiting further detail on the primary legislation needed to create the new commission, and we look forward to the Department making progress in that area.

The report identified 10 key points: the moral basis of the 1998 peace accord has evaporated; the absence of trust has resulted in the absence of progress; there has been some increase in polarisation; a culture war has been talked into existence; the City of Culture year provided a different understanding of culture; failure lies in wait for young working-class Protestant males; front line police have been the human shock absorbers for failures elsewhere; the rebalancing of inequalities unbalances unionism; at grassroots level, the reconciliation impulse remains strong; and, finally, no one picks up the tab.

Dr Nolan acknowledges the limitations of the report with regard to research, data and sample surveys and the fact that the peace is “an elusive concept”. Although those

limitations must be acknowledged, there is a wealth of information in the report covering policing and justice, arts and sport, poverty and inequality, housing and education, community relations and the reform of local government and, indeed, there is a section on the workings of this institution. The comments in the report make for interesting reading, and the range of topics covered will, no doubt, be of interest to a number of Statutory Committees.

At the briefing, the Community Relations Council advised that the report is supported by the Joseph Rowntree Charitable Trust and the Joseph Rowntree Foundation and that this year marks the end of a three-year funding cycle. Following a review of the report, CRC hopes to secure funding to continue with this work, but the future is not absolutely secure. It will be interesting to see the future for this report. I am keen to hear Members' views on that issue.

During the briefing, Dr Nolan discussed some of the key findings of the report. There were concerning statistics in relation to educational attainment levels in Northern Ireland, which was the subject of a debate in the Chamber last week. The Committee is keen to see how the Department's Delivering Social Change framework will seek to address those issues around securing a better future for our young people.

The Committee also discussed the need for improved engagement with young people on community cohesion. The Committee sees that as a very important aspect of bringing our communities together and recognises some of the work, including work around young people and interfaces, that CRC has done in that area. The Committee hopes to launch an inquiry soon into uniting communities. A key aspect of the inquiry will be how we, as a legislature and an Executive, engage young people in the decision-making process.

Many of the issues raised in the report are central to Together: Building a United Community, and the Committee for the Office of the First Minister and deputy First Minister will continue to monitor and scrutinise developments in that strategy. Last week, we considered a summary of the Department's consultation on the good relations indicators to be used to measure progress of T:BUC. The issue of community relations is one that will continue to be a key theme for the Committee. We recognise that those issues are often longitudinal. The strategy reflects that, as can be seen in the target to remove all interface barriers by 2023.

#### 11.00 am

I acknowledge the presence of junior Minister Jonathan Bell. I appreciate that he is here to respond to the debate.

In the foreword to the peace monitoring report, there is an acknowledgement that, in the compilation of the report:

*“Data sets from various government departments and public bodies in Northern Ireland have been used”.*

It states:

*“comparisons are made which draw upon figures produced by government departments and public bodies in England, Scotland, Wales and the Republic of Ireland. Using this variety of sources means there is no standard model that applies across the different departments and jurisdictions. Many organisations*

*have also changed the way in which they collect their data over the years, which means that in some cases it has not been possible to provide historical perspective on a consistent basis.”*

On the theme of consistency, I acknowledge that, although I missed the discussion at Committee because I was in England for some of the events around the state visit of President Michael D Higgins, I have studied the Hansard report, which highlights some concerns about consistency. I will mention three, if I have time.

A point was made about respectability with reference to those who represent what we might call paramilitary groups. It states:

*“This new respectability allowed the PSNI to include those publicly associated with paramilitarism to join them in the sessions of the ‘Cardiff group’.”*

That was a group assembled in Cardiff last May by the police and the University of Ulster to discuss community policing. There is a claim of a new respectability, and yet the report goes on to say:

*“If there is something incongruous about police sitting down with members of illegal organisations to discuss law-and-order matters, it is an incongruity that has lost its power to surprise because the peace process has long accepted it as a modus operandi.”*

I hope that you agree that there is a clear inconsistency between those two statements.

In discussing police numbers, there is a comparison between other forces in the United Kingdom and the Republic of Ireland and a proposed ratio of one officer for every 200 citizens. It ignores the fact that the Patten report based figures on the New York Police Department, where the ratio was 1:220. There is no explanation of why the peace monitoring report has chosen to ignore Patten's comparator of the New York Police Department and to replace it with UK and Republic of Ireland forces.

The report also makes reference, at page 55, to the Historical Enquiries Team (HET). It states:

*“in the original plan, it was to work alongside the proposals of the Consultative Group on the Past (otherwise known as Eames-Bradley).”*

That is surprising to say the least. The Historical Enquiries Team was established in 2005. The Consultative Group on the Past was not established until 2007 and did not report until 2009, but Dr Nolan seemed to predict that the HET, in its original plan, was to work alongside a body that was not set up until two years later and did not report until four years later.

So, there are inconsistencies in the report. That is a matter of regret because, generally speaking, the House should welcome academic research and reports on the state of the country and the progress of the peace progress, but those inaccuracies and inconsistencies obviously serve to undermine confidence in the report. I am not sure whether it has been peer reviewed, but perhaps, if there is to be a peace four report, peer review might be a way to tackle such inconsistencies.



As I said, I welcome the presence of the junior Minister and the other Members in the House. I look forward to their comments during the debate.

**Mr Moutray:** I rise as a member of the OFMDFM Committee to make a few brief comments on the detailed report before the House this morning. This is the third annual report produced by Dr Paul Nolan and published by the Community Relations Council. Slugger O'Toole sums it up well when he says that it is part statistical almanac and part annual report card. As with the previous reports, it is clear that a great amount of effort has gone into the latest assessment of where Northern Ireland now stands as a society. Before Easter, our Committee had the opportunity to meet Dr Nolan, along with the chair of the Community Relations Council, Peter Osborne, and Jacqueline Irwin, its chief executive.

In places, the report makes for uncomfortable reading for us all. It is important for us to face up to some of the challenges that it presents us with. However, the report is perhaps overly negative and simplistic in places. I am not sure how reliable some of its conclusions are. It gives an overall impression that although we are progressing in some areas, there is slippage in others. There is a reference to Richard Haass, who said that Northern Ireland can no longer be held up as a model for conflict resolution. I suspect that Dr Haass is slightly miffed by his experiences here, but that is a matter for another day.

The author refers to the "moral basis" of the 1998 peace accord and asserts that it has evaporated. In my eyes, the 1998 agreement had no moral basis in the first place. When we see what is emerging about the shady and dirty deals that went on behind the scenes, I, for one, am glad that I opposed the agreement. The author also states that anti-agreement unionists now accept that Northern Ireland is secure within the United Kingdom. He is right on that matter. We have never felt more secure or confident in that. However, he goes on to assert that a cultural war is being talked into existence. I am not sure what is being talked into existence. It seems to me and many others that nationalists and republicans, faced with the reality of the union, are attempting to remove as many expressions of Britishness as possible. That is the rationale behind their opposition to loyal order parades. The report refers to the cost of policing the marching season, which was £18.5 million last year compared with £4.1 million in 2012. That cost could be very greatly reduced if the cultural war being waged on my community was brought to an end.

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

**Mr Moutray:** No, not at this point.

The cultural war was also the rationale behind the removal of the Union Jack from Belfast City Hall. The report refers to a "demographic tipping point" in Belfast. The author is alluding to the 2011 census figures, but the term "tipping point" is loaded, unhelpful and an illustration of the use of language and terminology in the report that leads me to question its accuracy and impartiality in places. We are told that unionists must wake up to the new reality in Belfast. However, with respect, Belfast is the capital of Northern Ireland and the Union Jack is the flag of our country. If there is a tipping point in Belfast, it is up to those now in the majority to show some respect for the rights of those now in the minority in the city.

Finally, I want to highlight my grave concern about what the report has to say about educational underachievement among young working-class Protestant males. This has been spoken about in the Chamber before. The performance of Protestant males who are in receipt of free school meals is deeply worrying. The percentage of young Protestants who are unemployed is a lot higher than that of their Roman Catholic counterparts. The whole issue needs to be addressed urgently and radically. I note that my colleague the Member for North Belfast Mr Humphrey drew attention in the House last week to the report's failure to speak to the education and library board chief executive, principals or the chief executive or chairman of the Greater Shankill Partnership. That is one illustration of where the report might have fallen down. If the research and consultation are flawed, the conclusions are also likely to be flawed. I will leave it at that this morning.

**Ms McGahan:** Go raibh maith agat. The report raises a number of findings. We are already aware of some of these issues. As a member of the Employment and Learning Committee, I am particularly aware of them. The report refers to the lesbian, gay, bisexual and transgendered (LGBT) community and to the Equality Commission recording an increase in harassment cases in the workplace. This issue is quite topical as we heard on the radio this morning about Belfast docker Martin Sheil taking a case against his former employer. It was ruled that he had been the victim of discrimination and harassment at work on the grounds of sexual orientation. It is disappointing that, despite having a number of laws that state that you should not discriminate against anyone on the basis of age, race, religion or sexual orientation, people are still being treated differently. A sexual orientation strategy is progressing, and it will, hopefully, further raise awareness of what is acceptable and not acceptable in public life.

One chapter in the report is on dealing and not dealing with the past. We also learned on the radio this morning that the PSNI will take no action against a former undercover unit, the Military Reaction Force, which was the subject of a BBC 'Panorama' programme last November.

Solicitor Pádraig Murray expressed concerns that there was no thorough investigation of the unit, and such contradictions make it very difficult to deal with the past. This angers a lot of families.

The report refers to the fact that, where you have inequalities and unemployment, you have the potential for public disorder. We always have the potential for public disorder, and there are inequalities everywhere. Inequality causes hopelessness and despair, not just public disorder. Inequality causes poverty, health inequalities, lower educational achievement, suicides and so on. We are concerned about the low level of educational attainment and the poor skills base in the younger age group, who, without appropriate support and access to opportunities, face a lifetime of marginalisation and poverty. Sinn Féin is fully committed to tackling marginalisation and social exclusion through the progressive realisation of the right to education and work, but we view the problem primarily as a lack of employment or educational opportunities, with the additional barrier of the lack of accessible, affordable childcare for lone parents and social care for carers rather than a lack of individual motivation. Steps have been

taken to address these issues, particularly on access to affordable childcare.

The report also raises the field of NEETs. It is an important issue, and, as a member of the Employment and Learning Committee, I know that we have a great interest in it. The Department and the Executive have invested considerable resources in reducing the number of young people who are NEET. The commitment is in the Pathways to Success strategy. Funding for employability programmes is vital to this commitment, and Pathways to Success covers apprenticeships, training, higher education, further education, Steps to Work and other programmes. There are a lot of good programmes out there, but we always have to ask whether they are making a difference. Pathways to Success is an Executive strategy that provides £25.2 million in additional money for young people who fall into this category. There is a lot of frustration among young people who feel marginalised, and we always have to ask whether we are targeting people in an effective way. As a Committee, we have a lot of monitoring to see how effective the employability programmes really are.

A motion was recently brought to the House on the persecution of Christians in many countries around the world. In particular, it was clear that there were great wrongdoings in North Korea, which the Assembly condemned. It was difficult to see what impact we would make, but, if the political will exists in the Assembly, we can make an impact on the issues that are identified in this report.

**Mr D Kelly:** I welcome the opportunity to comment on the report. If people were objective in their assessment of the report, they would see that it sets out in stark detail much that we already know to be true. It is unfortunate that, yet again, today we hear mixed messages from the DUP and others about reaching out across the community. They want to represent and to attract Catholic votes, but that has to be set against the denial and continued insistence that there is some sort of culture war. There is a denial of the fact that this very place is a physical manifestation of the Good Friday Agreement. On the one hand, they say that they oppose the agreement, but, on the other hand, they are very eager to work the agreement and to be here in the House.

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

**Mr D Kelly:** I will give way in a moment, but I have a point that I want to expand on. Issues around a cultural war have been used over the past year to drum up feelings of insecurity and lack of confidence, particularly in the Protestant community, so that the failure to give political leadership and to tackle poverty, deprivation and educational underachievement is not recognised and laid at the door of unionist politicians. The facts are that, last year, the highest number of parades — 2,687 — took place and there is an unprecedented level of funding for Orange culture and Ulster Scots. Marching bands are on the increase and are up to some 660. Far from being a culture war —

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

**Mr D Kelly:** I have already said that I will give way to Mr Storey, and I am happy to do so.

**11.15 am**

**Mr Storey:** The Member talks about conflicting messages and blames everybody else for doing that. What conflicting message did she send to her community when your own Church leaders advocated a particular course of action in the House last week in relation to same-sex marriage? You ignored it, and other members of your party voted in another way. You have sent out a conflicting message to many people in the Roman Catholic community who are disappointed with the leadership in your party and in the party opposite.

**Mr Speaker:** Order. Even with interventions, let us make sure that they are towards the business that we are dealing with in the House at this moment in time.

**Mrs D Kelly:** I am happy to say that I do not believe that there is any conflicting message when one believes that religion and politics should not be one and the same. There is a difference between a secular Government and one that is guaranteed under the ayatollah as some sort of Islamic state.

The report on dealing with the past again fails to look at how we build reconciliation. I heard the Sinn Féin Member speak about North Korea and heard Sinn Féin Members yesterday speak about the success of the House. As far as I understand it, in North Korea at the border with South Korea there are shopfronts put up like a scene from a play to show that everything is happy and really nice. It is something like a fake street. That is sometimes the Sinn Féin imagery of the situation between the two parties here and their failure on delivery.

**Mr Nesbitt:** I thank the Member for giving way. Does she realise that we spend over £7 million painting shopfronts? Are you against that policy?

**Mrs D Kelly:** There is a difference between painting shopfronts to regenerate town centres and doing it to create a false image for the wider community. I have been out on the doorsteps for weeks now, and I can tell you that people on the doorstep are worried about their job, their security and getting an affordable home.

**Mr Speaker:** Order. As the Member will know — she is a long-serving Member, and I am trying to help her — we need to get back to the report. If the Member can link whatever she is saying to the report, that would be even more helpful.

**Mrs D Kelly:** I am happy to do so, because, as we know, much in the report refers to poverty, social deprivation and the difficulties that many people experience. Much more needs to be done about underachievement in our education system. Many people across the world know that education is the way out of poverty. That is a value and a principle that we should all recognise. Therefore we should redouble our efforts to assist those who do not believe that the education system has any meaningful engagement with them.

Other Members referred to the childcare strategy and affordable childcare. It is a real issue to allow families to get back to work. We increasingly hear about the working poor. Much more needs to be done. I am pleased that the junior Minister is here, and I hope that he will give a commitment to provide greater security to working families and to families who want to get to work and increased support for childcare places that are within easy travelling



distance, not some of the ludicrous suggestions that we have seen about pre-nursery school places being maybe 10 miles away from a child's home.

The report sets out challenges for all the parties represented in the Chamber. The SDLP will not be found wanting in living up to the commitments and challenges that the report poses for us. Again, on behalf of the party, I urge those who have disengaged either from the leadership meetings in the House or from the Haass process. We owe it not only to today's generation but to future generations to re-engage in that and to resolve some of the matters that the report highlights as challenges for us.

**Mr McCarthy:** Like other Members, I welcome the report, which is a valuable reminder of how our peace process is settling in in Northern Ireland, slow as that may seem at times. We should be grateful to the organisations that contributed to the report, especially Dr Paul Nolan, its author.

The report highlights outstanding issues that need to be dealt with and should be dealt with. The most prominent, which has already been spoken about, is the underperformance of young Protestant working-class boys in education. The media rightly highlighted that as an issue of concern, and it is one that we need to reflect on and develop a strong plan to tackle. Indeed, the Assembly debated the issue recently. Let us hope that improvements will soon be made. It is particularly noteworthy that the report cites the division in the education system as one of the variables that interact to extend the gap between top and bottom. That suggests that promoting sharing and integration must be part of our drive to improve results among the groups that need support to reach their potential. That is not the only policy needed, however: we also need to target poverty and the impact it has on education. We need to develop ways to promote literacy and numeracy.

Although that was highlighted by the press as the crucial issue in the report, it is only one of its findings. Others that cause me concern include the reliance on the veto developed by the Good Friday Agreement, which has led to a position where devolution is failing on bread-and-butter issues. Talk of a culture war could become a self-fulfilling prophecy. In eight months in 2013, one in 10 PSNI officers was injured in public order disturbances.

The report is not all doom and gloom. It highlights the positive work that took place in Derry during the City of Culture year. Of course, no one should be mistaken: that was organised by my niece Miss Shona McCarthy, who was the chief executive. That goes without saying. The report demonstrates that, at a grass-roots level, there is a desire for reconciliation and for people to work and live together in peace and harmony. In fact, the latter point is perhaps the most encouraging: it should remind us all that the public want reconciliation, integration and tolerance.

I want to speak quickly about the way that the report should influence the public process on these issues. It is a significant and weighty report that gets to the heart of a good number of the issues. It should continue to be published in the future as an assessment of how our peace process has bedded in. It is in stark contrast to the proposed good relations indicators, which do not offer so rounded or nuanced a view of the peace process. Indeed,

I welcome the presence in the Chamber today of junior Minister Bell. In his response, perhaps he can inform the House how many meetings of the equality and good relations commission transition board have taken place and what progress, if any, has been made on the matter.

The report should be used to inform policy development on these issues. For example, Together: Building a United Community limits its education proposals to the development of 10 shared campuses. The report demonstrates that a much more transformative approach that tackles division and improves sharing is needed. Likewise, T:BUC limits its ambition on shared housing to identifying 10 neighbourhoods, which are themselves not forthcoming. The report shows that segregation is still, unfortunately, widespread throughout Northern Ireland.

Regrettably, I still do not believe that the two large parties in the Assembly are really and genuinely signed up to the agenda of tackling division in our society. Reports like the one we are debating today explain why we absolutely must dedicate all our efforts to getting everyone in Northern Ireland signed up to genuine sharing.

**Mrs Hale:** Mr Speaker, I ask your indulgence and apologise: I need to leave the Chamber once I have spoken.

I welcome the opportunity to speak on the report. The underlying context of Dr Nolan's report tries to illustrate that the current lack of trust in the political framework is leading to stalemate on future progress and that a culture war is brewing on the streets that could plunge Northern Ireland back decades. The report highlights the belief that Dr Haass warns of impending doom, gloom and violence if agreement cannot be reached on some issues relating to the past and that Northern Ireland can no longer be held up as an international model of conflict resolution. The fact is that levels of violence are at their lowest in 40 years. In the past years, the Orange/Protestant family has had its covenant parade and the Queen's jubilee festival. The UK City of Culture events in Londonderry showcased how Northern Ireland has moved on from the dark days of the Troubles. The report could have done more to illustrate the positives: how the majority of people work, play and do business, socialise and live their life in harmony with their neighbours. Does that mean that everything in the garden is rosy? Of course not. We still have issues to reach an agreed and shared view on, and there will be issues that, fundamentally, we will never agree on. However, that is no different to all societies throughout the world.

At the time of the Haass discussions, my party leader said that the DUP would not be bullied into making a decision on issues relating to victims, flags, emblems and the past that would be a back step for unionism and, indeed, victims. When it comes to dealing with those issues, people need strong leadership now and in the future.

The report also notes that an agreed view has not been reached on the 11-plus, welfare reform, ESA, an Irish language Act and the peace and reconciliation centre at the Maze, thereby creating a logjam for future development. Sinn Féin and the SDLP need to recognise that welfare reform must go through in line with the demands of the Westminster Government. They need to listen to polls that show that an overwhelming majority of parents still wish to have an 11-plus, and they must question the need for money to be wasted on the implementation of an Irish language Act. The DUP will not

be pushed over by the Westminster, Irish and American Governments for a political fudge with Sinn Féin on those issues. Quite simply, poor decisions on those issues will not be popular with the electorate, and decisions to keep external audiences happy are not what the DUP is about.

The Assembly must do more to embrace and welcome the loyalist marching band tradition and ensure that additional funding is available. As the Member across the Chamber said, there are now 660 bands in Northern Ireland, which is pleasing, and I welcome the opportunities that that creates for young people in skills and education. As the report states —

**Mrs D Kelly:** Will the Member give way?

**Mrs Hale:** I need to finish. Thank you.

As the report states, there appear to be parallel realities in Northern Ireland where hope and division run alongside each other. For the vast majority of people, peace and harmony prevail. However, that does not mean that certain elements in society will not utilise the current stalemate on historical issues as an opportunity to derail the future for malevolent and malicious purposes. It is also vital that we persist and challenge issues such as educational underachievement, lack of economic prosperity and unemployment. I am a strong advocate of ensuring that the Assembly does all in its power to challenge youth unemployment. As we saw during the August riots throughout England, an unemployment rate of 20% can translate into a danger zone and, indeed, anarchy. We need to be careful that the current economic instability does not translate into a reignition of hatred that is allowed to be transferred to future generations, who, thankfully, did not grow up through the Troubles. I spoke on poverty in the Chamber last year and welcomed the plans by Iain Duncan Smith MP to look at the ways in which we measure poverty. I continue to challenge the use of free school meals as a key parameter for poverty and state again that that must be broadened if we are to actively support the most disadvantaged families in our society.

Many challenges lie ahead, not least dealing with the past, and we must all ensure that we put our best foot forward. Mr Speaker, I thank you, and I welcome the report.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I welcome the publication of the report and the tabling of the motion on it this morning. However, given the volume of the report, I am disappointed — I say this without fear of contradiction — that, if you look at Hansard, you will see that the essence of the report appears to have been lost on virtually every contributor so far this morning. Every Member who has spoken has, in some cases, tried to look more widely at the report and some of its conclusions, but, for the most part, they focused on certain aspects of it, particularly from their own perspective.

I welcome the report from Dr Paul Nolan and his colleagues. I do not accept all its conclusions, but, if Members took the trouble to read the report, they would see that the indicator framework in the early part heavily caveats the report, its findings and even the evidence base that produced it. That makes it clear that it is somewhat difficult to measure what is a post-conflict society. It tries to break it down into a number of domains, and I think that it has done justice to a very difficult task. Obviously, it is difficult to measure, because, depending on where you come from, your political persuasion and even, perhaps,

where you happen to live and the immediate problems that you have to face, you may come at the report from an entirely different perspective. A range of issues has been dealt with in the report, and we may or may not agree with the conclusions that the report draws on some of those issues. However, it points to a wide range of issues and indicators that we have to reflect on.

### 11.30 am

I urge all of us — each and every Member here — to take the time to study the report and, in a sense, to try to be objective about it, at least in the first instance. We should set aside our views and simply read and try to digest it. It would be helpful if, rather than simply having an-hour-and-a-half debate in the Assembly, we asked the junior Ministers, OFMDFM or even the OFMDFM scrutiny Committee to look at meeting in a different or additional format to allow us more time to examine the report in much more critical detail. Maybe the authors of the report or some of the people who contributed could be brought along for a day-long conference; I do not know. From my point of view, an hour and a half does not give us anywhere near enough time to do the report justice. I know that we in the OFMDFM Committee have dealt with these reports annually for the past two or three years, but, even there, I do not think that we have had enough time to devote to them. So, I urge consideration of a more full way in which we can look at the report more openly, honestly and critically to see whether we can draw lessons from it.

Clearly, we can all refer to aspects of the report, whether it is parading, the past or whatever, and we all have our views on that. A lot of other issues in the report do not get the same headlines as those dealt with through the Haass and O'Sullivan negotiations last year. However, each and every one of them is equally important in its own right. As I said, I urge Members to think long and hard about what they say and how they deal with the report.

For me, the report sets out encouraging and even discouraging discourses. There is no question or doubt that the Good Friday Agreement and the peace process that led to it created an awful lot of hope in this community. I know that a lot of people were fearful of the Good Friday Agreement and distrustful of the peace process, and that is understandable given our long, tortured history. Nevertheless, I have no doubt in my mind that the Good Friday Agreement engendered tremendous hope. There is also no question in my mind that a lot of that hope has evaporated in the past number of years.

The number of people who showed up to view the Giro d'Italia at the weekend, to visit Derry as the City of Culture or to attend all these big international events tells me that, for the vast majority of people out there, those events are like a tonic against the negative politics that often prevail not only in here but in the media and elsewhere. We have a duty to look at the report, to look long and hard at its conclusions and, probably more importantly, to look long and hard at ourselves and at what our contribution has been to any of the negative aspects of this and at what are the positives. I commend, for example, the work of Martin McGuinness — I use my party colleague as an example — who attended a state visit in Britain —

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

**Mr Maskey:** — as a gesture of reconciliation. Let us look at what we all can do to tackle what we all know are the difficulties out in our community to give people out there hope, particularly our young people.

**Mr G Robinson:** The Nolan report mentions a number of areas, and I will briefly mention a few.

The mention of a culture war is concerning, especially as it is a product of irresponsible action by those who have shown utter contempt for the Protestant/unionist/loyalist tradition. An example is the erosion of where we are even allowed to walk to celebrate our culture. When a tradition has pride in flying the flag of the country, it is not surprising that there is a reaction when that pride is attacked. An example of this happened last year when the flag of our country was removed from the City Hall in the capital city of Northern Ireland. If there is to be a shared future, as some allude to, it is up to them to ensure that their actions do not enflame the feelings of a different tradition. This will then prevent a culture war being talked into existence, and this is the best way to enhance Northern Ireland's reputation globally. Cohesion and sharing can only be achieved when respect is shown to all cultures and no culture war continues.

A topic that has recently been discussed by the Assembly — the underachievement of working-class Protestant young men on free school meals — is highlighted in the report. It is essential that this situation is addressed, as it will adversely affect the individual opportunity and economic prosperity of Northern Ireland. If equality is to be ensured, this problem must be rectified urgently.

There is no such thing as perfect research, so any report must be considered in a manner that reflects that. As this is a sample survey, the accuracy of the figures cannot be guaranteed. However, it provides a useful source for possible trends in society. I am not criticising the authors of the report in any way, but it is always useful to be mindful that figures are not always 100% accurate or reflective. The respondents' backgrounds and beliefs cannot be guaranteed, no matter how hard authors try.

I am sure that we all agree that Northern Ireland can still be a great place in which to work and live, if we can show respect to our culture.

**Mr Storey (The Chairperson of the Committee for Education):** I will make a few comments on the report, particularly on the qualifications issues that it raises. The Community Relations Council report has a number of chapters dealing with a wide range of issues. Under dimension two, part four, it highlights equality matters

The Education Committee had previously scrutinised the data reproduced in the report, including the TIMSS, PIRLS and PISA information. However, I want to focus, for a moment, on another data set, namely the GCSE and A level attainment results. I understand that the school leaver data for 2013 will be available soon and the relevant year 12 information shows a general improvement in the attainment of five good GCSEs, including English and maths. Indeed, for pupils not from a disadvantaged background, it appears that the relevant Programme for Government target of 66% GCSE attainment may be actually or nearly achieved in 2014-15. The same cannot be said, however, for pupils identified as being disadvantaged or entitled to free school meals. For them, although attainment has improved, it appears very unlikely

that the 49% GCSE attainment target will be achieved. That is despite significant improvements in GCSE attainment in non-grammar schools, a narrowing of the attainment difference with grammar schools and a slight reduction in the gender gap at GCSE.

The Education Committee found during its scrutiny a significant difference in attainment in non-grammars and in different parts of Northern Ireland. The Department explained that non-grammar schools in the west of Northern Ireland are more likely to be Catholic maintained and have fewer pupils on free school meals. They tend to perform better at GCSE and A level. Non-grammars in the northern part of Northern Ireland or in Belfast were more likely to be either controlled or have a higher number of children on free school meals. Those schools and children tend to do less well. The average gaps in attainment could be as high as 10% to 20% at GCSE and A level for non-grammar pupils in these different education and library board areas.

Clearly, the attainment picture is complex. The Education Committee has commissioned further external research on the contextual factors that may be impacting on attainment. The focus that the Committee keeps on the issue is highlighted in this report.

Those were the comments that I wanted to make as Chair of the Education Committee, and I now want to make a few comments as a Member. I welcome the fact that, last week, the House passed a motion saying that the underachievement of working-class Protestant boys needed be addressed by specific action. I also welcome the fact that, since our debate, the Church of Ireland synod has met in Dublin, and, as leaders of a denomination in our society, passed a resolution that endorsed the very motion that the House debated on Tuesday of last week. Clearly, society, the report and the Churches realise that there is an issue, but what is being done?

It is fine for the Member for South Belfast to come to the House and tell us all that we need to read the report, reflect and then think about what we say. Was that the case when Martin McGuinness referred to the dark side operating in the PSNI? Did he reflect? Did he reflect on his comments on the murder of Mr Gillespie in Londonderry —

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

**Mr Storey:** — when he refused to endorse the comments made by Bishop Edward Daly, who described it as an act of Satan?

So let us ensure that we are consistent. I will give way: it will get me an extra minute.

**Mr Maskey:** I thank the Member for giving way and I would not mind if he had an extra five minutes so that he could shed a bit more light on his comments.

I referred to Martin McGuinness, and you have come back to him. Do you not accept that Martin McGuinness, over the past number of years, has consistently stood shoulder to shoulder with your party leader and previous Chief Constables, speaking out very forthrightly and unflinchingly to people in our community who have been challenging not only us but the entire peace process? Do you not accept that the Member for Mid Ulster Martin McGuinness has been very forthright, along with your party leader, when that has been absent? Let us reflect on

the report and see what more we can all do. We can pick holes about everybody else, but what can we do?

**Mr Storey:** What Martin McGuinness can do is tell the truth. He can tell the House and the people of Northern Ireland what his involvement was when he was a member of the IRA. What was his involvement in the murders of people that were endorsed by the republican community?

**Mr Speaker:** Order, order. We need to get back to the report, or Members at least need to link their comments to the report.

**Mr Storey:** In the context of the report, which wants to give us an analysis of where we are at and where we will go as a society, you cannot have partial truth. You cannot have one side being prepared to give all the facts. If the Member is genuine about making a contribution to improving the peace settlement in Northern Ireland —

**Mr Maskey:** What are you going to do?

**Mr Storey:** I was never in any illegal organisation.

**Mr Speaker:** Order. The Member's time is gone.

**Ms Fearon:** How do I follow that?

I apologise for missing the start of the debate: I was caught up in a meeting, and business was ahead of time.

There are four dimensions to the report, and I will focus on a few of them in the short time that I have. The last dimension is about political progress. The key issues that were identified as blocking that were flags, parades and dealing with the past. Had the Haass proposals been embraced, many of the issues outlined in the report could have been dealt with. The Haass proposals were an opportunity for us to make political progress, but, unfortunately, that was allowed to falter by some.

A lot of the issues that are raised are covered extensively in here, almost on a daily basis. They are aired but not necessarily resolved. I want to focus on a few of the issues that are not mentioned but are hugely important.

The report provides a commentary on participation in public life, and it found what we already know: it is not representative at all, and serious work needs to be done to improve that. Women are under-represented not only in the Chamber but in senior grades of the Civil Service, as we heard in previous debates. The same can be said for public appointments, where, out of 1,400 positions, only 464 are occupied by women. We also have the police and the judiciary, among others, where representation needs to be improved.

Overall representativeness in public life needs to be addressed. How often are we in a room full of white people who are talking at each other and making decisions that affect absolutely everyone? How many people realise that the room is full of white people? As the report outlines, we need to make our public bodies, our politics and our Civil Service representative because, as it stands, they do not reflect the modern society that we live in. Although some people have a problem with embracing diversity, it is vital that we address all issues of inequality.

The report refers to the gender gap, particularly in employment and economic inactivity. It is important that we involve women in shaping our economy, because not to do so is a huge waste of talent and is unjust, given that

austere economic decisions disproportionately affect women. Economic inequality between the sexes needs to be addressed. Women are more likely to be employed in low-paying part-time work, to head a single parent household and to be dependent on welfare. Women are less likely to have financial assets and more likely to live in poverty, especially later in life. Those are some of the dangerous knock-on effects of not having enough women or enough equality in decision-making.

The report also mentions public safety. It would be remiss of us not to take this opportunity to condemn publicly the recent spate of racist attacks across Belfast and further afield. We should be welcoming those people with open arms. They have chosen to make their lives here. In fact, we should be honoured that they have chosen this place to bring up their families, so they should be made to feel as safe and welcome as possible.

#### 11.45 am

Another major point outlined in the report is that of growing poverty and, in particular, child poverty. A recent IFS report showed that relative and absolute child poverty will climb to 30.9% and 38.5% respectively by 2020, so the targets in the Child Poverty Act to reduce those to 10% and 5% are unachievable. It is important that Ministers review their budgets with a view to reprioritising spend not just to assist the most disadvantaged but to live up to the Programme for Government commitment to tackle disadvantage.

Additionally, the Executive should be seeking to ensure that people are paid a living wage to reduce dependency on the benefits system. Student hardship also needs to be looked at. A recent report by NUS-USI showed that one in five students is on the brink of dropping out due to financial difficulties. The report outlines a number of hugely important issues. As was said, it makes for uncomfortable reading for many people and hugely frustrating reading for many young people.

The one thing that we do know is that the issues raised require cohesion and the will to tackle them. We more than offer that.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** I welcome the opportunity to respond to the motion and address the points that were raised in the debate. There were excellent points in that last contribution from Megan Fearon on the role of women in public life. I am delighted to have just come from addressing the international women's business conference with junior Minister McCann. Six hundred women are taking part in that and taking the lead, ably chaired by Kate Marshall of Women in Business Northern Ireland.

I am always conscious that I was a working-class boy who went to university on a full grant and did not have any fees to pay. There are important points to be made to ensure that young people are not priced out of education.

We have come a long way as a society and the collective effort at a political, community and even individual level has to be commended. Work such as the peace monitoring report contributes to assessing our progress. I had the opportunity to discuss the report and its findings in detail with Dr Nolan and the chair and chief executive of the Community Relations Council.



The positive trend indicates that there is evidence of a broad consensus that Northern Ireland is now a stable and peaceful society. However, in a society routinely described as post-conflict, there are still those for whom the conflict is not over, although levels of violence are at their lowest for 40 years. This message of improvements and risks is highlighted in the report by facts such as for the period of the report not a single soldier, police officer or prison officer was killed, although it deeply saddens me that there was one security-related death.

The level of hate crimes and hate incidents in Northern Ireland has increased. Unfortunately, we all witnessed evidence of that hate crime against our ethnic minority community in the past few weeks. That has to be condemned at the highest levels and has already been condemned by the First and deputy First Ministers.

**Mr Lyttle:** I thank the junior Minister for giving way. I share his condemnation of recent hate crimes. Is there any update on the re-initiation of the "Unite against Hate" campaign that the Department was successfully involved in?

**Mr Bell:** We are continuing to work through a range of forums with our partners in the ethnic minority groups that we support through the ethnic minority development fund. We will be reinforcing and re-engaging. The First Minister and the deputy First Minister have meetings with the police and community organisations later on today, and I will be meeting the representative of the Polish Consul in Northern Ireland with the First Minister.

In 1989, I went as a young boy to Poland, at 19 years of age, to teach English for the United Nations Educational, Scientific and Cultural Organization. I went into a community that welcomed me. It was hard because I had no real grasp of the Polish language and no real understanding of Polish culture, and I was going to be there for a number of weeks. I was embraced and made hugely welcome by Polish people. Polish families, and I will never forget this until my dying day, had very little money in 1989, but what they had, they shared with me. They made me feel welcome and brought me to their homes to stay with them at the weekends, and I am deeply indebted to the Polish community for the care, love and immense kindness that they showed to me. I want our culture to afford our ethnic minorities the exact same as they afforded me.

**Mrs D Kelly:** Will the Member give way?

**Mr Bell:** I will towards the end if I have time.

I want to take some time to clarify comments that were made in the House. I am glad that the Police Service of Northern Ireland has confirmed that there is no evidence whatsoever that the Orange Order has been involved in the racist incidents. In addition, the statistics clearly demonstrate that elements of racism exist across Northern Ireland, not just in one area, and they are not confined to any one community. The Police Service of Northern Ireland has confirmed that, in addition, this is too complex a problem to be ascribed to one organisation. It is a problem for all of us and one that all of us must collectively tackle. However, in all categories, the number of incidents remains low against historic levels and comparatively low by UK standards. For the first time in a generation, residential segregation has diminished. I also note the point about the educational underachievement of young Protestant males.

I remind Members that OFMDFM commissioned research that was published in May 2006, which reported similar findings. To address those, we, along with the Minister of Education and the Minister for Employment and Learning, are putting in place robust action plans. Not least of those is the numeracy and literacy strategy that has put over 200 teachers into nearly 300 schools to specifically address underachievement in numeracy and literacy. The research, which was entitled 'Higher Education in Northern Ireland: A Report on Factors Associated with Participation and Migration' was done by Bob Osborne et al of the University of Ulster. The findings were based on an analysis of the school leavers' survey and focus groups with pupils. They suggested that boys in Catholic maintained schools regarded progressing to higher education as a goal to a greater extent than boys in controlled schools. The report also found that Catholic maintained schools do better for educational outcomes for students from the most disadvantaged backgrounds than controlled secondary schools.

So we know that there is still work to do, and Mervyn Storey made some strong points about the work that was still to be done. The publication of the peace monitoring report underlines where there continues to be challenges for us all at an individual, community and, yes, political level. We will not shy away from those challenges. We remain committed to building a united, shared and reconciled community by continuing to improve good relations across our society.

As Members know, we published the new good relations strategy 'Together: Building a United Community' in May last year. The strategy is a significant step forward and provides the basis of a comprehensive programme of work to improve relations and tackle the root causes of community tensions. Our strategy focuses on four key priorities: our children and young people; our shared community; our safe community; and our cultural expression.

As part of the strategy, the First Minister and deputy First Minister announced a package of significant and strategic actions that will help build a prosperous, peaceful and safe society, enriched by diversity and welcoming to all. The package is built around the education of our young people, who are sadly not in education, employment or training. It is based on regeneration, tackling deprivation, addressing housing and learning from the past. I think you will see that we have already identified a specific programme of interventions that will make a significant contribution to addressing the underlying causes of poor community relations, including those highlighted in the report.

Together: Building a United Community, with its clear framework for action, is a critical part of achieving our vision of a better future for everyone and supporting the work. Our key actions on United Youth, urban villages, shared sports, housing and education, which are year-round interventions, as well as on interface barrier removals demonstrate our determination to tackle the issues that impact on the development of a cohesive and united community. I am pleased that we have made significant progress on those issues.

Design groups to draw up detailed proposals to implement those actions have already made significant progress. It is our intention that the plans and proposals that arise from those design teams are robust. After the elections, we will discuss the programme with Executive colleagues who are

leading on the delivery of the specific commitments. We hope to be in a position to update Members on progress towards implementation.

I am also delighted that a number of pilots have already been commenced. The First Minister and the deputy First Minister have already made announcements on two of the four urban villages at Colin and the lower Newtownards Road, and they expect to make further announcements in the near future that will move key parts of the strategy to the implementation phase in 2014. The urban village concept seeks to revitalise urban areas by looking together in a joined-up way at education, retail, recreation, employment and the housing needs of communities. In doing that, a real sense of community and revitalisation will be forged, overcoming a legacy of piecemeal design and urban decay.

We have launched a pilot —

**Mr Lyttle:** Will the junior Minister give way?

**Mr Bell:** I will see how much time I have towards the end, because I know that Mrs Kelly also wants to intervene. I will try to leave some time at the end.

We have launched a pilot for the United Youth programme, which is funded under the central good relations fund. The pilot will inform the design of our commitment to create 10,000 one-year placements in our new United Youth programme, offering the young people in the NEETS category structured employment, work experience, volunteering and leisure opportunities, along with a dedicated programme that is designed to foster good relations and a shared future.

**Mrs D Kelly:** I thank the junior Minister for giving way. I wanted to ask about hate crime. I appreciate his comments about the welcome statement, particularly where the Polish community is concerned. I also wanted to ask him about violence against women. A number of women have been murdered, allegedly by partners, over the past year. I want to ask about the support that the Executive may give to tackling that type of violence against women and, in particular, about support for Women's Aid centres, recognising that 35 incidents occur before a crime is reported to police.

**Mr Bell:** The lady makes her point very well. Junior Minister McCann and I have looked at a number of initiatives that support women who have been attacked and help people to prevent further attacks, given the levels of recidivism. We have also looked at initiatives in Londonderry that provide safe and secure placements. We visited residential facilities there, and we looked at where the opportunities are for women to receive proper medical attention and to have evidence gathered that could be used and sustained in court. So, it is a point that is well made.

To go back to this, the future of our society lies with our young people. We need to invest in them to ensure that they do not suffer from the legacy of past conflict. We need to support them and give them the skills to build a positive, shared and reconciled future. The 100 summer schools are also an important initiative, giving a range of opportunities for post-primary pupils to come together for academic and leisure purposes but as part of a shared education agenda that looks at a range of development needs.

DSD has taken forward work on 10 shared neighbourhoods, building on the work it has already done

in social housing and responding to strong demand for it. The 10 shared education campus initiatives complement the work that was already done with the Department of Education. The initiatives are targeted infrastructure projects that are aimed at improving or facilitating sharing initiatives in local schools. The programme will target schools that demonstrate that they can share facilities, enhanced facilities and campuses. Over recent months, there has been a great deal of interest in advancing opportunities for shared education, and we want to see those taken forward.

#### 12.00 noon

In my last minute and a half, I want to turn to some of the Members' contributions. The honourable lady from Upper Bann rightly focused — it is a focus that we share — on jobs, growing the economy and creating a brighter future here, and I think that we have all been delighted at the hundreds of jobs that have been announced over the past six weeks, including the brilliant news for Wrightbus yesterday. We support you in terms of your childcare strategy and the approach for flexible and affordable childcare that takes into account the needs of rural dwellers.

The Member said that there has been increased support for bands, Orange halls and cultural expressions. I believe that that is right. We will look towards the issue of confidence, and where there is a problem with confidence, we will address that.

My colleague Kieran McCarthy said that educational achievement is key. That is why OFMDFM has spent almost £30 million in the past two to three years on initiatives that are specifically targeted at children and young people. Indeed, the Chair of the Committee and my colleague, Mike Nesbitt, made similar comments so well at the start of his contribution.

Our record of infrastructure investment and the fact that we have the most foreign direct investment of any region in the UK outside London, have the lowest household bills in the UK and have attracted more jobs to Northern Ireland —

**Mr Speaker:** The Minister's time is almost gone.

**Mr Bell:** — in the past four years than at any time will hopefully address the point about bread and butter issues.

I want to finish with one thing. We have a big challenge ahead of us, and the circumstances are difficult. Martin Luther King gave us the advice that:

*"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."*

The report provides a challenge to us. We have to stand to it, and we will win. As Terry Paulson said — I will conclude with this, Mr Speaker:

*"Winners lose more than losers. They win and lose more than losers, because they stay in the game."*

The Northern Ireland Executive will be a winner. We will stay in this game.

**Mr Lyttle:** I am pleased to make the winding-up speech and that the Committee has put the debate on the agenda of the Assembly. I extend my thanks to all Members who contributed to the debate and say fair play to junior

Minister Jonathan Bell for coming to the House and engaging in the debate. That does not always happen on OFMDFM issues, and I think that it has been constructive.

The report covers a significant breadth of topics, and we have encountered some of them today. Some of the indicators of good relations are a sense of safety, equality, cohesion and sharing and political progress. Dr Nolan refers to the report as providing:

*“a year-by-year, dispassionate analysis of the dynamics within the society, looking not just at the surface events but at the deeper stresses within the society.”*

I think that it is extremely important that we do that. There are certainly some very stark statements in the report on issues that reveal the state of good relations in Northern Ireland such as equality, sharing and separation. For many of us, the truth is sometimes very challenging, and I welcome the fact that the junior Minister has accepted that some challenges have been laid down by the report.

The Committee for the Office of the First Minister and deputy First Minister will continue to devote time to examining how OFMDFM is tackling issues around equality and community relations. We are eager to see progress in that area, particularly on how exactly the proposed new equality and good relations commission will take place and work in practice. The Department's 'Together: Building a United Community' strategy document states that the Department:

*“will seek to find an appropriate consensus around a definition of sectarianism”,*

which will be included in the legislation to establish the new body. So, we look forward to progress on required legislation in that area at this stage in the mandate and hope that the Department will introduce detailed proposals as soon as possible.

The Committee was briefed on the outcome of the consultation on good relations indicators to be used to monitor progress on the community relations strategy, and it is clear that there is work to be done in that regard — definition of terms such as “good relations”, how exactly to quantify terms such as “favourable” and “influence” and how to balance the use of quantitative and qualitative data.

Some respondents also expressed concerns that the indicators of good relations do not go far enough to include all backgrounds in our society and ethnic minorities in particular. Indeed, the recent spate of racist attacks has been rightly condemned by the House today. I would be keen to see how the good work that is happening between elected representatives, the police and the community and voluntary sector could be coordinated, perhaps via the re-initiation of the Unite Against Hate campaign, which was a powerful communications tool that brought people together to take a firm stand, shoulder to shoulder, against racism and hate crime of any nature.

Feedback had also suggested some concern at the removal of any explicit reference to integrated education as an indicator of progress. I hope that the Department will take those views on board and effectively address that when it amends the final indicators.

In the Together: Building a United Community strategy, the Department states:

*“we recognise that there is no room for complacency, and we must all face up to the difficult issues that stand in the way of further progress.”*

I am sure that everyone in the Assembly agrees with that statement. The peace monitoring report is a useful tool that will shine a bright light on the state of that progress. I hope that the debate provides focus and renewed urgency on the work to be done, which, if we are to step forward as a society, is needed.

I will turn to Members' contributions. The Chairperson of the Committee for the Office of the First Minister and deputy First Minister rightly raised the question of where future funding for this type of report will come from and the priority that needs to be given to engaging with young people. He raised concerns about inconsistency. I hope that he would agree, however, that having a report of this nature, even with inconsistencies, is much better than having nothing at all.

Stephen Moutray raised concerns about negative comments and unreliable conclusions. He also referenced, as did other Members, the topic of and comments on a cultural war. Dolores Kelly, however, questioned that. Indeed, she agreed with the report that a cultural war could be talked into existence; be a self-fulfilling prophecy; or, at worst, be used to manipulate insecurities for political gain. We have heard statistics on the increased number of parades, funding, respect for Orange cultural events and the increase in bands. Therefore, I think that there is useful evidence to speak into that area of concern.

Rightly, Bronwyn McGahan emphasised that good relations must extend to all, regardless of sexual orientation; the need to progress the sexual orientation strategy with urgency; and the importance of dealing with the past.

Kieran McCarthy listed some outstanding issues, as many others did, such as concerns about inequality in educational outcomes, which must be addressed; poverty; and the importance of addressing literacy and numeracy issues in order to empower people to feel confident in their identity and to be able to establish good relations in the community. He expressed concern, as does the report, about how devolution, at times, fails to address the bread-and-butter issues that matter to so many.

Our ability to achieve when we work together was evidenced in the City of Culture and, at the weekend, in the Giro d'Italia. In Northern Ireland, we have much potential and many talents, which are showcased when we work together and build trust with one another. Mr McCarthy also mentioned the importance of peace monitoring and concern about the adequacy of the proposed OFMDFM good relations indicators as they stand.

Brenda Hale also referenced the concern about a culture war brewing on the streets. I think that was the language she used. However, she helpfully went on to reference the large-scale covenant centenary parade, an increase in loyalist marching bands and the positive cultural expression that can occur as well. She stated that the DUP would not be bullied into decision-making on victims, flags and the past. I certainly do not want anybody to feel bullied on those issues, but I do want them to feel that there is an urgent need to address them.

Alex Maskey recognised the report as an admirable effort and useful attempt to examine the state of community relations in Northern Ireland. I support his call for a more in-depth analysis of the report and a mechanism by which to do that regularly.

Mervyn Storey, with his expertise as Chair of the Education Committee, gave an in-depth analysis of qualifications and underachievement, and, in what were fairly forceful remarks, I heard an appeal for truth. That is it what a lot of people in our community are asking for and is an appeal that everybody in the Assembly, whatever background they are from, needs to hear and respond to.

Megan Fearon rightly focused on the need for long-term solutions on the issue of flags, parades and the past and also for us to improve the representativeness of participation in public life. She mentioned the need for gender equality in the economy and in public life to build good relations. Her party holds significant power in OFMDFM around the gender equality strategy, child poverty and the racial equality strategy, and I trust that she will be lobbying hard for progress on those issues.

Junior Minister Bell mentioned the need for the inclusion of women in public life and the contribution that the report has made to assessing our progress. He also called for everybody to work together. That is a call that we need to hear in the Assembly, and we have a collective responsibility to sell education at secondary, further education and higher education level as a goal for which everybody in the community must aim. He also set out progress on the Together: Building a United Community strategy and actions that, to be honest, I do not regard as actions at present. I want to hear more detail on what exactly the urban villages will be and where they will be located —

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

**Mr Lyttle:** — and I still have concerns about the administration of the central good relations fund. There are a lot of areas in which progress needs to be made, and the report has shone a useful light on those key areas. We hope to see the Office of the First Minister and deputy First Minister showing leadership on the progress of those issues.

*Question put and agreed to.*

*Resolved:*

*That this Assembly notes the Northern Ireland Peace Monitoring Report Number Three produced by the Community Relations Council and supported by the Joseph Rowntree Foundation and the Joseph Rowntree Charitable Trust.*

## Legal Aid and Coroners' Courts Bill: Extension of Committee Stage

**Mr Givan (The Chairperson of the Committee for Justice):** I beg to move

*That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 20 June 2014, in relation to the Committee Stage of the Legal Aid and Coroners' Courts Bill (NIA Bill 33/11-15).*

The Committee Stage of the Legal Aid and Coroners' Courts Bill began on 9 April this year. The Bill, which is a key part of the wider programme to reform the legal aid system in Northern Ireland and, as such, is supported by the Committee, consists of 13 clauses and three schedules. It is largely technical in nature and will require supporting subordinate legislation, some of which will involve the affirmative resolution procedure, which will provide further opportunities to scrutinise the detail of the proposed changes.

The Committee is also considering an amendment to the Bill, proposed by the Attorney General for Northern Ireland, to confer on him a power to obtain papers relevant to the exercise of his powers under section 14 of the Coroners Act (Northern Ireland) 1959 to direct an inquest when he considers it advisable to do so. The principal focus of his concern is deaths that occur in hospital or when there is otherwise a suggestion that medical error may have occurred.

As I indicated during the Second Stage debate, the Minister of Justice had raised the possibility of keeping the Committee Stage of the Bill as short as possible to enable it to receive Royal Assent in the autumn, and the Committee had agreed in principle to a 10-week Committee Stage. The Committee has now received 20 written submissions from a range of stakeholders and will hold an oral evidence event in the Long Gallery tomorrow to explore the key issues. At our meeting on 7 May, the Committee agreed that it could complete the required scrutiny of the Bill within the planned 10-week Committee Stage and therefore agreed to seek an extension until 20 June. Although that is an ambitious target, particularly given the other justice issues that the Committee will be considering in the coming weeks, it is achievable and will enable the Minister to schedule Consideration Stage before the summer recess. I commend the motion to the House.

*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 20 June 2014, in relation to the Committee Stage of the Legal Aid and Coroners' Courts Bill (NIA Bill 33/11-15).*



12.15 pm

**Standing Order 56(1)**

**Mr G Kelly (The Chairperson of the Committee on Procedures):** I beg to move

*Leave out Standing Order 56(1) and insert –*

*“There shall be a standing committee of the Assembly to be known as the Public Accounts Committee to consider –*

*(a) accounts laid before the Assembly;*

*(b) reports on accounts laid before the Assembly;*

*(c) reports to the Assembly under Article 11 of the Audit (Northern Ireland) Order 1987.” — [Mr G Kelly (The Chairperson of the Committee on Procedures).]*

Go raibh maith agat, a Cheann Comhairle. Molaim an rún. On behalf of the Committee on Procedures, I am pleased to bring the motion to the House today, which proposes an amendment to Standing Order 56(1) relating to the functions and work of the Public Accounts Committee (PAC).

In January 2014, the Committee on Procedures considered correspondence from the Chairperson of the Public Accounts Committee requesting amendments to Standing Order 56 so that it more accurately reflects its work and functions. Standing Order 56(1) currently provides for the Public Accounts Committee in its consideration of accounts and reports on accounts laid before the Assembly. Those accounts and reports on accounts are laid before the Assembly by the Comptroller and Auditor General, who is the independent auditor of the public sector, and his office, which is the Northern Ireland Audit Office.

The Comptroller and Auditor General, who I shall refer to as the C&AG, also has power under the Audit (NI) Order 1987 to consider the economy, efficiency and effectiveness of publicly funded bodies and to report to the Assembly on those matters. Therefore, in practice, the PAC not only considers accounts and reports on accounts but also reports and memoranda laid by the C&AG under the 1987 Order. On behalf of the Assembly, the PAC addresses the full range of reports written by the C&AG, whether within the scope given to him by the Northern Ireland Act 1998, as described in the current Standing Order, or the scope of the 1987 Order. Consideration of reports made under the 1987 Order forms a significant part of the PAC's work. Standing Orders, however, are silent on that important aspect of PAC's work. The purpose of today's motion is to rectify that.

The Committee on Procedures agreed to bring forward the motion so that Standing Orders more accurately reflect the functions and work of the PAC. Therefore, on behalf of the Committee, I commend the motion to the House.

**Ms Boyle (The Chairperson of the Public Accounts Committee):** Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to take part in the debate on the amendment of Standing Order 56(1), which relates to the work of the Public Accounts Committee. I speak today in my capacity as the Chairperson of the Public Accounts Committee, and I speak in support of the motion.

The PAC began the process of seeking amendment to the Standing Order in January. The Committee has corresponded with the Committee on Procedures on a number of occasions, most recently, to consider the

formulation of words presented today in the motion for debate by the whole House. The PAC was unanimous in agreeing to the wording and is united in support of the motion today. The PAC sought a revision to the Standing Order in order to provide greater clarity as to the work of the Committee and the remit of the work it can undertake.

The proposed amendment refers specifically to article 11 of the Audit (NI) Order 1987, which details the areas in which the Comptroller and Auditor General can lay accounts and reports on accounts in NI Departments here, public bodies and other bodies being supported by public funds before the Assembly. The PAC is able to consider the full range of reports produced by the C&AG to the Assembly within the limits of the 1987 Order but, as has been noted today, that is not apparent in Standing Order 56 in its current form.

Amending Standing Order 56(1) will serve to clarify the remit of PAC by removing any potential ambiguity that exists around the Committee's work. I, therefore, support the motion and commend it to the House.

**Mr Clarke (The Deputy Chairperson of the Committee on Procedures):** At the outset, I declare an interest as a member of the PAC, but I am speaking today as the Deputy Chair of the Committee on Procedures.

I welcome the opportunity to speak in this debate. The debate has been short, with the Chairperson's introduction being the only other contribution. It is a straightforward amendment to Standing Orders, as you heard, Mr Speaker. It is worth remarking that another amendment was suggested in Committee. However, those who thought it worthwhile to bring forward that amendment did not attend the Committee meeting for the debate on that particular subject, nor are they present here today to put their thoughts forward. I am not sure what their motivation or reasoning at that time was, but they did not have many convictions in the argument that they wished to put forward at that time as they have not seen fit to come to the House to speak to that amendment today.

I support everything that has been said by the Chairperson of the Committee and support the motion.

**Mr Speaker:** Before we proceed to the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*Leave out Standing Order 56(1) and insert –*

*“There shall be a standing committee of the Assembly to be known as the Public Accounts Committee to consider –*

*(a) accounts laid before the Assembly;*

*(b) reports on accounts laid before the Assembly;*

*(c) reports to the Assembly under Article 11 of the Audit (Northern Ireland) Order 1987.”.*

**Mr Speaker:** As there are eyes from all sides of the House and no dissenting voices, I am satisfied that cross-community support has been demonstrated.

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, of course, be Question Time.

*The sitting was suspended at 12.21 pm.*

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

2.00 pm

## Oral Answers to Questions

### Finance and Personnel

**Mr Principal Deputy Speaker:** I inform Members that question 6 has been withdrawn.

#### Economic Data: Quality and Timeliness

1. **Ms Ruane** asked the Minister of Finance and Personnel to outline his plans to address the deficiency in economic and fiscal reports, which have been highlighted in a recent report by the Northern Ireland Council for Voluntary Action, regarding the quality and timeliness of economic data. (AQO 6099/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** Northern Ireland benefits from a wide range of economic data that are produced by the Northern Ireland Statistics and Research Agency (NISRA), the Office for National Statistics (ONS) and other UK Government Departments, such as Her Majesty's Revenue and Customs (HMRC). Virtually all the economic statistics have been independently assessed and designated as national statistics, so they are fit for purpose.

I welcome users' views so that the development of our official statistics can be informed. However, the Northern Ireland Council for Voluntary Action (NICVA) report fails to recognise that the quality and timeliness of economic and fiscal data are as good as, if not better than, those of most of the other jurisdictions and regions of the United Kingdom. Continuing to develop our economic and fiscal measures is simply good practice. That is not the same as saying that Northern Ireland does not have adequate economic and fiscal data for our required purposes, and I reject any such views.

**Ms Ruane:** Go raibh maith agat. Thank you. The report clearly shows that the local economy is run on guesswork and departmental experience, rather than on measures of economic growth. Saying that it is as good as, or better than, England, Scotland or Wales is no justification. I wonder how you propose to address the fact that the local economy is run on guesswork.

**Mr Hamilton:** I reject entirely that the local economy is run on guesswork. We are very clear on what our expenditure is as a Government. Clearly, there will have to be guesswork on our income and inputs, given that HMRC is not set up to produce regional data, although it is making good attempts to do so with tax receipts. Staff from NISRA, along with their Scottish counterparts, are working with HMRC to ensure that there is uniformity across the United Kingdom in the way in which those tax receipts are analysed regionally.

Understandably, estimates will be used in circumstances where you do not have the hard and fast data. I have tasked my officials to work very closely with HMRC, the Office for National Statistics and their counterparts in Scotland to try to ensure that the figures are as robust

as possible in the absence of definitive regional figures. Unfortunately, HMRC is not set up to produce numbers in that way.

**Mr I McCrea:** Does the Minister agree that the real story behind our economic and fiscal data is not down to their timeliness but rather to the fact that they illustrate the importance of Northern Ireland remaining as a member of the UK?

**Mr Hamilton:** That is the elephant in the room, certainly for Ms Ruane and her party. I do not hold myself out as some sort of special analyst of what is in the minds of people in Sinn Féin, but I would hazard a guess, since we are talking about guesswork, that there is an attempt to try to undermine the contribution that the UK Exchequer makes to Northern Ireland annually. Whatever Sinn Féin thinks the figures might be, there is undoubtedly a deficit between what we raise and what we spend as a region.

As the Member will appreciate, we are the net beneficiaries of a very sizeable annual subvention from the Exchequer. The 2011-12 net fiscal balance report, for example, shows that Northern Ireland's deficit was £9.6 billion. That is down slightly from the previous year's adjusted figure, but we still receive a very sizeable chunk of money every single year from Westminster. That accounts for 33-1% of our total gross value added. It is the equivalent of £5,311 per head in this population, compared with a UK average of £2,133. So, whatever way you look at, and whatever NICVA, Sinn Féin or anybody says, there is a deficit between what we raise and what we spend in Northern Ireland. That is an undeniable fact. Whatever about the quality or timeliness of figures as judged by Ms Ruane or Sinn Féin, the Member is absolutely right to say that this country, Northern Ireland, benefits considerably from the subvention that we get from the Exchequer on an annual basis.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister accept the report's recommendation that, along with the relevant UK agencies, the Executive should provide income/output data at a level that allows a more detailed understanding of the import/export relationship that exists between the North and GB?

**Mr Hamilton:** I am not against refining and changing the figures in the economic and fiscal data that we produce in Northern Ireland. I have absolutely no qualms about saying that it can always be changed, refined and improved. I am very keen to see that happen. In fact, in and around the date that the NICVA report was published, NISRA published a scoping study that looked at the feasibility of producing our own national accounts for Northern Ireland, which allies somewhat with what the Member is saying. That is out for discussion at the minute. We are hoping for a broad range of feedback from everybody — from political parties to NICVA to stakeholders in the business community — to see whether there is merit in doing that. The merit in doing it will obviously have to be balanced against the cost of doing it and whether producing those figures has much benefit beyond what we currently produce. However, I am certainly not against doing it. It is something that NISRA is actively engaging with stakeholders about as we speak.

## INTERREG V

2. **Mr McKinney** asked the Minister of Finance and Personnel to outline any proposals to reduce the processing time of applications to the INTERREG V programme. (AQO 6100/11-15)

**Mr Hamilton:** Firstly, the INTERREG V operational programme has not yet been launched, and there are no projects under consideration. It is somewhat difficult to reduce processing times when there is, as yet, nothing to process. That said, it is worth noting that, using the current assessment process, the existing INTERREG IVa programme has achieved full programme allocation, met all expenditure targets to date and is on course to meet the objectives outlined in the operational programme. Nonetheless, improvement in the area of application processing is required.

Development of the new programmes provides the opportunity to make improvements where possible, and the Department of Finance and Personnel is keen to achieve simplification and efficiencies. For the new INTERREG Va programme, I have tasked my officials to ensure that project applicants experience a streamlined and more efficient process, whilst still ensuring rigorous assessment in adherence with Northern Ireland public expenditure guidance.

My Department, in conjunction with the Department of Public Expenditure and Reform in the Irish Republic, the Scottish Government and the Special EU Programmes Body, is, therefore, currently considering a range of options and mechanisms for improving the INTERREG Va assessment process and wider programme administrative issues so that any improvements can be made before the new programme opens for applications, which is expected to be in early 2015. Ongoing discussions on improvements include the role of Government Departments, appropriate and proportionate effort in respect of economic appraisals, the means of assessment, and a range of administrative improvements.

It is important to note that all Northern Ireland EU structural fund moneys are subject to the Northern Ireland public expenditure and appraisal rules. It is right that this remains the case to ensure value for money in what is, after all, public money.

**Mr McKinney:** I thank the Minister for his reply. Can the Minister assure us then that lessons have been learned from the existing programmes and that that will smooth the way for future programme applications from small and medium-sized enterprises (SMEs)?

**Mr Hamilton:** Much like I said in my answer to the previous question from his party colleague, I think that, no matter what we are doing, there is always scope to improve what we are doing and, even if there is not much room for improvement, to at least look at and assess what we have done so that lessons can be learnt. It is worth repeating the point that INTERREG IVa has been fully committed, met all its time and expenditure targets and spent that money on some very good projects. It has done its job in that sense, but I accept that there is some justification for the criticism that the process from lodging an application to getting it approved has been a slow one in some instances.

I am sure that the Member appreciates, as I do, that it always has to be rigorous and robust and that, sometimes,

it has to be a little bit more so, if a little bit more work in delving into the scheme is required. I am sure that, in wanting to streamline the process and cut down on the time that it takes from application to a scheme getting passed, we would not want to lose any of that rigour or robustness.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí. Will the Minister update us on any proposals that he or his Department has to ensure the maximum drawdown of INTERREG funds locally in the future?

**Mr Hamilton:** There have been debates in the House from time to time about the drawdown of EU funds. That is more focused on competitive funds for which we compete against other regions or, indeed, other member states. INTERREG Va has a similar size of fund to INTERREG IVa. Around €282 million is available to Northern Ireland over the period of the scheme. Obviously, it will be subject to N+3 targets over its lifetime, but the overall drawdown target is €282 million. The totality of the scheme is our drawdown target. With INTERREG IVa, we were able to commit all of the funding, and we hope that, similarly, with INTERREG Va, we will be able to spend all of the money allocated to Northern Ireland.

**Mr G Robinson:** Will the groups and projects currently funded under Peace III be given mainstream funding to enable them to keep going through any delay between Peace III and the start of Peace IV?

**Mr Hamilton:** This issue has come up in the House before. Some Members have corresponded with me about it, and I know that it has caused concern among some groups funded by Peace III.

In response to Mr Robinson, I make the point that there is no guarantee that, just because a project got funding under Peace III, it will automatically get funding under Peace IV. Groups currently funded under Peace III could apply for funding under Peace IV for work similar to or different from the work that they are doing under Peace III. However, everyone who applies and receives funding knows that they are being funded for separate and distinct programmes and projects, so, in that sense, when Peace III ends, the project also ends. Therefore, there is no gap in funding. Although there may be a gap between Peace III and Peace IV, there is no gap in funding between them because they are separate and distinct projects. There is no need for mainstream funding, for example, to be given to groups performing those functions because they should have understood the rules when they applied for and received Peace III funding.

**Mr Elliott:** Will the Minister give us an indication about economic appraisals? One of the significant burdens of INTERREG IVa was that, sometimes, a series of economic appraisals was required for a single project. Is there any mechanism to reduce that number and ensure that only one economic appraisal will be required for each application?

**Mr Hamilton:** It does not matter what type of appraisal it is. I do not think that there should be more than is absolutely required. I make the point to the Member that it is critical that economic appraisals are part of the overall assessment process, not least because Executive Departments are, in many cases, the conduits through which European regional development funding or, indeed,

match funding from their departmental budgets will go to the schemes.

It is absolutely right that Departments do economic appraisals so that they can ensure that, first, there is a need for the project that they are being asked to fund and, secondly, that the quantum of that funding represents good value for money. I think that everyone will agree that that should not be done to the nth degree or over and above what needs to be done to ensure that there is need and value for money. As I said in response to Mr McKinney, given that this is public money, both the European segment and the Northern Ireland Departments' contribution, it is important that we still have the rigour and robustness that comes from economic appraisals.

## Corporation Tax

3. **Mr Ross** asked the Minister of Finance and Personnel for an update on any discussions he has had with HM Treasury regarding the devolution of corporation tax. (AQO 6101/11-15)

**Mr Hamilton:** The Government will make their decision on whether to devolve responsibility for corporation tax in the autumn, with an announcement to be made no later than the 2014 autumn statement. The Government have previously indicated that, if they did decide to devolve responsibility for the rate of corporation tax, a stand-alone Bill would be introduced in the normal way, with the aim of it becoming law before the prorogation of Parliament prior to the 2015 general election. That is a very tight timescale, and the First Minister and deputy First Minister have previously highlighted the need for an early decision to the Secretary of State.

## 2.15 pm

In the meantime, preparatory work is ongoing for the development of the proposed technical design of a devolved regime, and Northern Ireland officials are liaising with their Treasury counterparts on that. That will inform the content of the necessary legislation and follows on from the previous work by the joint ministerial working group on rebalancing the Northern Ireland economy.

**Mr Ross:** The House will be aware that we are moving closer and closer to September, when we will not only find out the result of the Scottish referendum but, hopefully, find out the decision by our national Government on whether they will give us the power to lower our rate of corporation tax. The House will be aware that there have been a number of successful job announcements in recent weeks and months, including in my constituency. Will the Finance Minister advise the House of his assessment of how much greater a tool it would be if we had a lower rate of corporation tax when we go overseas and try to attract foreign direct investment into Northern Ireland?

**Mr Hamilton:** The Member is right to point out Northern Ireland's success over the past five to six weeks in attracting around 3,000 new jobs, with announcements by firms such as EY, Concentrix and, yesterday, Wrightbus, among a wide range of firms. It amounts to some 3,000 jobs in a very short time, which shows that Northern Ireland is already an incredibly attractive place for foreign direct investment.



As I am sure that the Member will appreciate, the key to success through corporation tax is to get Northern Ireland up the value chain in the type and quality of jobs that we attract. The Enterprise Minister's economic advisory group's (EAG) report suggested a figure of some 58,000 new jobs by 2030 as a result of lowering corporation tax. There are other estimates, some of which are even higher than that 58,000.

The other day, my attention was drawn to comments by my friend and counterpart the Irish Finance Minister, Michael Noonan, when he was quizzed in the Dáil about increasing its rate of corporation tax. The Member and the House will appreciate that the Irish Government have been under constant pressure over the past number of years to increase the rate of corporation tax. Mr Noonan pointed out that, based on the argument of the geographical peripherality of Ireland within Europe — obviously, it is similar for Northern Ireland — a competitive corporation tax rate is a tool to address the economic limitation that comes with being a peripheral country. I agree with him.

Michael Noonan also said that any increase in the 12.5% rate could, unfortunately, result in a behavioural change on the part of taxpayers and could have a resulting negative impact on economic growth. He estimated that every 2.5% increase would result in Ireland's inward investment decreasing by nearly 10%. The corollary of that is also true. If we reduce our corporation tax to a similar rate, we will get similar growth in our economy. What the Irish are doing in fiercely defending its 12.5% rate, as articulated by Michael Noonan, is indicative of why it is so important that Northern Ireland also gets the power to reduce corporation tax to similar levels.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I hope that the Minister does not accept the Treasury's estimates of the costs of corporation tax as readily as he does the deficit figures that were referred to earlier. The Member who spoke previously referred to Scotland. The experience in Scotland has shown that the block grant offset can be negotiated year on year until an accurate final figure can be agreed. Will the Minister update us on the negotiations on the cost of corporation tax over the next number of years after the decision in the autumn? After Scotland makes a decision — yes or no — in September, how will that influence the British Government's decision?

**Mr Hamilton:** Without wishing to go back and fight question 1 all over again, the figures that I quoted for the deficit were Northern Ireland figures not Treasury figures. The Scottish referendum has clearly had an impact on the timing of the decision, which is regrettable. As someone who wants Scotland to remain within the United Kingdom, I think that, by devolving corporation tax to Northern Ireland, the Prime Minister could have argued that, on the basis of a very good case being made by Northern Ireland in exceptional circumstances, it showed that devolution within the United Kingdom actually works and could work further for Scotland. The Prime Minister chose not to do that, which is his prerogative, but he has at least committed to a decision being made in the autumn, and no later than the autumn statement.

As I said, we have a very tight window. However, the very fact that preparatory work has been ongoing for some time, the fact that it has been very extensive and that it is at an advanced stage is an indication of the seriousness

with which Downing Street, the Treasury and those in positions of power in London are taking this. It nudges towards a more favourable outcome than perhaps we might have expected a number of years ago when the campaign started. I think that we have made considerable progress in pushing the case, and the argument has been well and truly won over the past number of years. It is now a matter of waiting to see what happens in Scotland.

Some of the preparatory work is looking at the initial cost, and one of the areas of discussion that is still ongoing is the formula used to adjust the block grant on an ongoing basis. That is still being discussed between officials in my Department and other Departments in Northern Ireland and their counterparts in Treasury.

**Mr A Maginness:** I thank the Minister for his very interesting answers. He is right about Scotland: it is the key issue, it has to be determined, and that is what has delayed the process. Has the Minister discussed any of those matters that he referred to with Mr Noonan regarding the implications that there might be for both jurisdictions in jointly attracting investment into Ireland?

**Mr Hamilton:** As you would expect, Mr Noonan and I have discussed corporation tax at our meetings. I was present in Titanic Belfast when he spoke to the annual Confederation of British Industry (CBI) launch last autumn. At that event, I was very pleased to hear him affirm the Irish Government's support for Northern Ireland to have the power to reduce corporation tax. Knowing that that would put us in a much more competitive position against them, in some ways it might have been easy for the Irish Government, if not to be anti it, to at least take a fairly neutral or quiet position on it, and I welcome the fact that he has supported it. I still think that, ultimately, the decision will be taken in Downing Street, and it will be influenced quite considerably by the result of the Scottish referendum in mid-September.

With regard to working with our neighbours in the South to attract investment into Ireland, that has been done on a UK-, Ireland- and Northern Ireland-wide basis with the recent joint trade mission to Singapore. We have to accept and recognise that, just as we are economic competitors with the Irish Republic, we are every bit as much in economic competition with Scotland, Wales, England and regions within England. That will always remain the case, even if we have the power to reduce corporation tax here in Northern Ireland. However, that does not stop us on economic development any more than it stops us on tourism or on any other areas where there are mutual benefits and mutual interests for us to work together with our counterparts in the Irish Republic.

### Private Sector Investment

4. **Mr Hilditch** asked the Minister of Finance and Personnel how he plans to create better leverage in private sector investment to promote higher levels of infrastructure provision. (AQO 6102/11-15)

**Mr Hamilton:** I am determined that we seek to access all suitable funding sources to maximise infrastructure investment in Northern Ireland. That will not only drive long-term economic growth but support our construction sector in the short term. I have become convinced that funding from private sector sources, such as the European Investment Bank, can play a greater role in supporting infrastructure investment in Northern Ireland. I intend

to consider how to maximise private sector funding sources and improve infrastructure delivery here in the coming months.

**Mr Hilditch:** I thank the Minister for his answer. What is he doing to improve infrastructure delivery?

**Mr Hamilton:** Mr Hilditch raises a critical point with respect to infrastructure. It is one thing to have increasing amounts of capital to spend in Northern Ireland, whether that be conventional capital coming through our block grant or raised in the rate, or whether it be accessing private sector sources. It is one thing to have all that, and the quantum that we have to spend is increasing. For the first time in three years, we entered this year with over £1 billion to spend. With assets sales and reinvestment and reform initiative (RRI) borrowing, we will have around £1.5 billion or £1.6 billion to spend this year. However, it is one thing to have all that and maybe not get it spent. I accept the criticisms that we are not as speedy at getting projects on the ground as we should be. I have studied carefully very considered contributions from the likes of the CBI in respect of infrastructure delivery.

I studied best practice from around the world, particularly in places such as Canada and Australia, and I have come to a clear conclusion when it comes to improving infrastructure delivery, which is that there are three things that we need to advance quite urgently in Northern Ireland. The first is to better prioritise projects, to get that pipeline of infrastructure projects that you hear spoken about quite often — a pipeline of projects that are strategically and economically beneficial to Northern Ireland.

The second thing that we need to do is to much better centralise procurement and the delivery of projects. Sometimes, what we do at the minute is too disjointed, and that is where you get some of the problems.

Thirdly, we need to have a culture change within procurement and infrastructure delivery. I was with the Cabinet Office a few weeks ago, and it is very clear that, in the UK, government as a whole has gone down the route of getting much more commercial skills embedded in government. That is so that, when you are going in to negotiate and discuss the delivery of infrastructure projects with some huge private sector companies, you have people with similar experience to go up against those individuals. That has been somewhat lacking and is something that I am keen to see developed, and I hope to advance that through the work of the procurement board subgroup in the next weeks.

**Mr Principal Deputy Speaker:** Both those questions were very good and got very good answers, but I remind the Minister that there is a two-minute limit. I do not want to starve Members of the vital information that you are sharing.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his extensive answer. It has gone some way to answering my supplementary, but I would like you to elaborate. You talked about the infrastructure deficit. In my area of west Tyrone, there is a high infrastructure deficit. How does the Minister propose to address such areas?

**Mr Hamilton:** Members are welcome at any time to come to get even more extensive answers from me privately if they so wish. [Laughter.] I am sure that there will not be a long queue of people waiting to hear those.

I accept that this is a criticism. I was in Fermanagh with the Enterprise Minister last week, and there was similar criticism about the infrastructure investment not seeming to make its way outside Belfast. There is a lot of evidence to refute that that is the case and that there is investment in infrastructure outside Belfast. Of course, there will always be demands for more and more, and, with a limited budget, it is hard to address such demands.

With a growing capital budget and the potential to avail ourselves of new private sector funding sources through various mechanisms, I hope that we may be able to invest in more infrastructure, and that will be spread across Northern Ireland. In priority bidding terms, I am just the guy who handles the money and gives it out to prioritised projects. It is up to Ministers — whether for roads, housing, health or whatever — to come forward with their own priorities. That is why they need to be clear, as Ministers, about what the priorities are within their departmental areas and then within geographical areas across Northern Ireland.

I suppose that one of the areas that we may be able to address in a much more specific subregional way is local government getting the powers that they will through RPA to borrow more money, regenerate, plan and community plan. There is a role for them. They are not restricted in the same way that we in central government are in accessing, for example, European Investment Bank funding. There is an opportunity for them to start to take a role in driving forward infrastructure investment in a way that they have not been able to in the past.

**Mr Kinahan:** I thank the Minister for his answers so far. He knows that I am passionate about getting better leverage out of funding. Has he put or is he putting in place a structure to make sure that all the different Departments that want to lever more funding know how to do it quickly, so that we have that in place, whether for councils or other Departments?

**Mr Hamilton:** The Member raises an issue that I have identified for some time as a bit of a deficit, never mind in funding but in capacity and knowledge of what is there. We have had, underpinned by considerably less capital being available, a lowering of ambitions over the past couple of years. There has been a bit of a black hole deficit about the knowledge of funds that are potentially there and what Northern Ireland can do. One of the things that I have tried to do and to drive personally has been to engage with local government to ensure that it understands what is there. That conversation has been started with representatives of local government to whet their appetite and to, for want of a better phrase, hold their hand in taking them through some of their options.

I obviously want to engage — to follow up on Mr Hilditch's question — better delivery mechanisms in central government as well. Even though you would expect there to be a lot more knowledge there, there is, I think, sometimes hesitancy, even at central government level, to go out and probe the possibilities of different sources of private sector funding.

### 2.30 pm

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

## Cycling Infrastructure: Stormont Estate

1. **Mr McMullan** asked the Minister of Finance and Personnel whether he will consider increasing the cycling infrastructure on the Stormont estate, such as cycle paths and cycle racks, given that he will surely congratulate everyone who was involved in the Giro d'Italia, making it the success that it was, including individuals, councils and community groups, particularly in the glens of Antrim, which played a big part in the success of day two, and on this estate, which also played a big part in the success. (AQT 1101/11-15)

**Mr Hamilton:** First, I echo what the Member said about the wonderful success of the Giro d'Italia coming to Northern Ireland for the Big Start and its first three stages. As we speak, the fourth stage is under way in southern Italy. I am sure that we have all got the fever and the bug and will be watching to see who wins the fourth stage. I agree with him that it showed Northern Ireland at its best. We can arrange everything except the weather, but the event highlighted and showcased Northern Ireland as a great place to visit. The fact that the race went through some of our most fantastic tourism assets bodes well for future visitors to Northern Ireland.

I am very pleased that the estate here was able to host a family fun day. We estimate that between 20,000 and 25,000 came into the estate over the course of the day to watch the race and avail themselves of some of the activities that were put on. I am very glad that so many people were able to come to Stormont to watch the race.

I understand the point that the Member makes. We see a lot of cyclists coming in and out of the estate anyway, given that there are no public roads and it is a safer environment for cycling than the Newtownards Road or other surrounding roads. I am very keen to follow up on the success of the Giro in the estate. It is already a successful destination for cyclists of all ages, and I will ask officials to look at the infrastructure in the estate with a view to improving it and attracting even more people.

**Mr McMullan:** I thank the Minister for that. Does he agree that the Executive are now committed to the legacy of the Giro d'Italia and taking things forward? Now is the time to install more cycle lanes in the estate. That would send out the message that we are taking cycling seriously and not just making a token gesture.

**Mr Hamilton:** I am very keen to capitalise on the success of the Giro and do whatever I can with the fairly limited number of roads that I am responsible for as Finance Minister. Many more roads are the responsibility of the Regional Development Minister, who is developing a cycling strategy. I am keen to support that, particularly through investment in better and safer infrastructure for cyclists all over Northern Ireland.

## Scottish Independence

4. **Mr McGimpsey** asked the Minister of Finance and Personnel, given that we are now four months away from a vote on Scottish independence, should that vote go through — it is too close to call — what effects he thinks it will have on Northern Ireland's block grant, whether he has had any discussions with the Treasury and whether he is looking five months hence to that dire situation. (AQT 1104/11-15)

**Mr Hamilton:** I am perhaps a lot more optimistic than the Member, although I am sure that he and I would be on the same side of the argument if we had the franchise in Scotland. I believe that the Scottish people will ultimately see the benefit of remaining part of the Union for a whole host of reasons. The Member is right to identify that there will be issues and ramifications if the vote does not go in what he and I would see as the right way. I remain optimistic about the result and, therefore, do not want to engage in speculation on what the consequences for Northern Ireland might be. There will be time enough to deal with that when the vote happens. In the same way, the Scottish National Party does not have a very clear plan for what will happen if it wins on, I think, 19 September.

**Mr McGimpsey:** I thank the Minister for that answer. We are very much on the same side of the argument. However, we should always prepare for the worst. For example, in the health service, we prepare for traumas that we hope will never happen. In this situation, we should prepare for the possibility of the vote going against us. I am aware, and the Minister is aware, that things such as Barnett consequentials, which were designed, I think, specifically with Scotland in mind, with all those Labour MPs, will have dramatic effects. Therefore, there will be major effects on our finances, and the concern is that, if a subvention of around £20 billion is withdrawn from Scotland, the Treasury will look to do something here. That is the point that I was making.

**Mr Hamilton:** I know entirely the point that the Member is making and accept it. I do not want to get into speculation on the vote because I think that it will go against independence. However, there has long been a discussion about Barnett, and that may be reignited irrespective of the outcome in September. I have always cautioned against, and will do so again, Members of the House or, indeed, anybody outside thinking that opening a discussion on Barnett will be good for Northern Ireland.

Barnett is far from perfect. It was a temporary measure and has been temporarily with us now for close to 40 years. However, it has served Northern Ireland reasonably well. Any opening up of Barnett by the Treasury would not necessarily be to the advantage of Northern Ireland.

## Cost of Living

5. **Mr McCartney** asked the Minister of Finance and Personnel whether he has any proposals to tackle the continuing fall in standards of living, the decrease in disposable income and the rising cost of living, given his comments earlier about the 3,000 jobs that have been created, which are very welcome. (AQT 1105/11-15)

**Mr Hamilton:** Significant economic data on an almost month-by-month and week-by-week basis show that Northern Ireland is doing much better and that we are not only on the road to recovery but starting to head down the road to recovery. Whether you are looking at economic output, the unemployment rate or claimant counts, things are improving across the board. That we have been able to attract so many jobs over the past weeks is testimony to the product that Northern Ireland has to offer to investors, no matter from where they come.

I accept, however, that, even though there are many good headline economic indicators, perhaps the last place in which people will see improvement is in their own pockets

and household budgets. What the Executive have done and been mindful of over not just the past couple of years but right back to 2007 has been to control as best they can what they can control, and that is primarily our rates bill. We are the envy of many in the UK for having the lowest household bills in the United Kingdom. We have an average rates bill in Northern Ireland of £825 for domestic customers. That is roughly half the average household tax bill for English householders. Of course, we have collectively agreed not to introduce water charges, again recognising that to do so would hit some of the hardest-hit families in Northern Ireland

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for that answer. It is obvious the impact that rates reductions and water charges have on people's standard of living. Belfast City Council has taken the decision to support the idea of a living wage. Is that something that the Minister's Department could examine and recommend across the board?

**Mr Hamilton:** I raised that issue with officials not long after taking up post. I think that there was a debate in the House at the time about it. The issue with a living wage for civil servants whose pay I am directly responsible for is that the evidence is that very few are not on a living wage. That does not mean that it might not be looked at in time, if opportunities arise. Of course, the Member will be aware that we have a limited budget. We have tried to show some pay restraint over the past number of years to fit in with that very tight budget.

The living wage is a concept that is still developing as an idea over and above the minimum wage. It is certainly something that I am keen to keep under observation.

## PSNI/NIO: Equal Pay Claim

6. **Mr Newton** asked the Minister of Finance and Personnel to provide an update on his work on the PSNI/NIO equal pay claim. (AQT 1106/11-15)

**Mr Hamilton:** The Member and I have discussed equal pay before. He will appreciate that it was shown in court last year that there was no entitlement for the individuals who were former NIO or PSNI employees to access the Civil Service equal pay settlement. I have spoken in the House several times about that, and I have committed myself to looking at the issue and to carefully studying it to find out whether, even if there were no legal argument, there might be a moral argument that could be addressed in some way. I can update the Assembly on some recent progress on the matter. I have circulated to Executive colleagues a paper in which I have outlined a recommendation that, if agreed by the Executive, will result, I hope, in a successful and satisfactory resolution of the issue.

**Mr Newton:** I am pleased to hear that a paper has gone to the Minister's Executive colleagues. That is a piece of good news, in that some solid work is being done. When does the Minister think that a final resolution of the matter might be arrived at?

**Mr Hamilton:** I cannot go into the precise details of what is in the paper, because, as the Member will appreciate from his time in the Executive, it is a matter of confidence between me and other Ministers. However, the paper has

issued. It requires Executive colleagues' agreement to the recommendation and, obviously, to any expenditure of resources that is required to deal with the issue in regards to a payment to the staff who are affected. All that I can say is that, as I promised, I have examined the issue and have made a recommendation that is aimed at resolving it. It is now over to my Executive colleagues to decide whether they want to follow the recommendation that I have put before them.

**Mr Principal Deputy Speaker:** Mr Pat Sheehan is not in his place.

## Economic Recovery

8. **Mr Douglas** asked the Minister of Finance and Personnel whether he noted the publication of the Ulster Bank purchasing managers' index and agrees that it shows yet another sign of economic recovery in Northern Ireland. (AQT 1108/11-15)

**Mr Hamilton:** Following on from some of my comments in response to Mr McCartney's question, I think that the Ulster Bank purchasing managers' index (PMI) is another of those indicators that is useful in showing where Northern Ireland is headed economically. When the economy was headed in the wrong direction, most commentators certainly heralded it as a very authoritative work. It is only right that, when the economy is going in the right direction, we equally hold the index up as an authoritative work. The Member is right. The index shows that output is up for the tenth month in a row. It also shows the fastest growth in Northern Ireland since 2002, which was when this report began. It shows that the service sector is very much taking a lead but also that sectors that have been hard hit, such as construction, also show that work is up. With those new orders going up, employment is also going up, according to the PMI. So I agree with the Member that this is yet another sign that economic recovery has arrived in Northern Ireland.

**Mr Douglas:** I thank the Minister for his answer thus far. Does he agree that the recent raft of economic data and his revelation today that 3,000 jobs have been created over the past number of weeks clearly show that the Executive's economic strategy is, indeed, working?

**Mr Hamilton:** I have articulated this a few times in the House and elsewhere. The Executive have a strategy of investing very heavily in skills and infrastructure, including telecoms infrastructure in particular. They also have a strategy of going around the world and selling Northern Ireland as a place for people to invest in and of using the Giro and other events to showcase Northern Ireland as an attractive place. That is starting to work. Local firms are looking outside Northern Ireland. They see not just Northern Ireland, the island of Ireland or the British Isles as their only available market but the world, and particularly new and growing markets, as places to do business. That is very important. I think that our strategy is beginning to pay off. It has been slow and arduous, but it is, at last, paying off. That is affirmed by the Northern Ireland composite economic index, which, for quarter 4 last year, showed that annual growth in the economy was at some 2.6%, with the services and production sectors leading the way. What that shows, which is affirmed by the latest Ulster Bank purchasing managers' index, is that, at long last, our private sector is leading recovery in Northern



Ireland. That is what we want to see happening. It is very good news for our people.

2.45 pm

## Health, Social Services and Public Safety

**Mr Principal Deputy Speaker:** Questions 5 and 15 have been withdrawn.

### Health Service: Salary Payments

1. **Mr Beggs** asked the Minister of Health, Social Services and Public Safety when the problems with administration and payment of health service staff salaries and expenses will be resolved. (AQO 6114/11-15)

3. **Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety to outline the extent of any missed salary payments experienced by health service staff across the region in the past six months. (AQO 6116/11-15)

11. **Mr Flanagan** asked the Minister of Health, Social Services and Public Safety how he will address underpayments and wrong tax code issues relating to health service salary payments. (AQO 6124/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** With your permission, Mr Principal Deputy Speaker, I will answer questions 1, 3 and 11 at the same time, and I would like to request an additional minute to respond.

All Health and Social Care (HSC) trusts have introduced a new human resources, payroll and travel and subsistence system (HRPTS) over the past year. Although the vast majority of payments to HSC staff have been made correctly over this period, unfortunately there have been problems for some staff in receiving the correct pay and expenses, particularly in relation to allowances rather than basic pay. In addition, a system issue emerged at the start of the new tax year, which meant that a number of staff had additional national insurance contributions deducted from their pay in error.

I am extremely concerned and disappointed at the difficulties that some staff are experiencing in receiving the correct pay. I expect departmental officials, trusts and Business Services Organisation (BSO) management to work collectively to ensure that all outstanding payments are made quickly and that, on a case-by-case basis, urgent consideration is given to any losses experienced by staff arising from employer responsibilities. BSO and the trusts have already implemented a range of measures to correct any mistakes, including running additional payment cycles to make good any underpayments. Where this has not addressed the problem — where there is hardship, for example — emergency payments have also been used.

The April pay run was supplemented by an additional payroll cycle, with payments reaching staff accounts on 2 May or 6 May 2014. There is also a plan in place to fix the issue of incorrect national insurance deductions for future pay runs. The testing of this solution is under way with the aim of implementing it as soon as possible and before the next monthly pay run on 28 May. In the meantime, an

off-cycle payment run was made to ensure that affected staff had the corrected pay in their bank account by 6 May. In addition to this, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help staff to develop solutions to staff queries.

The issue of the application of emergency tax codes by HMRC is not due to the HRPTS system. Notwithstanding this, I have required the HSC to take all necessary steps to resolve this issue for staff. Therefore, the BSO and trusts are urgently liaising directly with HMRC on behalf of HSC staff to investigate this issue and establish an appropriate resolution to it. The primary focus of HMRC and HSC is to remedy this position as soon as possible and address the resultant pay issues.

**Mr Beggs:** We have a very heavily pressed health workforce, some of whom have carried out additional shifts and have not received appropriate pay on a timely basis several months — four or five months, I understand — after they carried out that work. Who is responsible for that and who will pick up the additional costs that some of those staff will have incurred through bank charges because of missed debits? How will we ensure that this never happens again?

**Mr Poots:** My answer to the last part of the question is that it has been 35 years since the last system was introduced. All being well, it will be a very long time before a new system is introduced with the teething problems that this one has caused us.

It is totally wrong that staff are not paid for the work that they have carried out. Let us not beat about the bush: that is wrong and should not be the case. However, mistakes have been made, and there have been issues and problems, largely relating to overtime or payments to people who are putting in travel and subsistence claims and so forth that they are very well entitled to receive but have not been receiving.

The system was established through the BSO and was put out to the trusts. The responsibility for the running of the system is now with the trusts, and therefore they have to account for what has been happening. It is for the trusts to give every assistance to members of staff who have found hardship as a result of this and to help them deal with those issues and overcome them. That may involve financial support and other kinds of support.

**Mrs D Kelly:** Minister, I have to declare an interest: I have a sister awaiting a payment of £1,200 and a niece awaiting a payment of £700. Only last week, we were told that it would be the end of the month before they receive their correct entitlement. The Minister is right to point out that people should be paid for the work that they do. Of course, it is not just nurses; it affects a range of healthcare and auxiliary staff. Does the Minister believe that the system is fit for purpose? Was it the right decision to pay off a number of back office support staff who were skilled payroll staff?

**Mr Poots:** I understand that a series of tests was carried out on the system, which has been installed and worked successfully elsewhere, so it should be fit for purpose. A system is only as good as the information fed into it. That appears to be where the issues have arisen. Irregular information has caused the problems. In some instances,

that may have been due to when time sheets came in. However, in many others, it will have been the fault of the people on the trust side who administer the system and not the individuals who are making claims and should receive their money.

Belfast Trust has established a dedicated payroll helpline for queries and is holding drop-in clinics across its sites to ensure that solutions are agreed quickly. There is a much greater focus on getting the issue resolved now than there has been for some time.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. If the Ulster Bank was doing this, we would all be going mad. The situation has been unacceptable. Does the Minister accept that low-paid workers and those on zero-hour contracts have been disproportionately affected by the situation? Will he outline to the House how he intends to put right the problems faced by those individuals in the coming period?

**Mr Poots:** It is not just low-paid workers who have been affected but workers across the range. People working overtime, people working unusual hours and so forth have been hit hardest. As I said, the Belfast Trust, which has had a lot of problems, has a dedicated payroll helpline, and other trusts have extended the phone hours of their payroll department. One of the issues was that people could not get through to talk to someone. Payroll departments in trusts have been working hard to ensure that all staff receive their correct pay in a timely manner.

A lot of this has been resolved, but I want all of it resolved. It does not matter whether 90%, 95% or 98% are getting their rightful pay: I want 100% of people to get it. I have made it very clear that that is what needs to happen and what needs to be done. I understand that the people in the system are working very hard to resolve this. In many ways, they are all in this together. The people delivering the service recognise that their colleagues are losing out and need to be correctly paid, irrespective of their code or field of work.

**Mr Ross:** We recognise that the trusts are working hard to resolve the issues, but it is right to acknowledge, as the Minister has done, that many members of staff have found themselves in hardship. Will the Minister outline to the House the process for staff looking to claim additional payments?

**Mr Poots:** Pay is adjusted from the notifications received from line managers. They could be for enhanced payments such as overtime, on-call or unsociable hours payments, absences, changes to contracts or starters and leavers. Those are generally communicated to the payroll departments in the form of time sheets, and, if they are not received by agreed deadlines, errors will be reflected in the payroll.

The majority of the pay issues experienced by the HSC in the past six months relate to enhanced or amended pay. Staff and their line managers need to ensure that their forms are sent in on time, but those on the administrative side who feed the information into the system also need to ensure that everything is correct.

We have had the additional problem of national insurance being incorrectly applied. That was not a system fault; it was an HMRC issue. It caused additional stress for people who had already received less pay than they should have.

We are working closely with HMRC to resolve its end of things so that that issue can be tidied up quickly as well.

### North-west Health Innovation Corridor

2. **Mr McCartney** asked the Minister of Health, Social Services and Public Safety to outline what progress has been made on the north-west health innovation corridor. (AQO 6115/11-15)

**Mr Poots:** I support this cross-border initiative and the contribution that it can make to promoting and taking forward healthcare innovation. In response to a previous question on 19 March 2013, I said — I repeat it now — that it is important that the initiative is complementary to the broader e-health and innovation agendas being taken forward by my Department and Invest NI. I encouraged organisations associated with the initiative to become members of the Northern Ireland Connected Health ecosystem.

With the Western Health and Social Care Trust and other organisations, my officials are exploring opportunities that could be taken from a Northern Ireland perspective to support the further development of the initiative. It will also be important that organisations associated with the initiative have in place a clear development path and strategy and that they work with Invest NI to identify opportunities for potential financial support. Finally, as it is a cross-border initiative, it will be important that communication also takes place with the Department of Health in the Republic of Ireland.

**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 and the update on the project. He has discussed the process: has he any indication or outline plan about the resources that his Department will bring to the project?

**Mr Poots:** We see Connected Health as a key strategic area in which we can move forward. It creates a lot of opportunities for the Health Department to move to a different plane in its delivery of services. In May 2013, my permanent secretary participated in the launch of the north-west health innovation project. Officials have been liaising with the Western Health and Social Care Trust, the University of Ulster and Invest NI to consider the support that might be made available to the initiative. Consideration is also being given to the funding of a post for an initial three-month period, subject to a review and a possible extension for up to an additional 21 months maximum, to help to secure funding and to coordinate and progress the initiative. One option that is being explored is to have that post placed in the Clinical Translational Research and Innovation Centre (C-TRIC), which, as the Member will know, is a unique facility based in the north-west that promotes and facilitates translational research.

**Mr G Robinson:** How does the Department's memorandum of understanding contribute to innovation in Northern Ireland?

**Mr Poots:** My Department established a memorandum of understanding with Invest NI — that is quite unusual — on the Connected Health ecosystem. Other places are looking at Northern Ireland's leadership on the issue. It will provide strategic leadership across government in that arena. We have targeted R&D and innovation funding;

the development of a Northern Ireland Connected Health ecosystem; collaboration with other European and North American regions; and the promotion of the Connected Health agenda internationally.

The MOU led to the launch in September 2012 of the Northern Ireland Connected Health ecosystem, which brings together universities, the health and social care sector and the business sector to translate issues and problems into solutions that are then deliverable in the marketplace. The Executive's commitment to healthcare innovation is expressed in their Programme for Government and their economic strategy. An innovation strategy, which will be published by the Executive later in 2014, will reinforce that commitment.

### Ulster Hospital: Car Parking

4. **Ms Lo** asked the Minister of Health, Social Services and Public Safety if he has any plans to increase car parking capacity at the Ulster Hospital. (AQO 6117/11-15)

**Mr Poots:** The South Eastern Health and Social Care Trust has purchased the former Tor Bank School site adjacent to the Ulster Hospital. Work is ongoing at present to create a car park that will hold approximately 250 additional vehicles. It is anticipated that the facility will become operational in August 2014.

**Ms Lo:** I thank the Minister for his answer. My understanding is that the Tor Bank site car park is only a temporary measure. When the mental health facility is approved, it will take over that site. Is a long-term car-parking facility planned for the Ulster Hospital?

### 3.00 pm

**Mr Poots:** The trust is looking at how it provides mental health services in the south-eastern area and at developing mental health services at the Ulster Hospital as opposed to at Lagan Valley and, indeed, the Downe. That is an ongoing issue that we do not have a final paper on yet. We will look at that in the future. In any event, the 250 additional places at the Tor Bank site will give us considerable easement at this point. Providing car parking at the Ulster Hospital is a major issue that has been ongoing for some time. We very much welcome the move to have those places available in August this year.

**Mr Weir:** I thank the Minister for his answers so far. What factors does he believe are contributing to the extra demand for parking on the Ulster site?

**Mr Poots:** One of the reasons is the ongoing major construction work. We are spending almost £200 million at the Ulster Hospital to make it a state-of-the-art facility in conjunction with the works that have already happened at the intensive care side of the hospital. We find that most of those who attend, either patients or visitors, do so using private transport. So, we would encourage greater use of public transport. There is an increase in provision of services as a result of reconfiguration in changes to services across the wider Health and Social Care, and many potential patients are not served by direct public transport to Dundonald. Perhaps Translink could assist us with that. The Department approved the business case for the trust to purchase the former Tor Bank school, and we were able to acquire it from the Department of Education

last year. Work is ongoing to ensure that those spaces are available in summer this year.

**Mr Gardiner:** I want to ask the Minister about the car parking charges at the Ulster Hospital. Apart from the income from the machines for people parking their cars, what further finance is available as a result of car parking that can be put towards improvements in the Ulster Hospital?

**Mr Poots:** Our task is, first and foremost, to provide healthcare, and people will use car parking to access that healthcare as they will use car parking in many other instances to access services. We, as a public body, will pay rates and will have to maintain those facilities. Having a charge on it enables us to concentrate the money that we have on providing services. So, it is important that car parks pay for themselves, and we are doing that. It is being considered in some other hospital sites, and I know that a lot of people are perhaps unhappy with that. However, we should be very clear that our first focus must be on providing services to the public, and car parking spaces is not one of the services that we, in the Department of Health, Social Services and Public Safety, are there to provide. It should be paying for itself.

**Mr Rogers:** Thanks to the Minister for his answers thus far. Minister, I will follow on from your previous answers. Given the concerns expressed by unions and the general public, do you believe that the current pricing structures for the car parks in the North is feasible for patients and their families?

**Mr Poots:** In many instances, the car park charges are very low compared with what people are paying for town car parks, and the trusts generally have policies in place to enable reimbursement for the long-term ill so that you are not punishing people who are very ill. We have sought to ensure that the car parking charges are fair, reasonable and measured, and, where somebody identifies that people are being overcharged, we are happy to look at that and respond.

### Medication: Prescription

6. **Mr Girvan** asked the Minister of Health, Social Services and Public Safety what measures his Department is taking to permit health professionals, other than doctors, to prescribe medication for patients. (AQO 6119/11-15)

**Mr Poots:** My Department has supported and taken forward the necessary legislation to enable that to happen, in line with the rest of the UK, and continues to do so. Non-medical prescribing is an important part of my Department's commitment to modernise health and social care. Such developments enable new roles and new ways of working to improve the quality of services and deliver safe, effective services that are focused on patient experience. That makes it easier for patients to get access to the medicines that they need.

Changes made to date have enabled nurses, pharmacists and optometrists to train as independent prescribers, and have enabled physiotherapists, podiatrists and radiographers to train as supplementary prescribers. Nurses working in the community may train as community practitioner prescribers. Further changes are in hand that will permit physiotherapists and podiatrists to train as independent prescribers.

**Mr Girvan:** I thank the Minister for his answer. What are the benefits to the system of non-medical prescribers? I want to use one typical example. Several months ago, I spoke to a gentleman who was put in hospital. He had been on a regime of 22 or 23 tablets per day, but after speaking to the pharmacist in the hospital, the regime was reduced to four tablets per day, which was a dramatic help. He said that he had not felt as well in many years. He should only have been on some of that medication for a short time.

**Mr Poots:** It is important that people receive the appropriate medication and that patient safety is not compromised. We believe that, by using a range of prescribers, we can improve that patient care without compromising patient safety. It will make the process easier and quicker for patients to receive the appropriate medicines. It will increase patients' choice in accessing medicines, make better use of the skills of our health professionals, which is very important, and contribute to the introduction of more flexible working across the health service.

Where we see it happening most is in the management of long-term conditions; the medicines management and medication review; emergency urgent care; unscheduled care; mental health services; services for non-registered patients, for example, the homeless; and, indeed, palliative care. A range of people can provide that. There are national plans to extend supplementary prescribing to dieticians and orthoptists, and independent prescribing to radiographers and paramedics in future. That is something that we will also look at.

**Mr McKinney:** Are all the health trusts fully complying with the HSC Northern Ireland Formulary on the distribution of drugs?

**Mr Poots:** That is something that we have been rolling out in recent days, and all our trusts will be supporting, developing and working with it. The formulary is a great opportunity to move forward in our drugs management and prescribing, which is a key area for us.

### Addiction Services

7. **Ms Ruane** asked the Minister of Health, Social Services and Public Safety to outline the future of addiction services. (AQO 6120/11-15)

**Mr Poots:** A public consultation by the Health and Social Care Board on the future model for tier-4 inpatient addiction services closed in January 2014. The board has taken due consideration of the full range of issues raised as part of the consultation before bringing forward final proposals on appropriate models for future service provision, which seek to improve outcomes for clients and cover the wider needs of the overall Northern Ireland population. The board anticipates that it will be in a position to announce the outcomes of that work before the end of June 2014.

**Ms Ruane:** Go raibh maith agat. Given the increasing levels of addiction across the island, can the Minister outline the discussions that he is having with his Dublin counterpart in developing an island-wide strategy on addiction?

**Mr Poots:** We have been working quite closely with our colleagues in the Republic of Ireland on the issue

of alcohol. Indeed, we held an all-island conference on addiction last year. That is something that we regularly discuss at our North/South ministerial meetings. So, it is an area that we see as a priority. One issue that we are jointly and independently looking at is the minimum pricing of alcohol. That will certainly work much better if it is introduced in both jurisdictions, if not simultaneously then as close in time as possible.

Excess alcohol consumption costs Northern Ireland around £900 million each year, and we need to be very aware of that. In 2012, provisional figures showed that around 270 people died directly as a result of alcohol misuse, which is an increase of 28, or 11%, on the 2011 figures. Overall, the number of deaths increased since 2001, when there were 206 deaths, by around 30%.

**Mr Humphrey:** I thank the Minister for his answers so far. What role does the community and voluntary sector currently play in this field in Northern Ireland?

**Mr Poots:** The community and voluntary sector makes an invaluable contribution to our efforts in addressing alcohol and drugs misuse. The recent consultation by the Health and Social Care Board rightly reflected that and sought to build on its role in preventing and treating harm and supporting recovery. The evidence shows that rehab can be undertaken effectively in that sector and is already happening through existing contracts with Northlands in Londonderry and Carlisle House in Belfast, for example. There might be an opportunity for other potential providers to bid to provide those services in due course.

It should be noted that using the third sector as a key partner is not about privatising alcohol and drug treatment services; it is about making best use of people who are out there at the coalface and who have great knowledge of local circumstances. I know that FASA, an organisation in the Member's constituency, is doing terrific work. I had the privilege of meeting people who were walking across Northern Ireland to raise awareness of drug and alcohol problems. I met them on Saturday night, when they made it to Lisburn after walking 27 miles from Bangor. They are doing really good work in raising awareness of alcohol and drug issues.

**Mr Dallat:** I thank the Minister for his answers. I fully appreciate the tremendous task of addressing the problems of drug and alcohol addiction. I am sure that the Minister will agree that schools could play a very large role, and perhaps do. What partnerships and strategies involving the Department of Education and his Department are in place to address the problem before people become addicts and, perhaps as in many cases, before it is too late?

**Mr Poots:** Minister O'Dowd and I have had discussions on these issues. Aside from that, we have a public health ministerial working group, to which the Department of Education contributes very valuably. Consequently, pieces of work are being carried out in conjunction with a range of Departments, including the Department of Education, to get messages out there.

We need to recognise that it is very often a challenge for those of us who are a bit older and appear to be a bit more sensible — too sensible maybe — to get messages across to young people. We are up against the soaps on television, a lot of the messages that are coming out on DVDs and videos and, indeed, the likes of pop stars,



football stars and others, who young people look to as role models. When the message that they get from those people is that it is cool to get drunk, it is challenging for those of us who are a little grey headed to encourage young people not to participate. There is a lot of work happening, and I think that we need to have more positive role models for young people. I was at a couple of recent events at which Ulster rugby players were putting out really positive messages. That is good. We need more of our stars to make that impression on young people.

### Residential Care

8. **Ms McGahan** asked the Minister of Health, Social Services and Public Safety, following his recent announcement on the future of residential care, whether he will now remove the non-admissions policy. (AQO 6121/11-15)

**Mr Poots:** The non-admission policy currently in place in a number of health and social care trusts is being reviewed by the Health and Social Care Board. The board is also in the process of analysing responses to the recent consultation document 'Making Choices: Meeting the current and future needs of older people'. I will consider the board's review of admission policies alongside the final consultation report when I receive it in the early summer.

3.15 pm

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

### Racist Attacks: Belfast

1. **Ms Fearon** asked the Minister of Health, Social Services and Public Safety what steps, if any, he has taken to ensure that social services support and assistance is provided to the families involved in the recent racist attacks by the UVF in Belfast. (AQT 1111/11-15)

**Mr Poots:** In all of this, people who need help from social services will find that they get it. If people approach social services or are passed to them from the PSNI or others, we will follow up on that.

It is absolutely appalling that we have racist attacks in Northern Ireland. Thankfully, the numbers are quite small. In cases in which support is required, it is wholly appropriate that we provide it.

**Ms Fearon:** I thank the Minister for his answer so far. Does he agree that the support provided by social services needs to be more targeted when there are such incidents? Has he been in contact to ensure that that support will be continued?

**Mr Poots:** I assure the Member that social services do not need to go looking for work: it comes to them. We have many issues, many problems and very stressful situations. I had the privilege yesterday of meeting the Northern Ireland Association of Social Workers as it launched its blueprint. One of the things that it is looking at is how it can have less documentation and paperwork to enable it to have more time to carry out the job in hand, which is responding to people's needs. We need to continue to work on that key area to make social workers more flexible and better able to be more responsive to all the needs, and

for them to manage caseloads in a more efficient way by spending less time behind a desk.

### Hospital Deaths: Malnutrition

2. **Ms Boyle** asked the Minister of Health, Social Services and Public Safety what is he doing to examine and remedy the extremely serious issue identified in recent statistics that show that, since 2008, seven people have died of hunger in hospital. (AQT 1112/11-15)

**Mr Poots:** I am aware of recent media reports about official statistics that show malnutrition as being a cause of death in seven people between 2008 and 2012. However, I am not aware of any evidence that that malnutrition occurred during a stay in hospital. If that were the case, it would be totally unacceptable. I have been advised that the Health and Social Care Board has not received any serious adverse incident reports in that regard. However, my Department has contacted the relevant trusts to ask them to carry out a check of the medical records of the deceased patients to identify whether malnutrition was in any way related to their stay in hospital. I understand that that will take a number of days to complete, as medical records have been stored off-site. It would be inappropriate for me to say anything further at this time.

**Ms Boyle:** I thank the Minister for his answer. Disturbingly, five of those hospital deaths were elderly people over the age of 65, and their deaths have been reported as being as a result of malnutrition. Do you believe that that is a damning indictment of how under pressure nursing staff are in our hospitals?

**Mr Poots:** I think that I said — the Member does not appear to have listened — that I am not aware of evidence that the malnutrition occurred during a stay in hospital. Let us not associate people's deaths — you cannot get any more serious than that — with malnutrition when we do not have the evidence to support the reports. That is very important.

In all these things, good nutrition is vital. We have been promoting a good nutrition strategy, which my Department launched in 2011. It aims to improve the quality of the nutritional care of adults in Northern Ireland through the prevention, identification and management of malnutrition in all Health and Social Care settings, including people's homes. Very often, older people suffer from malnutrition or dehydration in their home.

We need to be responsive to those issues, and we need to identify and address them at an early point.

### GP Appointments: 48-hour Time Gap

3. **Mr McNarry** asked the Minister of Health, Social Services and Public Safety whether, for Northern Ireland, he can make a promise similar to Ed Miliband's pledge of a 48-hour time gap to see a GP. (AQT 1113/11-15)

**Mr Poots:** I am flattered that the Member thinks that Ed Miliband's promises will be met; that is a new one. I am sure that Nigel Farage will be very pleased to learn that his members have such confidence in Ed Miliband to deliver.

People who urgently require to see a GP should see one within 48 hours. That does not mean that every single person who wants to see a GP either needs to see a GP within 48 hours or should see a GP within 48 hours. More

and more people are seeing our GPs. Consequently, our GPs' workload is growing. We need to identify how we can best meet the public need so that they see the appropriate person and get the appropriate care to meet their needs.

**Mr McNarry:** I cannot resist passing on an invitation to the Minister: Nigel Farage will be in Belfast tomorrow, and I hear that he is inviting many people for a pint. So, you are very welcome to come along for that. I will pass on your best wishes to him if you are unable to make it.

In a more serious vein, Minister, I know that you said what should be, what will be and what might be, but what are the average times for people seeing a GP and GP appointments being fulfilled? What is necessary to be done to improve those waiting times?

**Mr Poots:** Our GP practices, which, I might add, are independent health providers, have their own protocols for delivery in place. There is an expectation from the Department that the people who are providing those services do so in a timely manner. One of the services is urgent care. If you urgently need to see a doctor, you should be able to see a doctor urgently, generally within 24 or 48 hours. I know that doctors keep slots available every 48 hours ahead. Although they cannot always see everybody who is urgent within 48 hours, and although there may be some slippage on occasions, more often than not, they are able to see people within that period.

### Craigavon Area Hospital: Sewage

5. **Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety whether he is aware of an adverse incident, if it could be called that, at Craigavon Area Hospital on 26 April, when raw sewage spilled from pipes into side wards in 1 North, with staff having to spend seven hours cleaning up the mess while patients wore masks; whether he accepts that morale in the health service is so low that nurses are considering balloting for strike action in the next few weeks; and what he plans to do to restore morale and confidence in the health service. (AQT 1115/11-15)

**Mr Poots:** I am not sure that the first incident led to a ballot for strike action, albeit that it was an appalling incident that should not have happened and something that health estates in the trust area needs to ensure does not happen.

Where morale in the health service is concerned, we have taken on more nurses, more doctors and more allied health professionals. We recognise that workloads are extremely high. Nonetheless, we have to ensure that we meet the needs of the public, because we are servants of the public, as are the staff in the health and social care system. We are employing and investing more in front line services to ensure that we have the appropriate numbers. That is not always the case, and it sometimes takes time to fill positions when somebody else falls ill or moves on from a particular position for whatever reason.

**Mrs D Kelly:** Minister, you will be aware of the recent guidelines from the National Institute for Health and Care Excellence (NICE) in GB on the number of nurses per patient. What are your targets or aspirations on the same?

**Mr Poots:** We seek to fulfil what NICE recommends on these issues. In many areas of a hospital, you will find that the nurse:patient ratios are much higher. That depends on the intensiveness of treatment that is required. We will be

paying very close attention to NICE recommendations on ratios and will be seeking to fulfil them.

The qualified whole time equivalent of nursing staff has gone up from September 2011 to December 2013 by 640, which is an increase of 4.7%. On nursing support, the whole time equivalent is up by 142, which is a 3.7% increase. So we are not cutting nurses' jobs; we are employing more of them. We are employing more doctors; we are not cutting doctors. We are employing more allied health professionals. We are investing more of the money and more of our budget into front line services, and, if the Member was happy to allow us to spend more money on health as opposed to welfare reform, I might have £70 million extra to be able to spend next year, which the Member does not want to come to the Department of Health. She wants to starve the Department of Health of funding, and the party opposite wants to starve the Department of Health of funding. We can have a further £70 million taken out of our Budget to spend on welfare reform — that has already been taken from the Budget — or we can invest it in health. The Members opposite do not want to invest in health.

### Royal Victoria Hospital: Emergency Department

6. **Ms Ruane** asked the Minister of Health, Social Services and Public Safety for an update on the situation in the emergency department at the Royal over the past few weeks, albeit that Members can see what the Minister is at: trying to deflect from the fact that there are serious problems in the health service, and grandstanding will not do him any good. (AQT 1116/11-15)

**Mr Poots:** The emergency department in the Royal Victoria Hospital always faces its challenges and always faces spikes, but it is dealing with the issues as and when they come its way. So we have not been having as many difficulties in recent weeks in the Royal. There was an occasion very recently where 15 nurses came in because there was a large spike after the May Day holidays. That was not wholly unexpected.

The Member can seek to deflect all she likes from the fact that she wants to starve the health service of money. She wants to take £70 million from the health service next year, and that is the fact. If she does not want that money spent in A&E, why is she asking questions about it? She wants to spend it elsewhere.

**Ms Ruane:** I would love to be able to thank the Minister for the answer, but that certainly was not an answer. In fact, I got no answer to my question. Staff and unions have indicated that on Tuesday at 9.00 pm, there were 100 patients in the emergency department and 20 trolley waits. One person was waiting for more than 11 hours. Can the Minister confirm that this was the case? How will it be addressed? Please, in your answer, do not use excuses and grandstanding.

**Mr Poots:** In case the Member did not hear the first time, it was resolved. It is not a question of how we are going to resolve it because it was resolved. Fifteen additional nurses came in and resolved the issue. She referred to a person waiting for more than 11 hours. We have absolutely slashed the numbers of people who have been waiting for more than 12 hours from what it was three, four or five years ago. Tremendous progress has been made

there, and people will use extensively the health service and our emergency departments. It is important that we can respond to those people, and, yes, starving the Department of Health and, consequently, the trusts of the resources that they need by £70 million next year will have an impact on emergency departments and every other aspect of the health service.

**Mr Principal Deputy Speaker:** Order. That brings an end to Question Time. The House will take its ease while we change the top Table.

### 3.30 pm

**Mrs Cameron:** On a point of order, Mr Principal Deputy Speaker. I want to take the opportunity to apologise to the Speaker's Office for not being in my place for question 12 to the Employment and Learning Minister, Minister Farry, last Tuesday. I was caught out. I thought that I had got in on time, but I had not. On the same day, I went to the Speaker's Office and made that apology, but I wanted to do so again on the Floor today.

**Mr Principal Deputy Speaker:** I thank you for having that courtesy.

**Mr Flanagan:** On a point of order, a Phríomh-LeasCheann Comhairle. I am just wondering which clock you judge the time by. There are three clocks, and each shows a different time, so it is hard for us to know when Question Time is coming to an end.

**Mr Principal Deputy Speaker:** I am sure that the Member knows that it is up to me to decide which clock I use. You are not challenging the Chair.

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

*Motion made:*

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

## Adjournment

### Social Housing: North Belfast

**Mr Deputy Speaker:** The proposer of the topic for debate will have 15 minutes to speak, and all other Members who wish to speak will have approximately six minutes.

**Mr Humphrey:** In the last election, in 2011, housing was clearly the number one issue in North Belfast. The provision of good, affordable housing is, in my view — I am sure that Members across the House will share it — a human and civil right. All Members should support that. As the demand for social housing grows, the Minister has committed to delivering some 8,000 new social and affordable homes in the Programme for Government. I ask the Minister, when responding to the debate, if he might update the House and outline his target and how progress is being made.

The Democratic Unionist Party is fully committed to delivering greater numbers of social houses for the people of Northern Ireland across every constituency. In my North Belfast constituency, some 5,000 people are on a waiting list for social housing, with half of those in housing stress. The House will be aware of the myths, inaccuracies, spin or maybe even untruths that have been peddled about some of the housing figures in North Belfast. I think that it was the former Prime Minister James Callaghan who said:

*"A lie can be half-way around the world before truth has got his boots on."*

However, the reality in North Belfast is that the waiting list figures are roughly 50:50. Similar figures apply to housing stress in the Roman Catholic and Protestant communities. Perhaps the Minister, in his reply to the debate, will address the issue across all of North Belfast's 14 wards.

The Minister will be mindful that building new homes is not just the responsibility of government; neither is it his sole responsibility. Regeneration is a key element that must also be addressed, particularly by the Northern Ireland Housing Executive. In the greater Shankill, work has started, but it has only started. One example is lower Oldpark, where 26 former derelict properties have been given new life and brought into use. I welcome that development. How, in all conscience, could Girdwood proceed when neighbouring communities such as the lower Oldpark were ignored? Lower Oldpark is an area that has been blighted by the Troubles and by the loyalist feud. There have been years of dereliction, decay and neglect. It has been ignored by direct rule Ministers in Labour and Conservative Administrations and, indeed, was largely ignored by the SDLP Ministers. The area resembles something from the Blitz in 1941. When the DUP took the DSD portfolio, we were determined to address the multiplicity of issues facing lower Oldpark. They included housing, the environment, derelict housing, youth provision, street lighting, play areas, green space and antisocial behaviour. Working with the Lower Oldpark Community Association and government agencies, we

have made a start and some limited progress. As I said, we have delivered 26 refurbished properties, a new park, better street lighting, a new play area and environmental improvement, with more to come. Yet, Members from other parties criticise the regeneration work in lower Oldpark. In my view and in my party's view, no community should have to endure what my constituents in lower Oldpark have had to deal with. In this day and age, no one should have to live in such conditions. Shame on the Ministers who failed to address the problems facing the lower Oldpark. I am proud to say that the DUP has started to address those problems.

I welcome the Minister's initiative of building sustainable communities. As someone who sits on the Lower Oldpark Neighbourhood Regeneration Group with Belfast City Council, the Department for Social Development, OFMDFM, the Belfast Regeneration Office (BRO), the local community and other politicians, I believe that a joined-up approach across regional and local government is the way forward. Such initiatives will build confidence, increase competence and rebuild communities.

New housing developments in other parts of North Belfast — Woodvale, mid-Shankill and lower Shankill — are all welcome, but they are long overdue. Similar schemes are to be delivered in New Lodge, Tigers Bay and, as I mentioned, Girdwood. There can be no doubt that the 'Equality Can't Wait' report was deeply unhelpful, and, in my view, it added to intercommunity tensions and damaged community relations in North Belfast. I am glad, however, that the official Northern Ireland Housing Executive figures addressed the issue and clarified the position. Perhaps the Minister will be good enough to update the House with the facts pertaining to North Belfast when he responds to the debate.

When the SDLP held the DSD portfolio, it had a lamentable record on delivering new housing in the greater Shankill. Some of the most deprived wards in Northern Ireland, indeed across the United Kingdom, such as Crumlin and Woodvale were simply ignored. The former SDLP Minister for Social Development, Mr Attwood, and his colleagues held up much-needed community housing in lower Oldpark, lower Shankill, mid-Shankill, Woodvale and Somervale for 13 years and ensured that that housing and, in particular, ground floor accommodation were denied to those people. Girdwood was a perfect example. As I have said in the House, it was used as a political football by the SDLP, first by its former leader, Margaret Ritchie, in her leadership campaign and then by Alex Attwood in the run-up to the 2011 elections. Sadly, both ignored the Dunlop/Toner report, which talked about a shared site. I am pleased to say, however, that the four political parties that represent North Belfast came together and agreed a way forward, only for the SDLP to withdraw from that process.

As I said, I welcome the Minister's initiative in building successful communities, because many of our communities have been ignored by direct rule. SDLP Ministers have —

**Mrs D Kelly:** Will the Member give way?

**Mr Humphrey:** I will, surely.

**Mrs D Kelly:** My colleague will deal with many of the false claims in your contribution. However, will the Member accept that the role of loyalist paramilitaries in downgrading,

targeting and thuggish behaviour has had a large part to play in the state of affairs in many loyalist areas and the exodus of many good, decent people, not forgetting the loyalist feuds over the years and the way that they have led to people being expelled and pushed out of areas?

**Mr Humphrey:** I thank the Member for her intervention. She will note that I gave way to her when she would not give way to me in the previous debate. When it progresses, the debate will deal with the issue of whether my facts are accurate. In relation to loyalist paramilitaries, I am on record many times criticising them for debilitating their own community. At the outset of my remarks, you will have noted that I referred to the loyalist feud in lower Oldpark. The Member must not have been listening.

As I said, I welcome the Minister's initiative. Newbuild is an essential part of the Minister's strategy, and I welcome his approach. However, many working-class communities across North Belfast face difficult economic decisions. Therefore, I welcome the Minister's decision regarding the installation of PVC windows in Northern Ireland Housing Executive properties and his push for energy efficiency and the warm homes scheme.

Lack of maintenance, particularly structural maintenance, in areas of North Belfast such as Silverstream has been a serious issue. Not long ago, my colleague councillor Gareth McKee and I visited homes in Silverstream, where we were confronted by the most appalling damp in Housing Executive properties. We were told that it was not damp but simply some condensation.

**Mr F McCann:** Will the Member give way?

**Mr Humphrey:** I will, yes.

**Mr F McCann:** In relation to that, I think that you miss the point in the whole thing. Those who sit on these Benches say that, where there are bad conditions they need to be met. However, there are bad conditions in many communities. There is dampness, and I went through the Divis flats thing, where there was the whole argument about condensation or dampness. If there are bad conditions, they need to be dealt with, but there are people in severe housing need who must be housed and are being missed in this.

**Mr Humphrey:** Poorly built homes in appalling condition are detrimentally affecting my constituents' health, particularly young people with respiratory problems. Nothing has been done up to now. We were told that the damp was simply to be accepted, as I said, as condensation.

Under the DUP Minister, these issues in areas of high social deprivation are being tackled. The quality of housing is a real issue, and single-skin properties in Silverstream, Tynedale, Westland and Shore Crescent must be addressed. The conditions in which many of our constituents live are not acceptable in this day and age. Cyclical maintenance is another issue that I believe the Minister has made real progress on. I welcome that progress.

The situation in tower blocks gives cause for real concern. Again, a lack of maintenance and investment by direct rule and SDLP Ministers has adversely affected tenants in all of Northern Ireland's 32 tower blocks, including the constituents of ours who live in New Lodge, Rathcoole and Rathfern.



The Minister is to be commended for the progress that he has made across a range of housing issues in Northern Ireland, particularly in North Belfast. There is no doubt that the Minister, despite the barrage of criticism that he faces, is delivering improvements on all fronts on behalf of Northern Ireland Housing Executive tenants across my constituency and across the country. As I said at the outset, access to affordable, good housing is a basic social and civic or human right. For too long, constituents of mine living in Woodvale, Crumlin, lower Oldpark, Shore Road, Rushpark, Rathcoole, Rathfern, Glenvara, Harmon and Queens Park have been ignored. Why is that? It is because the figures that were used by the Housing Executive and the previous Minister were taken from one set of figures from the north Belfast Housing Executive office. They ignored the Shankill and Newtownabbey 1 and 2 offices. Those figures massively damaged the credibility of the Housing Executive in North Belfast. Those figures, because they were taken by politicians and used and abused, have meant that people in the areas that I have just spoken about have been condemned to living in poor conditions, and there has been little or no newbuild. That unacceptable position has been addressed by the Democratic Unionist Party.

It is time for equality to be given to the people of North Belfast — true, real, demonstrable equality. That is because equality delayed is equality denied.

No Member should be complaining about houses being built where there is need, repairs being carried out that should have been done years ago or the addressing of huge issues that face people in the social housing sector. However, it is wrong for people to peddle lies and untruths about the situation, because that means that they are content for the wrongs of the past to continue.

### 3.45 pm

I want to see everyone in north Belfast who is on the waiting list getting help, whether they are in housing stress, housing need or waiting for a newbuild. Last night, I visited a house while out canvassing and met someone waiting for a four bedroom house. There are few of those in the Shankill.

Those are issues that must be addressed, and every one of us will deal with them in our constituency offices. They are issues that transcend political divisions across our society and our constituency. As I said before, the record of others is lamentable. What they did was wrong, clearly judged — ill-judged, potentially sectarian and certainly gerrymandering. It is simply not acceptable for people to live in the conditions that some in my constituency and your constituency have to endure; such conditions are not fit for human habitation in this day and age. That must be addressed, and it will be addressed. I have every confidence that the Minister for Social Development, my party and constituency colleague Nelson McCausland, will do that.

**Ms Ní Chuilín:** I thank the Member for bringing the Adjournment debate to the House.

I listened with interest for 15 minutes to the Member's considerations of housing need in north Belfast. I agree with him on some points, but I part company with most of what he said. I will start with what I agreed with.

As Fra McCann pointed out, and you did give way to him, anyone, regardless of who they are, where they live,

what their circumstances are, what culture they celebrate and what religion they celebrate or not, is entitled to live in good conditions and live in a place where they have access to facilities and support. That is where I agree with the Member. I part company with him on the rest.

I noted with interest, if not humour, the Member accusing this side of the House of almost gerrymandering figures. It is timely that 'The Detail' covered some of the points and allegations that the Member for North Belfast brought forward. In that excellent article, Barry McCaffrey also deals with, under freedom of information (FOI), some of the allegations by the DUP about gerrymandering. So, let us deal with the facts. When I say "facts", I mean that I am dealing with the Minister's figures.

After 12 meetings with the Housing Executive, the Social Development Minister and up to eight DUP politicians questioned Housing Executive officials over matters that were considered to be operational to the Housing Executive. Housing Executive staff were interrogated by the MP for North Belfast, Mr Dodds, and asked to make operational changes to:

*"part of a peaceline interface, which senior Housing Executive officials regarded as a controversial 'boundary change'."*

Gerrymandering? Perhaps.

Housing Executive officials also asked for, but were not given, access to minutes of the meetings. Housing Executive officials were asked by the Social Development Minister for the religious breakdown of the applicants on the north Belfast housing waiting list. The MP for North Belfast told Housing Executive officials that the Housing Executive's system for identifying housing waiting figures was providing perverse outcomes and that the system was broken. Indeed, he went further and asked about a constituency in the lower Oldpark, the need in which the Member quite rightly described.

Where it gets perverse, I have to say, and where you can see quite clearly where the Minister is moving the goalposts, is when he attempted to move the Lower Oldpark into the Shankill district in west Belfast. If that is not gerrymandering, I do not know what is. I will go on. Unfortunately, the list does go on.

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

**Ms Ní Chuilín:** I want to make my point. I remember, in 2003 and 2004, the deliberations over the Belfast metropolitan area plan (BMAP) and the designation of social housing, particularly around Sailortown, the docklands, Frederick Street and Nelson Street. I remember some of the Member's colleagues, who were then members of Belfast City Council, saying that their biggest concern was that those routes could have an impact on parades, so that was probably the main reason the DUP would object. Lo and behold, an area in Frederick Street that was earmarked under BMAP for social housing was sold to the University of Ulster, which was then granted planning permission by the Department of the Environment to build a car park on an area that had been designated for social housing. At a Planning Appeals Commission hearing, which I attended for 10 hours, DSD officials admitted that, yes, it was earmarked for social housing but now it was not. More gerrymandering.

Indeed, an old PSNI station in Glengormley was again marked for an area that is not seen to be in the same housing stress as North Queen Street. DSD and Housing Executive officials said that the PSNI station at Glengormley should be used to meet the needs of people in Queens Park and Rathcoole, despite the fact that the same need was not presented as elsewhere.

I also note the careful crafting and manipulation of figures around the North Belfast parliamentary constituency as opposed to the north Belfast housing area, where the majority of people on the housing list are, and will remain, deemed to be from the Catholic community. That is another example of how claims of gerrymandering from the DUP are nonsense.

What we have seen and will continue to see is a manipulation of data to obscure greater Catholic housing need, to dismiss these concerns as nationalist myths, to claim Protestant disadvantage in north Belfast, to refuse to meet the UN special rapporteur and disparage her and her report, disparage Participation and the Practice of Rights (PPR) and its report, and disparage the Committee on the Administration of Justice (CAJ) and its report, and disparage the 84% of people on the housing waiting list and their experience.

**Mr Deputy Speaker:** I ask the Member to draw her remarks to a close.

**Ms Ní Chuilín:** I will close with this. In the words of Maya Angelou:

*"If you don't like something, change it. If you can't change it, change your attitude."*

And in the words of Albert Einstein:

*"If the facts don't fit the theory, change the facts."*

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

**Ms Ní Chuilín:** That is what gerrymandering looks like; that is what you are involved in. Shame on you.

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

**Mr A Maginness:** I think it was Humpty Dumpty who said, "When I use words, they mean whatever I want them to mean." When the Minister brought forth new statistics in relation to north Belfast, he created a situation that Humpty Dumpty would be very proud of because he uses statistics in whatever way he wishes to come to the conclusion that, in fact, there is very little disadvantage for Catholics in north Belfast vis-à-vis housing. Of course, that is completely untrue, as has been shown.

Ms Ní Chuilín referred to the detailed report into housing in north Belfast, and it is perfectly true that the Minister used different boundaries to dilute the figures in order to reach a preconceived and predetermined outcome that shows that relative disadvantage in housing is equalised between Catholic and Protestant communities in north Belfast.

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

**Mr A Maginness:** No, thank you. The reality is that need is need. I do not care whether it is Protestant need or Catholic need; we want to address that need. We believe that that need is not being addressed — it is as simple as that — and that the Minister likes to evade and avoid

responsibility for addressing need in north Belfast for what I believe to be political reasons.

It is interesting that, in his speech, Mr Humphrey concentrated purely on loyalist, Protestant areas of north Belfast. He did not talk about the wider needs of the whole community, Catholic and Protestant. I and my party take that very seriously. We need a non-sectarian approach to the problem.

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

**Mr A Maginness:** No, I am not going to take any interventions. The fact is that our Ministers Margaret Ritchie and Alex Attwood thoroughly addressed housing right across Northern Ireland and, in particular, in north Belfast, and they did so on a non-sectarian basis. I reject any criticism of Ms Ritchie or Mr Attwood about their tenure of ministerial office. They were even-handed and went out of their way to ensure that they delivered on need in north Belfast and elsewhere, because they saw the pressing need for housing, particularly for newbuilds throughout Northern Ireland.

What is this Minister doing? According to 'The Detail', this Minister is interfering in the operational activities of the Northern Ireland Housing Executive. He has intervened through meetings, emails, and so forth, at least 12 times, if not more. Those are only the ones that have been documented by 'The Detail' online newspaper. That is unacceptable. It is not right that a Minister should do that.

It is clear from the remarks of the former Northern Ireland Ombudsman Dr Maurice Hayes that the Minister is acting outside normal ministerial behaviour. Dr Hayes is critical of what the Minister has been doing, and I think that the Minister should reflect very carefully on what he is doing. Dr Hayes said that a Minister for Social Development should primarily engage in dialogue with the Housing Executive only through its chairperson. The Minister has consistently failed to do that. He has directly interfered with the activities of the Housing Executive for political reasons, and that is entirely wrong. The Minister should reflect very carefully on that.

The issues that have been raised about operational interference raise serious questions, and I think that this matter will go further. The Minister should now give a commitment to the House that he will no longer directly interfere in operational considerations and that he will use the normal protocol, which is to go through either the Housing Executive board or the board's chairperson. That, I believe, would be a step forward.

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

**Mr A Maginness:** The final point that I make is this: need is need. Social need should be satisfied, not political need or political gain.

**Ms P Bradley:** I rise as a Member for North Belfast. I thank my colleague William Humphrey for securing the Adjournment debate. I have represented the Newtownabbey area of north Belfast for nine years as a councillor and an MLA. I have been inundated over those years with requests for housing assistance from both the Antrim Line and Macedon district electoral areas (DEAs). I take great offence when I hear that those areas are almost rejected by some people when it comes to being part of the overall figures on housing need in north

Belfast. Indeed, I thank Mr Humphrey for stating earlier that, yes, there are 14 wards in North Belfast, and the Newtownabbey area must not be ignored. I intend to not let it be ignored. It is the area that I grew up in, live in and predominantly represent.

#### 4.00 pm

My DUP colleague Councillor Phillip Brett, who represents the Antrim Line DEA of Newtownabbey Borough Council, the majority of which lies in North Belfast, recently submitted a freedom of information request to the Northern Ireland Housing Executive. That resulted in the knowledge that it had not built one single dwelling in the past five years in that DEA, despite the area being among the greatest in need in the entire Newtownabbey area.

There are several social housing areas, unionist and nationalist, in the Newtownabbey part of North Belfast. However, based on the Housing Executive's own figures, it will have met only 19% of housing need, the majority of which is in the unionist community, in the Antrim Line area by 2015, compared with a staggering 402% in the predominantly nationalist areas of Bawnmore and Longlands.

The Northern Ireland Housing Executive social need assessment for 2011-16 states that projected need in Glenvarna/Glengormley was 65, yet that was met by the building of 20 units. The projected need in Queen's Park was 35 units, which was met with a total of zero. The projected need in Hightown was five units, but again, it was met with a total of zero. What is even more disappointing is that there are no plans at present to meet any of this housing need in Newtownabbey.

Other examples in the Macedon DEA show that, as I stated, 402% of need has been met in the predominantly nationalist community, but in the predominantly unionist areas of Rathcoole, Rushpark and Rathfern, there is a met need of 55%, 37% and yet again, zero respectively.

**Mr F McCann:** Will the Member give way?

**Ms P Bradley:** Yes, certainly.

**Mr F McCann:** I just want to make two points. Taking in Newtownabbey 1 and Newtownabbey 2, it was their job to assess need in that part of North Belfast. For ever and a day, the way that it has operated is that, within the Belfast boundary, the Belfast district offices dealt with it. It was only when serious problems were brought up about housing in nationalist communities that the thing was extended. Do you not agree that most of the housing need in the areas that you mentioned is met by re-lets?

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

**Ms P Bradley:** I thank the Member, and I agree with some of what he said, but his last point is certainly not the case. From the number of people who come through the doors of my constituency office, I know that that is not the problem.

At this point, I thank the Member on the opposite Benches for bringing up the issue of Glengormley PSNI station. Anybody who knows Glengormley or who is from Glengormley knows its demographics. I certainly do; I have lived there for 44 years. I know that, no matter what they did with that PSNI station in the centre of Glengormley, it would most definitely not meet any housing need in Queen's Park, Glenvarna or Harmin. As

someone who grew up there, I know that, even 30 years ago, I could not go down to that part of Glengormley in a school uniform for fear of being beaten up. The situation in Glengormley is the same at this stage, albeit that we are trying to eradicate that problem and that a lot of good work has been done.

There is another issue in that. I was contacted by people who live adjacent to the PSNI station. They are not unionist voters; there would be very few unionist voters there. The first that they had heard about this was when Mr Kelly put his article in the media to inform them of it. They contacted me to find out who this had gone through and whether it had gone through planning. Of course, it did not go through Newtownabbey planning; it went to Belfast by mistake. Those people were also in uproar over it, because they had not been consulted by anybody. As I said, they were not unionist voters; they were nationalist voters who came to me.

If you look at the Glengormley master plan, you will see that the area behind the PSNI station and to the side of it is zoned off for leisure and recreation. That is what the people who live facing that area want to see. They were up in arms and contacted my office, even though they are not my voters, to ask me what we were going to do about that. Maybe when they are out electioneering around that part of Glengormley they might want to ask a few questions at the doors about what the people who live there want.

Housing inequalities in Belfast has been a highly contested issue of late. The figures for the area that I represent show, quite clearly, that those inequalities most definitely exist and need to be addressed as a matter of great importance for the people of Newtownabbey.

**Mr G Kelly:** Go raibh maith agat, a LeasCheann Comhairle. If the Minister has not read 'The Detail' website, I would urge him to do so. It is an award-winning website, and he should read it. It is quite appropriate for today.

I welcome the debate. I am a bit surprised that you had the brass neck to table it, but that is for another day. I think that you have to call a spade a spade. What the Minister, the DUP and the MP in the area were involved in was not just intervention. I would call it interference. At the very minimum, there is clearly a conflict of interest in the type of meetings that went on.

In dealing with the reality of the discrimination that has been presented here many times, the Minister — it has been said; he said it, I think, in February that his complaint is that it has been brought to the Assembly many times — instead of trying to fix the problem, went away and tried to fix the figures. The Minister, Nelson McCausland, is often accused of micromanagement, but only it seems when it comes to his constituency — our constituency — of North Belfast. That is the only place that he seems to put that type of effort in. When he found that the Housing Executive districts did not work, were not good enough and that the figures did not suit what he wanted to have as an argument, he called in members of the DUP, including the MP, and had something like 12 meetings over a fairly short period.

That could easily be viewed as a process of intimidation, and it is not a new thing either. Since I started to represent North Belfast, from 1996 and again in 1998, Housing Executive officials have told me many times that that is the

way the DUP deals with these things. So, they brought the officials in and interrogated them on the facts over a period of at least 10 months. We know about that, thankfully, through the FOIs, but in my view it has been going on for years.

The demand or request from the MP — whatever you might call it — that the Oldpark area should be shifted in housing terms into the Shankill area says it all, and Members who spoke also mentioned that. I was wondering, as there was some doubt, about who used the term "gerrymandering" in those meetings. We now know, as William Humphrey used it again today. There is gerrymandering if ever you wanted it. The ironic thing is that they did not want the Oldpark ward to be shifted into West Belfast for voting. They said, "No, don't be doing that, we need those votes here. We'll just shift it in there so that we can change the figures for housing." That is what they were at. When —

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

**Mr G Kelly:** No, I will not. You had 15 minutes, and it was hard enough to listen to.

**Mr Deputy Speaker:** Order.

**Mr Humphrey:** On a point of order, Mr Deputy Speaker. In the interests of clarity and accuracy, we did not ask for the Oldpark ward to be removed. That is totally inaccurate and is misleading the House. It was the lower Oldpark area.

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

**Mr G Kelly:** That is great. It was the Oldpark area; OK. It was still gerrymandering.

It is interesting because you then ask whether the issue is really about votes. When you look at all this, there seems to be some paranoia in north Belfast, maybe from the MP, about the building of houses. At one stage, he accused the Housing Executive of pushing unionists out of Belfast, by which he meant pushing them out of north Belfast, when officials were trying to explain to him that there were places in Paula Bradley's area, for instance, where they were going to build social housing. It then became a whole issue about moving them out.

That story is not new either. I remember the late David Ervine saying at one stage that it was republican violence that had created all the dereliction. I pointed out to him that he should look at an aerial photograph of the lower Shankill — I have seen them. In any area that is denuded of houses that were once there in the centre and that only has houses on the outside, that is clearly not an effect of sectarian attacks. Sectarian attacks are attacks by bigots, and they are cowards.

Whether Catholic or Protestant, they attack the outside of an area; they do not go into the area.

If an area is denuded from the inside, it is a different issue. The issue is clear. Time and time again, the Minister makes the mistake of not dealing with the issue that denuded those areas. It was not the Housing Executive that sent out the people who voted with their feet; it was the paramilitaries. Young families were forced to decide: "Am I going to keep my children here, when there are paramilitaries dealing in drugs, racketeering and all the rest? Can I fight them? If I can't, am I going to move out of the area?". Now, the Minister is trying to rebuild houses there, with the view that, if they are built, people will come. Instead of the DUP having a relationship with these

paramilitaries, you need to deal with them before trying to invite people back. I, for one, would love to see the regeneration of some of those areas, but, if you do not deal with the paramilitary issue, you will be dealing with empty houses yet again. The Minister is building houses where the need is negligible —

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

**Mr G Kelly:** OK. There are lies, damned lies and statistics. We will all use statistics today, but that is because this became a big issue. It is true that we used all sorts of statistics over the past number of years because there were all sorts of reports, but the one thing that was consistent —

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

**Mr G Kelly:** I will finish with this. The one thing consistent throughout all of this is —

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

**Mr G Kelly:** — the huge gap between waiting lists and lack of housing in nationalist and unionist areas.

**Mr Copeland:** In all honesty, I am equipped with little or no knowledge of the social housing situation in North Belfast. I can only assume that, in many ways, it reflects the situation in East Belfast, South Belfast and West Belfast, which is that the city of Belfast, over many decades, changed in its nature and structure.

Although we talk constantly in here about houses, in all of that conversation, the word "homes" becomes slightly forgotten. There is a difference between a house and home. A house is a place of shelter; a home is a place of shelter and sustenance, where families, neighbourhoods and communities can grow. I despair sometimes because only here in Northern Ireland could the religious composition of a housing list apparently generate more focus and division than the size of the list itself.

I understand the demographics of North Belfast from many years ago. According to the Housing Executive, it runs from the city centre in the south up to Whitewell, Ligoniel and Crumlin in the west to the Shore Road in the east. The Housing Executive, in a 2013 report, stated:

*"The distribution of housing stress by religion has remained fairly constant. The nature of housing need differs between the communities" —*

as it would. It goes on to state:

*"In general terms Catholic communities are characterised by higher waiting lists and longer waiting times for housing. There has however been a significant increase in housing stress applicants in Protestant areas."*

Those are their terms, not mine.

I think that, sometimes, we need to remember that there is a difference between an application and an applicant because, on occasion, "applicant" can apply to one, two, three, four or five people. It is when you lose sight of people in these equations that the answers become muddled.

It is true that, in East Belfast, a nationalist from the Short Strand "couldn't" take a house on the Newtownards Road



or the Albertbridge Road. However, it is also true to say that someone from the right-hand side of the Albertbridge Road would have difficulty taking a house on the left-hand side because they are not from there, and we are an innately territorial people.

In my view, the old structure of the city of Belfast — avenues, streets and roads with ribbon development for economic activity at the end — worked much better. Even though it had developed without the benefit of planners, we demolished it with very little thought and replaced it, in many cases, with a maze of streets, alleyways and entries so convoluted that bin lorries cannot even get in to take away the rubbish.

Housing must be addressed by assessing need and by servicing need. That will bring with it major difficulties because the Chamber has not matured to the degree that those who represent this society can always agree on everything, and that is reflected on the streets outside. "Communities" is a funny word that appeared only three or four years ago. We had communities before we called them communities. We had relationships across those communities before there was an industry in reinforcing those communities, and I always think that things that develop naturally over time last longer and are more durable than answers enforced from above. If everyone had homes, where those homes are would not be of particular relevance.

#### 4.15 pm

My wife was born in Toomebridge in County Antrim, which is not remarkable. However, for the first years of her life, she lived on the Oldpark Road, just on the turn of the road that is now a vacant site. Her father was a sergeant in the police and walked to work every morning. All that changed in 40 years of madness. If anyone thinks that we can set aside the history of that 40 years of madness with a piece of paper and a pen and plan some wonderful solution, they are kidding themselves. We can create the circumstances and the understanding whereby these things can come to pass. But talking of houses without giving the people who will live in those houses the wherewithal to make those houses into homes will simply replicate the problems and, I am afraid, possibly repeat them.

**Mrs D Kelly:** I welcome the opportunity to put the record straight on housing inequality in north Belfast. It is with regret that I note that one of my constituents, the MP for North Belfast, is involved in such horrendous manipulation of statistics. I would have thought that his needs would be better served by representing all the people fairly, equally and without fear or favour.

The fact is that the Housing Executive figures for the north Belfast housing district show that there are 678 Protestants and 1,823 Catholics on the waiting list. Some of the need in the Protestant community is often met by relets, but there is no such opportunity for many of the Catholics and nationalists living in that housing district.

Many Members referred to how the Minister and his colleagues in the DUP have attempted to "fix the figures". Mr Kelly is quite right to use that term, because that is exactly the sort of game that is being played. Others have commented, as I have over the past number of months since I became a member of the Committee for Social Development, on how this is nothing short of political

gerrymandering and the protection of parade routes. I also understand that the Minister, in his capacity as an MLA, has tried to put pressure on Clanmil Housing Association — I challenge him to confirm or deny that — in order to protect a parade route, and he does not want houses to be built on the land vested by Clanmil for housing near the Carrick Hill area. I challenge him to refute that allegation.

I am very grateful to the excellent investigative journalism from 'The Detail' website and online newspaper in its search for the truth. We now know why the Minister was so ill-tempered during Question Time in February when I made those accusations. At that stage, he and his colleagues had already had a number of meetings with the Housing Executive, during which they attempted to distort the housing plan, interfere in the operational plans of the Housing Executive and bypass all the protocols in the Housing Executive. Members need to bear in mind that this is a Minister who is under investigation by the Social Development Committee for his handling of his portfolio and, unfortunately, his singular failure to address housing need across the North of Ireland is exemplified in north Belfast.

He has had to hand back millions of pounds, hand over fist, to the Executive because of his failure to deliver on new housing. Moreover, I think that I am right in saying that, in a recent monitoring round, he had to hand back £10 million in a buy-back scheme. He was not even able to deliver on that, at a time when the construction industry is crying out for assistance to get it back on its feet, never mind the needs of the people who are living in poor, overcrowded, hostel accommodation and in homes that are not fit for purpose.

We can have debates across the Chamber, but we want to see a housing strategy and a plan for north Belfast in particular as a consequence of the debate this afternoon. It is long past the time that the Executive called the Minister into the Executive and asked him to account for some of the controversial decisions that he has been making. He has failed — failed — to apply a full equality impact assessment on his Facing the Future strategy and is under investigation by the Equality Commission. I lodged a complaint with the Equality Commission regarding that failure last November, and I understand that the commission is assessing whether it should use its powers to force the Minister to fulfil his ministerial obligations to equality.

The Minister also tried to set up all sorts of policy directives by way of pilot schemes without having to do full equality impact assessments. The Minister has been an abject failure. He has many questions to answer in his commitment to all the people not only of north Belfast but to the many employees of the Housing Executive who work extremely hard. Many of them are low-paid and are being asked to work alongside the political manipulations of him and his colleagues and, no doubt, under duress. It is well past the time that the Executive, who have called Ministers to account in the past, call this Minister to account, and I call on them to do so.

**Mr Deputy Speaker:** And I now call on the Minister for Social Development, Mr Nelson McCausland, to respond to the debate.

**Mr McCausland (The Minister for Social Development):** Housing has been a contentious issue in Northern Ireland for many years, but, since taking up office, I have

championed the development of social and affordable housing to meet need across the Province, and the Housing Executive has allocated social housing without departmental or ministerial interference.

Social housing in north Belfast has been a hot topic of late. The Participation and the Practice of Rights reports that keep coming up try to justify a particular propagandist view, and, regrettably, they give a misleading impression of the very complex housing issues facing north Belfast. They also inaccurately and erroneously allege that there has been discrimination against Roman Catholics in the allocation of housing. That has been followed by negative media commentary, and an example has already been given of that, and Assembly questions along the same lines. So, today, is a timely opportunity to put the record straight.

First, I want to turn to the provision of social and affordable housing across Northern Ireland. Since taking up office, I have consistently supported the delivery of increased levels of social and affordable housing and will continue to do so. The Programme for Government commits me to delivering 8,000 social and affordable homes by 2015. Three years in, almost 7,000 have already been delivered, with a further 2,500 planned for the current year. That will see over 9,400 new homes delivered against the original target of 8,000. We are not just meeting targets; we are exceeding targets.

Output on social housing starts has been running at around 1,350 new social homes per annum in recent years. Plans that I approved as long ago as December are predicated on increasing that to 2,000 in each of the next three years. It is the first time in over a decade — taking us back to the days of direct rule and the days when the SDLP ran the Department — that delivery is in line with the Housing Executive's recommendation. I am pleased that I have been able to make that happen on my watch. It is something that the SLDP blatantly failed to do.

On top of that, the motion passed by the Assembly on 24 March called on me to go even further.

That is a big ask at short notice, given that land purchase, planning permission and construction can take up to 24 months, but we are well on target for our objectives.

Secondly, I want to turn to the focus of the debate and the North Belfast constituency in particular. Here we get to the core of the matter. For so long, the SDLP, Sinn Féin and certain propagandists in the nationalist community have taken the view that the focus should be on only one small part of the constituency, and they ignore the other three offices: the Shankill office, Newtownabbey 1 and Newtownabbey 2. Why should you go for the constituency rather than just a Housing Executive office, which is purely an administrative area? First, people understand what a constituency is. Secondly, when I checked back, I found that, of the 176 questions that were asked in the past year by MLAs about statistics from the Housing Executive, the overwhelming majority — 143 — related to the Assembly and parliamentary constituency, because that is how MLAs across the Province think. They think about parliamentary and Assembly constituencies. Nineteen related to councils, and only 14 out of 176, less than 10% — about 7% or 8% — related to a Housing Executive office. By going for the constituency area, which people understand, you bring clarity, certainty and transparency through looking at all 14

wards. That is not to dilute anything, but to make sure that we include everything — the whole of the constituency. I see Alban shaking his head over there. It may be that he does not care about people who live out in Newtownabbey; it may be that he does not care about people who live on the Shankill. I have an interest in providing housing for everyone across the constituency.

We talk about waiting lists. It is worth looking at them, because the figures are quite clear. Members made reference to the waiting lists this afternoon. If you look at the people who were on the waiting list in the North Belfast constituency, in the most recent figures, for December 2013, you will see that there were 1,994 Protestant people and 1,988 Roman Catholic. The need was roughly the same in both communities. When you say that, people try to move on, and they say, "That's OK; that's only the waiting lists", although that is what they have quoted for many years. In fact, at one time, some people claimed that the waiting list for North Belfast was almost entirely Roman Catholic. The figures are roughly 50:50.

I move now to stress figures. There were 970 Roman Catholic applicants and 772 Protestant applicants. So, again, substantial need within both communities needs to be met. Sometimes, people move on from that, and they talk about waiting times. There is a myth that, if an applicant lives in a nationalist area of North Belfast, they have to wait far, far longer than someone from the Protestant community has to wait. The fact is this, and these are the Housing Executive's figures —

**Ms Ni Chuilín:** Which ones?

**Mr Deputy Speaker:** Order.

**Mr McCausland:** On 31 December, the median waiting time in the north Belfast area office — the area that is being described by Members opposite as being predominantly Roman Catholic — was 18 months. However, if you live in Newtownabbey 1 or Newtownabbey 2, it is 19 months and 22 months; if you live in Bangor, it is 26 months; it is 22 months in Castlereagh; and 22 months in Ballymena. In other words, the average waiting time to get a house in north Belfast is shorter than it is in any of those other areas. Those are not my figures. You can simply speak to the chairman, chief executive or anybody you want to go to in the Housing Executive and you will get those figures, because they are the Housing Executive's figures, not mine. They also make absolutely clear that the waiting time is no different for people from the unionist and national communities.

I could deal with a number of other issues, such as the people who are waiting in hostels. There are claims that that is evidence of a massive waiting list. The fact is this: when you look at the figures there, you see that they do not stack up with what is being claimed.

Again, Mrs Kelly quoted figures on the back of a FOI from St Patrick's and St Joseph's housing committee. Again — same thing — she quotes about one part of the constituency and ignores the people who live in Newtownabbey 1, Newtownabbey 2 and all the other parts of North Belfast. Those constituents do not seem to matter to the SDLP; they do not care about the need of those people; they have no concern for those people; they are happy to wipe them out. That sort of sectarian approach from the SDLP has characterised the entire efforts of the SDLP with regard to housing.

Modest provision has been made, and 50 homes are planned, over three years, in Rathcoole. At the weekend, Carál Ní Chuilín was criticising and challenging that in the 'North Belfast News' as though, somehow, that is terrible.

Actually, 50 houses are going to be built in Rathcoole over three years. Quite clearly, there is a need there. Thank goodness that need is now being met.

#### 4.30 pm

It is not just about quantity; it is about quality. If you look back over the years, particularly under the SDLP, there was an abject failure to address the issue of maintenance in the Housing Executive stock. That is why people in areas such as Dunmurry are living in houses with mould growing on the walls on an incredible scale. I visited a tower block not long ago in the Dales and saw the conditions, which are ridiculous and appalling.

We have issues with the maintenance of stock. There is a mantra that we have the best stock in Europe. Members are right in saying that there are issues with dampness in tower blocks in the New Lodge. There is also an issue with dampness in quite a number of the tower blocks. We have 32 tower blocks in Northern Ireland, of which 15 are in the constituency of North Belfast. It is interesting that Glasgow was able to deal with 260 tower blocks.

Look at the efforts of the Housing Executive over the years. I met the chief executive and the chairman this afternoon to talk about this. Thank goodness we are now seeing some action coming very quickly to assess the need and develop a strategy for tower blocks. The Housing Executive did not even have a strategy to deal with tower blocks. It is only since the DUP came into the Department that we are addressing something that has been an issue for more than a decade. There have been properties with no-fines concrete and properties with no cavity wall insulation. Once again, what do we see? Years of neglect — 10 years of denial and delay that are now being addressed.

I was asked whether I had read 'The Detail'. Of course I have. In fact, I posted it on my Facebook page so that others could read it. There is some interesting information. The fact is that I met the Member of Parliament for North Belfast and certain other politicians, and quite rightly so. If any politician asks me for a meeting, they will get it. I met Mr McCann and Jennifer McCann about housing issues in west Belfast. If other politicians do not bother asking for a meeting — they are not doing their job well enough by not asking for a meeting — that is their problem. They cannot condemn people who do their job properly. We now have a focus on some of those issues. I am glad to say that we are now getting to the bottom of them.

As for the UN rapporteur —

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

**Mr McCausland:** — the only issue is that, when she came to Belfast, she went to only one community in north Belfast. She was taken there by PPR because there was obviously no interest in the needs of others.

The final point about housing and regeneration is that the Department for Social Development is not going to be in the business of condemning people to live in dereliction for years in the way in which people in Glenbryn were condemned to living beside dereliction —

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

**Mr McCausland:** — because the Housing Executive sold land that lay derelict to property developers who could not even build on it. We are now in the business of regeneration, and quite rightly so, because that is what DSD is about.

*Adjourned at 4.32 pm.*

# Northern Ireland Assembly

**Monday 19 May 2014**

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

*Members observed two minutes' silence.*

## Assembly Business

### Standing Order 20(1): Suspension

**Mr Speaker:** The business motion to suspend Standing Order 20(1) will allow Question Time to begin at 1.00 pm.

**Mr Weir:** I beg to move

*That Standing Order 20(1) be suspended for 19 May 2014.*

**Mr Speaker:** Before I put the Question, I remind Members that the motion requires cross-community support.

*Question put and agreed to.*

*Resolved (with cross-community support):*

*That Standing Order 20(1) be suspended for 19 May 2014.*

## Ministerial Statement

### North/South Ministerial Council: Agriculture

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a Cheann Comhairle. With your permission, I will make a statement in compliance with section 52 of the 1998 Act regarding the 21st meeting of the North/South Ministerial Council (NSMC) in agriculture sector format, which was held in Armagh on Wednesday 16 April 2014. The Executive were represented by Minister Edwin Poots MLA and me. The Dublin Government were represented by Simon Coveney TD, Minister for Agriculture, Food and the Marine. Minister Coveney chaired the meeting. The statement has been agreed with Minister Poots, and I make it on behalf of us both.

Ministers had a discussion on potential priorities for the agriculture sector and noted that those will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review into sectoral priorities. Ministers also discussed recent developments in international trade, which included ongoing negotiations with China, including the hosting of Chinese visitors interested in the North's agrifood industry and Chinese graduate students availing themselves of College of Agriculture, Food and Rural Enterprise (CAFRE) expertise as part of their thoroughbred internship. There was discussion about recent success in opening export markets such as Singapore. Ministers also discussed the merits of establishing an international trade working group to help further exports from across Ireland. DARD and Department of Agriculture, Food and the Marine (DAFM) officials are working together to take that forward.

The Council noted the plans, proposals and key issues arising from implementation of the common agricultural policy (CAP) reforms agreed in 2013.

Ministers agreed on the continued close contact between officials from the Department of Agriculture, Food and the Marine and the Department of Agriculture and Rural Development concerning the policy options arising from the reform package and practical implementation issues.

The Council noted that a detailed document on plant health and pesticides was presented to the NSMC in agriculture format in November 2013. Ministers acknowledged that the Departments have worked closely in developing the protocol for the cross-border movement of larch logs that are infected with *P ramorum*, which was planned to be finalised by Easter 2014. It was noted that the all-Ireland Chalara ash dieback conference took place on 8 May.



Ministers welcomed the continued work on the delivery of an all-island animal health and welfare strategy action plan since the last NSMC agriculture meeting. That work includes applications by each relevant competent authority to the Office International des Epizooties (OIE) for peste des petits ruminants-free status, or sheep disease. It also includes DAFM making African horse sickness regulations, which now means that there is a large degree of parity on the island for the control of any outbreak of this serious epizootic disease. Ministers welcomed that DAFM officials have made significant progress to engage with key industry stakeholders on wild animals in circuses, and they also welcomed the continued work by officials to scope the possibility of a joint contingency plan on rendering capacity on the island of Ireland. It was also welcomed that officials met in February 2014 and that they continue to progress work to establish respective disease surveillance priorities with a view to agreeing all-island surveillance priorities.

The Council noted the continued efforts and progress that the Department of the Environment, Community and Local Government and DARD are making on the development of all-island cooperation in our respective rural development programmes for the period 2014 to 2020. We will be requiring our local action groups (LAGs) to cooperate with other LAGs through the LEADER element of the rural development programmes with the intention of sharing knowledge and delivering joint projects across the island. We will also be encouraging cooperation with other European LAGs on an east-west basis. In addition, Ministers welcomed the expected successful completion during 2014 of all six rural development projects that are being delivered through the EU INTERREG cross-border programme.

Ministers also had the opportunity to discuss in some detail issues affecting the beef sector, including retailer specifications, pricing and North/South trade in cattle. Minister Coveney and I agreed on the need for increased transparency and communication in the supply chain and for all elements of the chain to work together to ensure a fair return for all. We also agreed to continue to work together in that area. The Council agreed to hold the next agriculture meeting in September 2014 in the Canal Stores building in Clones, the refurbishment of which has been funded as part of the EU INTERREG programme.

**Mr Frew (The Chairperson of the Committee for Agriculture and Rural Development):** I thank the Minister for her statement. Given that the Republic of Ireland Minister and, indeed, the Department down there have basically finalised their proposals for CAP in a way that means that they can then plan ahead for the future, why is it that our Minister in DARD fails miserably every time and is made to look bad in the eyes of the British Isles, considering that she has yet to bring her proposals on CAP to the Executive for ratification and agreement? Why, Minister, have you failed our people, our farming community and our businesses when it comes to CAP? When will you bring your details and proposals to the Executive?

**Mrs O'Neill:** One would be forgiven for thinking that there is an election on Thursday. However, I have strived very hard to make sure that we can clarify as much information as possible for the farming community. I absolutely accept that it is a time of massive change, and I absolutely accept that people are anxious about what it means for them individually as a farm business. So, I am very keen that

we clarify the remaining issues. There are only a small number of issues to be clarified, but, that having been said, they are major issues.

As I have said previously in the House, we have a system of government here and a process to go through. We are actively going through it. We have a deadline of 1 August; however, I wish to make a decision on CAP reform and the remaining issues that are outstanding well in advance of that. I do not think that it is in anyone's interest to drag this out. So, the decisions that I take will be balanced and fair and will be reflective of the needs of all the farming community, not just a few. I am very conscious of that, and I will be very mindful of it when taking decisions. I hope to be able to clarify the remaining issues as soon as possible.

**Mr McMullan:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for her very transparent and comprehensive report. Minister, you mentioned in the report that discussions on the beef sector took place between the Ministers who were present. Can you give us more detail on those discussions?

**Mrs O'Neill:** Yes, Minister Coveney and I discussed at length the issues that are facing the beef sector — issues that we are all very mindful of. We all share the concerns of the beef farmers around the considerable drop in prices that have been experienced recently. It is fair to say that we all want to see a very profitable and strong red-meat sector here in the North, and that can only be achieved if farmers receive a fair return for their produce. We are working together collectively, particularly around the changes that marts are trying to bring forward. We need to be a very strong voice, and a voice right across the island, in standing up for the farming community, because the only way that the sector will be sustainable and fruitful in the future is if farmers receive that fair price. As for my influence and what I can bring to bear, I have certainly made it very clear to the processors that I am absolutely on the side of the farmers with regard to those changes.

Minister Coveney and I discussed a number of issues around approaching the retailers directly and collectively, which, I think, would be key in moving forward. However, outside that, we can also provide practical support from my Department; for example, as part of the customer services element, DARD is trying to support farmers to meet the new requirements on on-farm residencies. The Department is trying to work with the farmers who need that information. Other things include helping and facilitating more cooperation and collaboration in the beef supply chains and looking towards how we can improve the sharing of information right across the island, and we are actively working on data systems to be able to do that. Collectively, we need to stand up for the beef sector, and we need to look towards the export markets and open up all the potential avenues that we have to make sure that we can achieve a fair price for the produce that we have.

**Mr Byrne:** I thank the Minister for her statement. The Minister referred to joint cooperation between the Departments in the North and the South in relation to the rural development programme, and she also referred to joint projects. What sort of joint projects are envisaged, and when does she hope to be in a position to tell us the total resource minded to her for the rural development programme?

**Mrs O'Neill:** The particular projects that I talked about are the six major rural development projects that we are taking forward. I can certainly provide the Member with the detail of all of those projects. However, suffice to say that they were very successful projects. The beauty about the rural development programme is that it is not the case that we are telling the farmers in border areas what their projects should be; they are coming forward with the ideas, and the rural development programme is the vehicle to allow that to happen, or to at least support projects to happen. The new programme and the types of projects that we will see on the ground will come from the bottom up, and that is key to LEADER; making sure that there is a bottom-up approach is at the heart of LEADER. As regards what comes forward, we have yet to see those applications. However, in looking to the new programme, areas are already thinking about ideas that they will have. We have had major consultation with regard to shaping the whole new rural development programme, and we are working with the stakeholders in designing the new programme. We will bring more detail in due course to make sure that we do not miss any opportunity when the new programme kicks in and that we can hit the ground running with everything in place. We are actively working on that at the moment.

**Mrs Dobson:** I thank the Minister for her statement. She will recognise that our beef sector is going through extremely difficult times with many farmers very fearful for the future. Despite agreeing to work together with her counterpart in the Republic of Ireland, there is very little detail or specifics in the statement. What steps is the Minister taking, and will she progress a suckler scheme along the same lines as that introduced in the Republic? Mr Speaker, I declare an interest, as my husband is a beef farmer.

**Mrs O'Neill:** As I said to my colleague in reply to the previous question, we obviously all share the concerns of the beef sector at this time, particularly because of the considerable drop in price. We need to look at what we can do practically and the remit that I can take forward, because obviously pricing is a commercial matter and outside my control. However, we can work with the beef sector in key areas, particularly around practical support, trying to get efficiency on farms and how farmers collectively can work together. There are a number of practical things that my Department is doing, particularly with regard to support around getting background detail and looking at how we can improve our data systems across the island so that we can make sure that there is free movement across the island, which obviously facilitates trade.

We had the recent opening of the Singapore market. One of the things that is very clearly set out in the 'Going for Growth' document is the fact that we need to look at the beef sector to see the immediate challenges and the longer-term challenges.

Some such longer-term challenges are in how we get into the extra markets that we are targeting. We are concentrating on China, particularly for pork. However, the Singapore market is opening up, and Russia is among quite a number of other markets. That is what we need to do in the longer term.

## 12.15 pm

Simon Coveney and I have discussed facilitating a start to the conversation on all-island trade and how we can collectively market what we have to offer: a clean, green image and high-quality produce. If you want something cheap, go elsewhere, because what we offer is high quality. We need really to target those markets, and we have agreed at official and ministerial level to work together to facilitate that discussion, so quite a lot is going on for the beef sector. Our budget falls far short of that of the Twenty-six Counties. That said, I want to prioritise the beef sector in the new rural development programme and look at what supports we can provide to it because that is the sector struggling most.

**Mr McCarthy:** I thank the Minister for her statement. Paragraph seven states:

*"a ... document on plant health and pesticides was presented".*

She went on to say that the Council noted that an all-Ireland conference on dieback had taken place. Will the Minister elaborate on where we are on the issue of the dieback debacle some time ago? Has dieback been overcome? Have lessons been learnt so that we will not have any such plant health problems in future?

**Mrs O'Neill:** Unfortunately, it is still a problem. At the conference, government and industry came together to talk about sharing experiences. We also looked towards other countries that have been dealing with the disease. One guest speaker was from Norway, which is further down the line in tackling the disease than we are. It was very much an information-sharing and learning experience to look at what we are doing and whether we can do anything else or anything better.

The disease remains prevalent, and we are still at the stage of working to contain and eradicate it. It is a worrying disease, but our surveillance found only 12 new infections last year. That is encouraging, but we cannot be complacent. It is a serious disease that we need to tackle head-on. The beauty of the strategy that we have in place is that it is adaptable. As circumstances and conditions change, we can change our approach to tackling the disease.

**Mr Storey:** Paragraph four of the statement refers to:

*"potential priorities for the agriculture sector"*

and to a paper that will be presented to an NSMC meeting in institutional format. Will she tell us what the priorities are? Will she also end the feet dragging on CAP and answer the question posed by my colleague Mr Frew, the Chairman of the Committee for Agriculture? What are the issues that she and her party are dragging their feet on? Why are they not giving an answer to the many thousands of farmers in Northern Ireland who, this morning, are in absolute despair because of the Minister's failure to deal with CAP reform?

**Mrs O'Neill:** It is interesting to see Mr Storey taking an interest in an NSMC agriculture statement today. You could be forgiven for thinking that there are elections on Thursday. So — *[Interruption.]*

**Mr Speaker:** Order.

**Mrs O'Neill:** I have made very clear to your colleague the CAP reform issues that we are dealing with. We have taken a number of key decisions to provide as much clarity as possible for the farming community. A small number of major issues have still to be dealt with, and we are working our way through them. There are quite a lot of challenges for us, particularly given that your party blocked the transfer of funding that would have been very useful for the farming sector.

There has been a lot of discussion about the beef sector this afternoon. Think of the supports that we could have put in place for the beef sector had we had sufficient rural development programme funding and been able to transfer in just over £112 million. Think of the supports that we could have put in place for a suckler scheme. Many challenges are presented to me as a result of the actions by your party. However, I will still take the best decisions possible, support the industry where possible and make sure that the decisions are fair and balanced. These decisions are not about protecting the status quo; they are about protecting everybody, giving everybody a fair chance and providing supports for every farmer. I care about all farmers; not just a few.

**Mr Rogers:** Have any discussions taken place about joint live cattle exports on an all-Ireland basis?

**Mrs O'Neill:** That was not discussed at the meeting. The focus of the conversation was trade, and we looked at how we can use every opportunity to get into new markets. We talked about how markets are opening up to us, particularly Singapore recently, and also China. Our efforts are focused on certificates so that we can get into those markets.

Live exports are an ongoing issue, obviously, and dealt with in the Department and across the island. Free movement across the island not only is an aspiration but is something that we want to deliver on. We have a strategy, and EU law will come into place in 2015, which will be the vehicle for allowing free movement, including that of live cattle, across the island. So work is ongoing with live exports.

**Mrs Overend:** The Minister will know that there is huge potential in China. I am not talking about pig genetics, because I would have to declare an interest given that my husband is in China now promoting Northern Ireland pigs. I am referring to the pork-processing industry. There is a huge Chinese market for pork products, but the difficulty lies in being able to please the Chinese born-and-bred policy. Will the Minister continue to insist on working with the Republic of Ireland on that issue, or will she put Northern Ireland first and work with the rest of the United Kingdom to get Northern Irish pork products into China?

**Mrs O'Neill:** My record stands for itself. I have been to China twice, and we are actively pursuing the Chinese market. We are tackling all barriers to trade head-on. The Chinese are very particular about their requirements and what they wish to see. Chinese vets recently visited here to take a look at our practices and how we conduct our business.

There is no problem with promoting what we have to offer, which is fantastic produce. Are there barriers? Absolutely. If people want to market themselves as British or Irish, their doing so should be facilitated across the board. There is a barrier to trade because of the unique situation in

which we find ourselves on this island. I want to make sure that we actively work on that not being a barrier.

Minister Coveney and I are working on new EU labelling law, which will come into effect next year. We need to be able to facilitate all companies getting into the markets that they want to get into, and we can come to an accommodation when we can meet EU requirements and create a label that will satisfy all companies.

**Mr Dallat:** I also welcome the statement, although the content could be described as "rangy ribs".

Paragraph 8, which deals with animal welfare, is interesting. I assume, Minister, that that also addresses animal cruelty, which, unfortunately, persists on both sides of the border. Is she satisfied that more could be done on a cross-border basis to bring to an end the appalling cases of animal cruelty that we hear about from time to time?

**Mrs O'Neill:** We absolutely condemn all cases of animal cruelty and anybody involved in them. We have an all-island animal health and welfare strategy, which is not only about preventative work but about tackling issues when they occur. That work is ongoing, and paragraph 8 lists all the actions that have been taken forward since the last NSMC meeting. We are proactive in that area.

We have very strong legislation on animal cruelty. Disappointingly, recent sentencing has not matched the offences being dealt with, and there are issues with that. I have discussed the matter with the Minister of Justice, have written to the Lord Chief Justice about the sentencing and have said that I will look at the legislation to see whether there is any scope for improvement. Hopefully, that will satisfy everybody that we are actively being as strong as we possibly can with the legislation to tackle animal cruelty.

**Mr Swann:** I thank the Minister for her statement. Paragraph 10 refers to communication and transparency in the supply chain to ensure a fair return for all. Did she have any communications or conversations on the fines that are being imposed on beef producers, which are based on the number of movements of cattle, and did she raise the issue of nomads?

**Mrs O'Neill:** Yes, that was very much part of the conversation on the challenges that are facing the beef industry, and we are very concerned about it. I have met representatives of the local marts, who are also concerned, but they do not want to be involved in the conversation. It is unfortunate that those processors have decided to bring in such fines without consulting the farming industry. If we are serious about having a sustainable farming industry for the future, everybody in that supply chain needs to be treated equally. In this case, that was not the case.

Farmers took business decisions, bought cattle at a high price last autumn and are left now in a difficult situation because of these changes. I made my position clear to the processors. I met NIMEA and made sure that it is fully aware of my view. I am very much on the farmers' side on this issue and will continue to be. We need to be a strong voice for the farming industry, but, if we want a sustainable farming industry, everybody in that supply chain needs to be fairly treated. This is another instance when the farmer certainly was not.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a ráiteas. I thank the Minister for her very useful statement. In paragraph 11, the Minister states that the next meeting will take place in September in the Canal Stores in Clones. The Minister will be well aware of proposals there to reopen the Ulster canal. When she is in Clones, will she have any intention of engaging with local representatives to hear the proposals for reopening the canal?

**Mrs O'Neill:** I am sure that I will take that opportunity when I am there.

## Executive Committee Business

### Renewables Obligation (Amendment) Order (Northern Ireland) 2014

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I beg to move:

*That the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2014 be approved.*

This statutory rule is being made under powers contained in the Energy (Northern Ireland) Order 2003, which prescribes that this order must be laid in draft for approval by affirmative resolution of the Assembly.

The changes that I bring forward in the draft order relate to the Northern Ireland renewables obligation, or NIRO, as it is more commonly known. The NIRO is the main way in which we incentivise the deployment of renewable electricity generation such as wind and solar. Our aim is to achieve the Executive's target of 40% of electricity consumption from renewable sources by 2020. I am glad to say that we are on track to deliver on our interim target of 20% by 2015.

Following consultation, this order introduces changes to the NIRO that are intended to ensure that it continues to bring forward investment in renewables at least cost to the consumer, whilst taking account of wider sustainability matters. We made a number of changes to renewables obligation certificate (ROC) levels in the past. Renewable energy policy must continue to respond to changes in technology and costs to meet the needs of Northern Ireland. This order introduces two main changes to the NIRO.

First, and unique to Northern Ireland, it provides a small increase in renewables obligation certificate support levels for ground-mounted solar photovoltaic (PV) generating stations above 250 kilowatts. In line with the renewables obligation in Great Britain, the order also introduces increased sustainability criteria for electricity generated from biomass.

Last year, as part of UK-wide changes, we introduced revised ROC banding support levels for ground-mounted and building-mounted solar PV generating stations above 250 kilowatts. Following the introduction of those new ROC levels in May 2013, representations were made by the large-scale solar industry seeking a review of them. The evidence presented by the industry suggested that the ROC banding levels for ground-mounted solar PV above 250 kilowatts up to March 2017 would not realise deployment in Northern Ireland and that a different approach from Great Britain was needed to encourage investment.

Large-scale solar PV is a mature and established renewable sector in Great Britain, where it has witnessed significant growth in recent times, but it has no presence in Northern Ireland. In fact, to date, we have no individual solar PV installations above 50 kilowatts. Solar technology continues to improve and costs reduce. These advances make Northern Ireland a more credible location for large-scale solar.

In order to stimulate investment, we need to make relatively small adjustments to the ROC support to take account of our lower solar irradiation levels, which can be up to 30% less than some regions of the south of England. I do not think that comes as any surprise to anybody in



the House. The Assembly approved similar interventions in the past. In 2011, for example, higher ROC levels were introduced for anaerobic digestion because we recognised the potential offered by that technology.

Large-scale solar, if introduced in a responsible way, offers real benefits. It will expand our overall mix of renewable energy technologies and contribute to a cleaner, greener energy sector in Northern Ireland.

### 12.30 pm

Of course, there are economic benefits too. Land is leased for development and local companies benefit from construction and ongoing operation and maintenance contracts.

The Committee for Enterprise, Trade and Investment spent some time scrutinising the proposals to increase support for large-scale solar. A key concern was that the higher ROC levels proposed were to take account of perceived inefficiencies in the planning and grid connection procedures. I want to assure Members that that was not the case. The ROC levels in this order reduce through depression on an annual basis. That is only right because it reflects a continuing reduction in technology costs. However, we are setting depression at a different rate to Great Britain, to reflect not only our lower solar levels but our different planning and grid connection timescales. Our timescales are longer. That is not a criticism; it is merely a fact. From 1 June, ground-mounted solar PV above 250 kilowatts will receive 1.6 ROCs per megawatt hour, reducing to 1.5 ROCs in 2015-16 for new applicants, and 1.4 ROCs in 2016-17.

I note the Committee's other concern, namely that the higher ROC levels we are introducing might limit the number of developers who can avail themselves of them and could create a monopoly. ROCs are set at a level that is sufficient to bring forward deployment at least cost to the consumer. That is a fine balancing act, and I accept that the new levels might not be high enough for all developers, but that is a matter for the market. If we were to set an even higher ROC level to meet the requirements of every developer, we would be overcompensating the majority of deployment.

Members may be interested to know that a consultation is under way in Great Britain that proposes to cease support under the renewables obligations there for large-scale ground-mounted solar PV generation above 5 megawatts. Instead, those projects will have to bid for support under the new contracts for difference mechanism and perhaps not all will be successful. In practice, I anticipate limited overall deployment of large-scale solar in the very short term.

I turn to the second issue, namely biomass sustainability requirements, which comprise the majority of the order and mirror those made in Great Britain. The order strengthens the reporting requirements and introduces audit requirements for solid biomass under the NIRO. That is designed to ensure that biomass material is sourced responsibly and in a way that minimises or eliminates adverse impacts. There is no merit in supporting renewables at the point of generation if the fuel used has an adverse environmental impact.

The order amends the information that is to be provided to the accrediting body, Ofgem, by all stations generating

over 50 kilowatts that use solid biomass and/or biogas. That includes the introduction of a timber standard, which is focused on sourcing wood from legal and sustainable sources, and a tighter greenhouse gas threshold for dedicated biomass stations that were accredited after 1 April 2013. It also creates a new requirement for generating stations of 1 megawatt and above to provide an independent sustainability audit report for solid and gaseous biomass, which will report against greenhouse gases, land criteria and the timber standard. Those reporting and audit requirements will enable generators to become familiar with the sustainability criteria before the introduction of the further amendments that will be made next year to make compliance with the sustainability criteria mandatory for generating stations of 1 megawatt and above.

The order also refers to the latest combined heat and power quality assurance standard, which has been tightened to reflect improvements in the efficiency of such schemes.

In conclusion, Mr Speaker, the amendments contained in the order will continue to support achievement of the Executive's renewables targets in a sustainable manner and, importantly, at least cost to the consumer.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I welcome the introduction of this order. I think it important that we, as an Assembly, are flexible and can change in response to technological advances, as the Minister said, as well as being able to react to other market changes to ensure that a fair and appropriate level of incentivisation is provided to developers, and also to help ensure that we can meet the ambitious and challenging targets set out in the strategic energy framework.

It is also important that we ensure that developers are not making an excessive level of profit, as could have been the case if these changes did not take place. When we move to the changes that the Minister proposes for 2017, with feed-in tariffs and contracts for difference, the chances of such profiteering will be greatly reduced.

The Committee, in gathering evidence, found it difficult to get a breakdown of financial and other information that would have allowed us, as a scrutiny Committee, to make an informed decision on this piece of legislation. I still do not think that we have been given the level of detail that we requested, but the Committee's primary concerns, which I shared, have been met. Hopefully, that will not happen again and we can perform the level of scrutiny that we, as Committee members, want to perform and can have the appropriate level of insight into particular areas. I understand that this is a complex commercial issue, but Committee members should receive the information they are looking for.

The proposed specific levels of incentivisation offered, on which there is agreement, probably strike the right balance. Having looked at some of these figures in detail, I believe that a 7% return on investment is more than appropriate and more than adequate to attract private investors. As an electricity customer and a representative of electricity customers, I think that a return of around 10% plus inflation is excessive and we would not be happy to endorse it. The Minister's proposals, therefore, strike the right balance.

The Committee also had to consider issues around the length of time it takes for planning applications to go

through and the fact that grid connections have to be applied for separately. The fact that these cannot be applied for together caused the Committee concern and caused me concern as a Committee member.

I am grateful to those who came to the Committee to educate us better about what we were talking about. I am happy to support the Minister's order.

**Mr Dunne:** I, too, welcome the SL1 brought forward by the Minister. The increased ROC support for ground-mounted solar PV generating stations above 250 kilowatts is welcome and could open up real opportunities for further investment in this important sector.

The Committee considered these issues extensively, taking evidence from a wide range of stakeholders involved in the renewables sector. It supports the proposed increase in the ROCs this year to 1.6 kilowatts per megawatt, reducing to 1.5 kilowatts next year and 1.4 kilowatts in the third year, with a commitment by the Department, which we obviously appreciate, for a review after 12 months.

Many issues remain, one in particular being the cost of connections for such PV units into the grid. The Committee looked at this issue extensively in its recent cost of energy report. Other issues include the length of time taken for planning permission. Northern Ireland is different to the rest of the UK, because NIE will not engage in full negotiations with applicants until they receive full planning permission. This issue needs to be reviewed and there is a strong argument that the processes should run in parallel, thereby reducing the lead-in time for such project development. I welcome this SL1.

**Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment):** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire as an moladh seo a thabhairt os ár gcomhair. I thank the Minister for bringing the draft Renewables Obligation (Amendment) Order before the Assembly. My apologies for running late; I thought I was, in fact, 10 minutes early, but there you are. My apologies to the Minister as well; she will maybe let me off on this occasion.

The Committee for Enterprise, Trade and Investment recognises the importance of the Northern Ireland renewables obligation and its impact on the development of large and small-scale renewable energy installations. The Committee has closely followed its evolution through the Renewables Obligation Order (NI) 2009 and its amendments in 2010, 2011 and 2013.

It is essential that appropriate levels of support are offered to companies in order to meet the renewable energy targets that the Department has set in the strategic energy framework.

As the Committee stated in its 'Report on the Committee's Review into Electricity Policy Part One: Security of Electricity Supply', it is important that Northern Ireland has an energy mix in order to address intermittency issues and security of supply. However, it is equally important that renewable generation is not over-incentivised, so as to ensure that full value is achieved from the public purse.

The Committee considered the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2014 at SL1 stage on 30 January 2014 and agreed to explore further the reasons for increasing ROC support levels for ground-mounted solar PV generating stations with an installed capacity above 250 kilowatts.

The Committee welcomes the fact that the Department worked closely with the Department of Energy and Climate Change (DECC) and specialist advisers on considering ROC levels in order to help to kick-start an industry which currently has no presence in Northern Ireland — albeit a significant planning approval has been granted recently — whilst also ensuring that the cost to the consumer is kept to a minimum. The Committee agrees that that is an important measure, especially considering the Department's estimate of £50 million of investment into Northern Ireland by the large-scale solar industry.

The Committee has two main concerns with the statutory rule (SR). First, it is not lower irradiance levels but inefficiency in the planning and grid connection process that has made Northern Ireland unattractive to the large-scale solar industry and resulted in compensation measures being needed in order to create a level playing field with England, Scotland and Wales. In GB, planning and grid connection applications are run in parallel, whereas, in Northern Ireland, NIE will not accept grid connection applications until planning is approved. The Committee has heard evidence that that is causing costly and lengthy processes. On top of that, as we all know, the grid is in significant need of an upgrade.

The Committee looks forward to addressing those issues in the third and final part of its electricity review, which will concentrate on grid connections for renewable energy. The Committee sought and received confirmation from the Department that the NIRO will be reviewed in 12 months' time. That will allow a review of the number and type of applications by companies as well as the cost of PV panels, which is a relevant factor in deciding ROC levels.

Secondly, the Committee was concerned that the ROC support levels could potentially create a monopoly. The Committee heard from the largest ground-mounted solar PV company in the UK that it was satisfied that the margin that the proposals would provide would be sufficient to attract investment for it, but from another that the proposed ROC levels would not provide an adequate rate of return for investors and could result in several of its projects not being viable. The issue of a monopoly for the biggest firms created an issue for the Committee. Hopefully, that will be addressed, and I am sure that the Minister will keep a close watch on that.

The Committee considered the SR at its meeting on 1 May. It agreed to support the proposals, provided that the two issues I have highlighted are addressed. The Committee is therefore content that the amendments proposed are appropriate and agrees that the Renewables Obligation (Amendment) Order (Northern Ireland) 2014 be affirmed by the Assembly.

**Mrs Foster:** I thank those who have contributed to the debate. A few issues have been raised. With regard to Mr Flanagan's point about financial information, I think that he will accept that the information that was shared was third-hand information in so far as it was provided by the developers and passed through the Department to the Committee. I suppose, and I think that he recognises, that some of their information will be commercial in confidence and that they will not want to share it publicly. However, I take his point on that. We were simply facilitating the information coming from the developers.

I know that the Committee spent a long time looking at grid connection and planning issues. I hope that the issue of planning will be raised directly with the Minister of the Environment because, as Members will know, planning in respect of grid connections does not sit with me. I know that the Committee is looking at the whole issue of grid connections and their cost. I look forward to that report.

I think that it is right to say that this is very much a balancing act with regard to incentivisation. Thus far, we have been unable to attract any large-scale solar companies here to the Northern Ireland market. I hope that this will attract some installations, but at least cost. That is the important point: at all times, we must have that balance in our minds so that we do not cost consumers any more money than is absolutely necessary.

**12.45 pm**

**Mr Wilson:** Will the Minister give way?

**Mrs Foster:** Well done, Sammy. I will give way. *[Laughter.]*

**Mr Wilson:** I thank the Minister for giving way. I apologise that I was not in the Chamber, although I was listening intently from the Gallery.

The Minister hits on an important point about costs to consumers, because, although there is no cost to the public purse, renewables obligations mean that higher-priced electricity has to be bought, and that is paid for by the consumer. Is she happy that the way in which she is reducing the ROCs over the period takes into consideration the very rapid improvements in technology that are occurring in the solar industry? Moreover, is she happy that she is not keeping the ROCs at too high a level, given that there are huge efficiencies to be made from the efficiency of the panels themselves and in the cost of the panels that people will be purchasing for that type of electricity generation?

**Mrs Foster:** I thank the Member for his intervention. I am satisfied that we have been able to take those matters into account. Given that we have not as yet had a solar installation of this magnitude in Northern Ireland, we need to incentivise it. Furthermore, Northern Ireland has 30% less sun — that comes as no surprise to anybody in the Chamber — than south-east England, which is where most of the solar installations have taken place thus far.

I think that we have got the balance right between overcompensation to developers and costs to consumers, and it is a fine balance, as I think the House recognises. I hope that the measures will ensure that the NIRO continues to adapt to changes in the renewable sectors whilst taking into account and balancing consumer need and wider sustainability concerns. I commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2014 be approved.*

**Mr Speaker:** Order, Members. The next business in the Order Paper is Question Time. I propose, by leave of the Assembly, to suspend the sitting until 1.00 pm.

*The sitting was suspended at 12.47 pm.*

*On resuming —*

**1.00 pm**

## Oral Answers to Questions

### Office of the First Minister and deputy First Minister

**Mr Speaker:** Questions 6 and 14 have been withdrawn.

#### Peace-building and Conflict Resolution Centre

1. **Mr Swann** asked the First Minister and deputy First Minister what discussions they have had with the Minister of Education on the role that their previously proposed peace building and conflict resolution centre at the Maze/Long Kesh site would have in the revised curriculum. *(AQO 6129/11-15)*

**Mr P Robinson (The First Minister):** None.

**Mr Swann:** I thank the First Minister for his brief answer. In the past, he quoted favourably in the House from the Colliers market research document on the peace centre. What is his opinion of the section that makes clear that the Education and Training Inspectorate thinks that the peace centre, including the Maze prison hospital, would be an ideal place for six-year-olds to visit as part of the personal development and mutual understanding section of Key Stage 1 of the revised curriculum?

**Mr P Robinson:** Neither the deputy First Minister nor I had any conversation with Colliers. They, I think, based that largely on the Ulster Unionist-led master plan, which refers directly to the involvement of children and young people in a centre that the Ulster Unionist party endorsed being within the listed buildings.

**Some Members:** Hear, hear.

**Mr McCarthy:** I thank the First Minister for his answers so far. Does he recognise that a balanced narrative on such a centre at that location would be a powerful tool to educate young people about the errors and horrors of the past and would contribute to peace and reconciliation in the future?

**Mr P Robinson:** Leaving aside the issue of the peace centre, I think it essential that, as part of our Together: Building an United Community, there is education — that education should happen in schools — about our past, indicating the folly of terrorism, its impact on the lives of tens of thousands of people and the need to support democratic institutions and the democratic way forward.

**Mr Spratt:** I thank the First Minister for his answers so far. When the UUP was leading the group on Maze/Long Kesh, was it not in its proposal that the peace centre and the listed buildings would be part and parcel of one building? Did they not propose that young people could use that as a centre in the future?

**Mr P Robinson:** This is part of the revisionism that the Ulster Unionist Party has been engaging in. It chaired the group that put forward the master plan, which its leader publicly endorsed. That master plan had at its heart the peace centre being within the curtilage of the listed buildings. It also indicated that the listed buildings

would be used as part of a tour and that there should be educational elements within it. So, it ill becomes any of them to take a report, which was not asked for by the deputy First Minister or me and not approved by us after it was conducted, and try to indicate, by way of smear, that, somehow, this was the thinking of OFMDFM.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Chéad-Aire as a fhreagraí. I thank the First Minister for his answers to date. Be it the first draft of the first master plan or the most recent draft, the unique selling point consistently and throughout was one of moving from conflict to peace to prosperity. Does the First Minister agree that, without that unique selling point, the ability to promote and market the rest of the site is severely undermined?

**Mr P Robinson:** I think that there are very few of us who, if we went to the west coast of the United States, would not go to Alcatraz. Very few of us have not been to one of the facilities used by the Nazis. All those places have a historical content. In the context of Northern Ireland, it is vital that, if you are to have a peace centre, it does not become a cause of division itself. That is why we always judged it essential that any such facility must have broad support from both sections of our community, particularly the victims of the Troubles.

#### International Investment

2. **Mr Storey** asked the First Minister and deputy First Minister for their assessment of the impact of their recent overseas investment visits. *(AQO 6130/11-15)*

9. **Mr Dunne** asked the First Minister and deputy First Minister what impact the international relations strategy has had to date, particularly in helping to attract foreign direct investment. *(AQO 6137/11-15)*

**Mr P Robinson:** With your permission, Mr Speaker, I will answer questions 2 and 9 together.

A key focus of the Executive's Programme for Government 2011-15 is to grow the economy. We are committed to bringing investment, jobs, tourists, new skills and best practice into Northern Ireland by promoting local skills and developing mutually beneficial relationships with targeted countries, regions and international organisations. Securing international projects requires long-term relationship building and raising awareness of the many advantages of investing in Northern Ireland.

We will continue to be proactive in targeting countries and organisations in an effort to secure trade and investment opportunities. The Executive's international relations strategy complements and coordinates the work of Departments, agencies and other organisations. It also builds on the significant international relations activity in recent years associated with our successful hosting of the G8 summit, the World Police and Fire Games, the MTV Europe music awards, the UK City of Culture, the Global India conference, the Irish Open and, most recently, the hugely successful Giro d'Italia.

Already, our international engagement during the past year has generated a number of significant benefits. I make no apology for our commitment to promote economic growth in Northern Ireland and for devoting so much of our time at home and on our international visits to meeting potential investors. That strategy has proved hugely successful, and

we remain confident that it will continue to produce positive dividends in the years to come.

**Mr Storey:** I thank the First Minister for his answer. On the back of the success of international engagement, will he make a comment, particularly on Invest Northern Ireland's announcement last week on its performance for the past financial year and its contribution to securing the prosperity of this sector?

**Mr P Robinson:** I am grateful that the Member gives me an opportunity to congratulate Invest Northern Ireland and its chief executive, Alastair Hamilton, on its successes. The problem for Invest Northern Ireland is that, once it raises the bar and we look at targets for future years, they go up as well.

Invest Northern Ireland's performance brought in a total of 10,800 new jobs, which is 49% up on last year. It brought in 6,040 new local jobs, which is 34% up on last year, and 4,760 external jobs, which is 75% up on last year. Incidentally, 73% of rebalancing jobs were above the private sector median salary. It brought in £1.09 billion of investment, which is 83% up on last year. That brings in total wages and salaries of £190 million. It has made 5,249 offers of support, 94% of which were for local businesses, and 2,995 businesses have been supported, which is up 15%. Those of us who look at the Programme for Government know that we set four-year targets. Invest Northern Ireland, in a number of those categories, has already exceeded those targets after three years.

**Mr Dunne:** I thank the Minister for his answers today. When does he anticipate the Executive being in a position to open an office in Beijing?

**Mr P Robinson:** If everything goes to plan, the deputy First Minister and I are scheduled to be in China in November for the opening of that office. That is hugely significant. Those of us who have been at the Balmoral Show over the past week will have heard from a number of farmers and producers about the importance of getting our produce out to China and the massive change that that could make to business in Northern Ireland. A presence in Beijing would be important as it is the political capital of China.

We have met Chinese officials on several occasions. Madam Liu Yandong's visit to Northern Ireland, and our meeting with her during our visit to China, indicate that, from a government perspective, they are very keen to help, and are supportive of, Northern Ireland and working with us. I hope that the opening of the new office will give us a strong base from which we can grow our economy here.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire as a fhreagraí. I thank the Minister for his answers. Minister, what work is being done collaboratively with the universities here to ensure that, when you make trips abroad with a view to attracting foreign direct investment (FDI) in particular, there are tailor-made packages to boost opportunities for graduates from those universities?

**Mr P Robinson:** I assure the Member that we have the best relationship with the universities. That is led largely by Stephen Farry in DEL, and it is an integral part of the package when we are negotiating. If we know how many jobs companies will bring to Northern Ireland and which



skills are required, the Assured Skills project will ensure that we have those skills available when they come.

The universities have been helpful not just in making sure that we have people with the necessary skills but have been very supportive in providing research and development. Quite uniquely, we have a three-pronged approach in Northern Ireland whereby people in business can have a good relationship with the universities and government, and business, as a central part, works with them as well. All that is part of the package. We encourage companies to come to Northern Ireland on the basis that we have the skills here and can produce the people when they need them.

**Mr Flanagan:** Go raibh maith agat, a Cheann Comhairle. I agree with the First Minister about Invest NI's excellent performance in delivering on the number of jobs not only promoted but created. Given the Programme for Government commitment to not only grow the economy but tackle disadvantage, would the First Minister support a stipulation on Invest NI that all jobs created through it, or with grant funding, should be paid at the living wage?

**Mr P Robinson:** Of course, we are covered by United Kingdom legislation on the minimum wage. I very much encourage companies coming to Northern Ireland to offer jobs with high salaries. I indicated that three quarters of those that come to Northern Ireland provide us with jobs that are above the private sector median, so they are better paid jobs. Of course, indigenous companies also create jobs for the Northern Ireland economy.

The more productive that companies are, the more they can pay in salaries. I think that it is a virtuous circle, because the more that staff are paid, the harder they will work and the more commitment they will give to a company.

### Delivering Social Change

3. **Mr McMullan** asked the First Minister and deputy First Minister to outline the proposals for stakeholder engagement with the children and young people's sector under Delivering Social Change. (AQO 6131/11-15)

**Mr P Robinson:** I will ask my colleague junior Minister Jonathan Bell to answer this question.

**Mr Bell (Junior Minister, Office of the First Minister and deputy First Minister):** Delivering Social Change aims to deliver a sustained reduction in poverty and associated issues across all age groups and an improvement in children and young people's health, well-being and life opportunities. Clearly, Delivering Social Change is not something that the Executive can deliver on their own. We recognise that it will involve a partnership approach to help make change happen.

Our Department hosted stakeholder engagement events in June and October 2012, with participation from children's sector organisations. Those events led to the development of the children and young persons' early action paper, which identified the key priorities to be taken forward, and those informed the signature programmes. Another stakeholder engagement event was held in June 2013.

This January, we launched a consultation document, 'Delivering Social Change for Children and Young People', building on the work commissioned from the National Children's Bureau on an outcomes framework, which sets

out a partnership approach to tackling child poverty and improving outcomes for children and young people.

We held six public consultation events, some of which were hosted by the children's sector, including Action for Children in Ballymena and the Children and Young People's Strategic Partnership in Armagh, as well as numerous consultative events with stakeholders such as Barnardo's Sixth Sense group, the Child Poverty Alliance and the Rural Community Network. A new strategy will be laid in the Assembly shortly, which will set out a framework to include ongoing engagement with the children's sector and roles for the Commissioner for Children and Young People and children's sector organisations in the further development, delivery and, of course, monitoring of that work.

#### 1.15 pm

**Mr McMullan:** Go raibh maith agat. I thank the junior Minister for his comprehensive answer. Does he accept that the children and young people's strategic partnership has been working within an indicator framework for quite some time? Can he give assurances that that will be part of any future delivery of Delivering Social Change?

**Mr Bell:** We are always looking towards the indicators. However, what I particularly like about the outcomes model is that we are measuring ourselves against results. We know what the evidence base is, and the children's strategic partnership has given us the knowledge base and evidence to inform what we need to do. It is important that, in OFMDFM, we measure ourselves against the results that we actually achieve. That is why I find the outcomes approach the most effective. It is about looking at the evidence, taking best practice and then considering the outcomes that are achieved. As we monitor progress, we will refine and review those outcomes as we go along.

**Mrs Hale:** I thank the junior Minister for his answers. Will he indicate what advances have been achieved in equipping children with the best educational start in life?

**Mr Bell:** If a child has the best educational start in life, not only can they lift themselves out of poverty but, often, they can have a significant impact on their family. The key part of that is literacy and numeracy. We specifically targeted young people who were experiencing difficulty and falling just below the mark in literacy and numeracy. As a result of a programme in literacy and numeracy, over 223 teachers are now in post, providing additional teaching support to children and young people who are most at risk of underachieving in English and maths at critical stages of their education.

The signature programme also provides recently graduated teachers with valuable experience. Benefiting from that programme are 125 primary schools and 142 post-primary schools, including 61 controlled primary schools and 52 controlled post-primary schools. It is encouraging that schools are already beginning to see a positive impact from that initiative. They are seeing increased pupil confidence and pupils progressing and improving. That is already evident within that specific target group. The most encouraging thing that I have seen is an increase in scores in sample questions. Attainment of a grade C in maths in the January 2014 examination showed progress and improvement. The additional teaching and input is working, and we hope that that flows through to the exams that those young people take later in life.

**Mr McKinney:** I thank the Minister for his answers thus far. The Minister outlined the process for monitoring and measuring. Will he detail how Delivering Social Change will help early years intervention in socially deprived areas?

**Mr Bell:** Childcare is one of the most critical issues in socially deprived areas. In the past, before we put the Bright Start programme in place — there is a question on this later so I will not give the full answer — many families told us that the big difficulty for people re-entering the workforce, particularly young women, was the cost of childcare. We know that, when we get childcare right and have it at an appropriate standard as evidenced by the professionals in the field, such as the early years partnership, that young person develops their skills and the family is freed up.

The difficulty was that childcare had to be flexible and affordable. If you are starting out having to clear a £500 bill for childcare for a month, it ruins many people's prospects of re-entering the labour market. So, we set out a programme to make it flexible, because hours change, particularly for young women re-entering the labour market on flexible contracts. The childcare, therefore, had to be flexible. It also had to be affordable. We used a social enterprise model, which is incredibly exciting. It was not just about minding children to allow people to go out. We evidenced it against the standards of good practice that are already in place, so that the child gets a wonderful opportunity through their childcare. That childcare is delivering with respect to their relationship, educational and social skills. In many cases, it is giving those children a hand up regarding their educational performance.

**Mr Beggs:** The Northern Ireland Commissioner for Children and Young People is tasked with looking after the interests of our children and young people, particularly the most vulnerable. Can the junior Minister advise how OFMDFM has engaged actively with the Northern Ireland Children's Commissioner on designing the draft strategy and consultation plan?

**Mr Bell:** I cannot recall just how many meetings both junior Minister McCann and I have had in the recent period; at least three spring to mind. The Children's Commissioner operates, as she should, as a critical friend. We have looked at all the issues. At the last stage of the consultation event, which both junior Minister McCann and I attended, the speaker was the Children's Commissioner. We have had constructive engagement with the Northern Ireland Children's Commissioner both formally and informally in private meetings in our offices. We have used the evidence base that the commission has. We have talked to its researchers. We have talked to the heads of office in each of its fields. As a result, we are, as I said, already seeing positive results in literacy and numeracy, with children attaining where previously they had not.

### International Relations Strategy

4. **Mr Anderson** asked the First Minister and deputy First Minister to outline their role in attracting international events to Northern Ireland, given their Department's responsibility for the international relations strategy. (AQO 6132/11-15)

**Mr P Robinson:** The Executive's international relations strategy provides the opportunity to coordinate international work across Departments, their agencies

and with other organisations. This includes identifying opportunities for events that promote a positive image of Northern Ireland internationally and taking forward ideas generated from our discussions with visiting international representatives. This work has included Northern Ireland hosting a number of significant and hugely successful sporting, music and cultural events and securing high level visits from international leaders, including the G8 summit, and visits from the Chinese Vice-Premier Madam Liu Yandong, Prime Minister Abe of Japan and the former Prime Minister of Libya.

I want to take this opportunity to highlight the incredible success of the Giro d'Italia. Everyone in Northern Ireland embraced the excitement and spectacle of the event, and people were very active participants. All those involved in bringing the Giro d'Italia to Northern Ireland and those who selflessly volunteered throughout the route, on occasions in the face of some inclement Northern Ireland weather, should be justifiably proud of what they achieved.

We, as an Executive, acknowledge that, collectively, we need to build on this success. As Ministers with specific responsibility for international relations, the deputy First Minister and I will refocus our efforts to bring more successful events and positive international activities to Northern Ireland in the future. I am confident that we can build on the legacy of the Giro and continue to establish Northern Ireland as a venue capable of successfully hosting world class events.

**Mr Anderson:** I thank the First Minister for that response. He referred to the recent success of the Giro d'Italia, which was such a great promotion of Northern Ireland. Will the First Minister comment on the possibility of bringing other major events such as the Tour de France and the Open to Northern Ireland?

**Mr P Robinson:** Without going into specific events, work is in progress on a number of key events that we are very keen to bring to Northern Ireland. As I indicated, if you provide the people of Northern Ireland with a quality event, they will turn out. I was pleased that the Irish Open in Portrush, again in spite of Northern Ireland-style weather, produced the largest attendance of any event on the European Tour. I am sure that many of you have watched the further legs of the Giro d'Italia as it has gone back to Italy. The best turnout that the Giro d'Italia has had thus far was in Northern Ireland.

**Mr Dallat:** I am sure that the First Minister would agree that one of the most successful international events has just finished in the triangle area of Coleraine. Sadly, two riders, Simon Andrews and Frank Petricola, are fighting for their lives in Royal Victoria Hospital. Will the Minister consider engaging with the Minister for Regional Development to see how safety can be improved on this course to ensure the longevity of this very important event?

**Mr P Robinson:** I agree with the Member. The North West 200 has played a very significant role in attracting visitors to Northern Ireland and providing a real spectacle for local people. I can say to him that I am ahead of him, because the Minister for Regional Development and I were both up at the North West 200 on Saturday. We have had some discussions with the organisers as well. For them, the issue of safety is a continual one. They had some new features. Indeed, some of those features — the kerb protectors — were of significant help when it came to the

first accident that occurred there. If those had not been there, it would have been many times worse. So, it must be an ongoing process of making sure that the race is as safe as it possibly can be. Having been there, I have to say that the speeds are more than I could endure. I could not cycle that fast. Even in the rain, the public were filling the stands and the route, and the organisers were indicating that crowds were standing in areas in which they had never stood before. They expected it to be a larger turnout than in previous years. Coleraine Borough Council, of course, plays a very significant role in the preparation and organisation of that event.

**Mr Kinahan:** To be specific, would the First Minister support Barry McGuigan if he sought to support bringing Carl Frampton's fight here to Belfast?

**Mr P Robinson:** I have met both Barry McGuigan and Carl Frampton, and I very much support his ability to bring events to Northern Ireland. I see Carl Frampton as a future world champion. When he gets into that position, he will be able to dictate where his events will be. At this stage, it is a matter of negotiation, and we will provide any support or use any influence that any of us have to assist Barry McGuigan in bringing it to Northern Ireland. You can be absolutely certain that there will be very strong support from the local boxing community for such an event.

### Childcare: Budget Allocation

5. **Mrs Cochrane** asked the First Minister and deputy First Minister why they have not allocated all of the £12m budget for childcare for 2011-15. (AQO 6133/11-15)

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

**Mr Bell:** The Member is referring to the £12 million to support the development of the childcare strategy. I am pleased that, last year, we published the Bright Start strategic framework and its 15 key first actions. Not only will these actions fully utilise the £12 million but we are, in fact, projected to spend £15 million to £17 million. We have already received high levels of interest and applications to the grant scheme.

The full Bright Start childcare strategy is under active development with a view to publication in March 2015. The 15 key first actions launched in September last year are intended to support and inform this process of development. The most ambitious of the key first actions aim to create or sustain up to 7,000 school-age childcare places. Some evidence suggests that there is a one in four chance of getting a place if you are under three to four years of age whereas, when the child gets to school age, those numbers multiply sometimes up to a one in 19 chance of getting a school-age childcare place.

We have some wonderful schools and some excellent school estates, and I know that in my area of Strangford there is particular interest in developing school-age childcare because of the need that has been identified. Obviously, not having to transport children off site and everything else works for the parent and delivers for the child. The Bright Start school-age childcare grant scheme launched in March of this year to deliver these places over the next three and a half years.

**Mr Speaker:** Order, Members. That concludes oral questions to the First Minister. We now move to topical questions to the First Minister.

1.30 pm

### Sectarian/Racist/Hate-crime Attacks

1. **Mr Boylan** asked the First Minister and deputy First Minister to outline the OFMDFM strategy and any wider Executive strategy to deal with sectarian, racist and hate-crime attacks, especially in light of recent incidents, particularly in east Belfast. (AQT 1121/11-15)

**Mr P Robinson:** Can I deal with the premise on which the question is based, and the phrase "particularly in east Belfast"? That comment has been made by the deputy First Minister and many people in the press. It appears that their GPS needs to be recalibrated, because the official statistics show that the area where most of the racist —

**Mr Speaker:** Order, Members.

**Mr P Robinson:** — attacks are occurring is in south Belfast. After that comes north Belfast and then east Belfast. However, I am sure that the Member will agree with me that, no matter whether in north, south, east or west Belfast, they are to be deplored and condemned on every possible occasion. Support needs to be given to those who have been involved, and I encourage people in local communities to continue to give the support that they have been giving to people who are attacked, whether that be a racist attack or a sectarian attack. Anyone who has information should give that information to the PSNI so that people can be questioned, charged and convicted of those offences, no matter what organisation is involved, or whether indeed the people involved are in any organisation, including the UVF, which the police indicated was involved in some.

I quote from the PSNI statement, which specifically indicated:

*"Given the range of motivations for racist hate crime across the city, it is too complex an issue for one-dimensional assessments."*

However, all of us in the Chamber, I hope, will condemn all those who are involved in racist attacks. Those attacks are on people who have come to make a contribution to our society. Many of them are indispensable because of the work that they carry out, and many have been our allies in difficult times in the past.

**Mr Boylan:** I thank the First Minister for his answer. Will he provide any financial support for any of those people who have suffered, should they need to be rehoused or anything else?

**Mr P Robinson:** On rehousing and other issues, I trust that we can engage those who are responsible in the Department for Social Development and the Housing Executive. I know that the deputy First Minister and I will do anything that we can to give assistance. We, of course, have been working on the strategy dealing with race. It is part of the overall ambit that includes good relations in Northern Ireland. Whether it is through funding, if that is required, or whether it is by providing an overall strategy, the deputy first Minister and I will not be found wanting.

### Peace Dividend

2. **Mr Byrne** asked the First Minister and deputy First Minister to outline the negotiations that will take place with the Treasury on the upcoming comprehensive spending review to ensure that the promised post-2007 peace dividend financial package will be realised. (AQT 1122/11-15)

**Mr P Robinson:** We had a very strong commitment from the Labour Administration about what the prospects would be and the peace dividend that would transpire. Regrettably, over the subsequent years, there has been a very significant reduction in the funding available to us, and I recognise that that is the result of the worldwide recession. However, it is becoming even more difficult now because, although much of the funding remains the same, it is moving more from revenue to capital, and that means that programmes that were aimed at helping those most in need have to be readdressed as a result of the shortfalls that exist.

We have a difficulty with the comprehensive spending review, in that it spans the period and lifetime of this Executive. However, the Finance Minister has been engaging with the Treasury on all the issues. I have to say that, before we ever get to the comprehensive spending review, the Finance Minister is scratching his head as a result of the difficulties encountered in making our Budget last across the existing period. Hard decisions will have to be taken by the Executive to ensure that we live within the limits of the funds available to us.

**Mr Byrne:** I thank the First Minister for his comprehensive answer. Given the legacy of the lack of capital investment in infrastructure in the past, does he accept that it is incumbent on the Executive jointly, through the First Minister and the deputy First Minister, to make a special case to make sure that some of the capital projects, including the A5, do not fall off the table?

**Mr P Robinson:** The amount of capital expenditure has increased to £1.6 billion. At the same time, I think that it needs to be said that, when we came in as a devolved institution, we almost doubled the amount of capital expenditure that was there when direct rule was responsible.

The A5 was not a matter that related to our ability to provide the funds. We had assigned the funds for that project. The project was held back in the first instance because the Government of the Irish Republic were unable to meet the commitment that they had made to us to pay for, effectively, half the road. That meant that we had to readdress how we would use our funds.

We agreed the parts of the road that we would go ahead with, and the scheme then got tied up in legal issues arising from a judicial review. The Executive are still committed to the scheme, but we are left very much in the hands of DRD being able to get the necessary approvals through.

### Racist Attacks: East Belfast

3. **Mr Craig** asked the First Minister and deputy First Minister, given the deputy First Minister's comments during Question Time last week, when he attacked unionist leaders for not denouncing racist attacks in east Belfast, whether the DUP leader, the First Minister, would like to outline what actions were taken by unionism at that time and his views on the issues. (AQT 1123/11-15)

**Mr P Robinson:** Unionist leaders — I am not just talking about my party, because the position is the same as far as other unionist leaders are concerned — have all opposed racist attacks, and they will continue to do so. I already indicated that there has been something of an attempt to demonise east Belfast by indicating that it is somehow the hotbed of racist attacks, even though south Belfast and north Belfast have worse figures for crimes and incidences of racist attacks.

However, it gives me the opportunity, once again, to condemn all those who are involved in such attacks. They are not representative of our community in Northern Ireland. We are a welcoming place; we encourage people from other areas to come here to contribute to and build up our economy. We give full support to the PSNI in dealing with this issue, and people should give information if they have it.

**Mr Craig:** Unionist leaders were also accused of cowardice of the worst kind around this issue. Will the First Minister not only outline his thoughts on that but ask all Members to condemn attacks on Orange halls, such as the attack on Fourscore, which took place this week?

**Mr P Robinson:** On the latter point, I am sure that they will all do so, and do so very willingly. As far as the attack on unionist leaders is concerned, I do not think that the Member need concern himself too much. I think that it was a synthetic attack; it was an attempt to deflect attention from the conditional support that the deputy First Minister had indicated to the PSNI and from the focus that there had been on the terrorist past of those involved in Sinn Féin.

However, I will tell him what I do believe to be cowardice of the worst kind. It involves those who shoot people in the back and have done so in the past. It is the cowardice of those who strap individuals to a vehicle and then put a bomb in it. It is the cowardice of those who take out a young woman — a widow with 10 children — from the midst of her family, take her away and torture her, tie her hands behind her back and then shoot her in the back of the head. That is cowardice of the worst kind.

**Some Members:** Hear, hear.

**Mr Speaker:** Order. Oliver McMullan — order.

**Mr P Robinson:** So, there is a definition that is required. Among the smiles that we are getting from those on the Benches on the other side, I wonder whether any of those Members are prepared to put up their hand and indicate that the IRA has been involved in cowardice of the worst kind. Not one, Mr Speaker, would say that those who tied a bomb to a window of the La Mon House Hotel — a bomb that had a napalm-style effect on those who had gone to enjoy a dinner for the Collie Club — showed cowardice of the worst kind. Planting a bomb at a Remembrance Day service in Enniskillen was cowardice of the worst kind. Stopping a vehicle of workmen who were returning home at Kingsmills was cowardice of the worst kind. So, I will not take lectures from anybody on the issue of cowardice.

**Some Members:** Hear, hear.

**Mr Speaker:** Order, order.

### Tourism: Antrim Coast Road

4. **Mr McMullan** asked the First Minister and deputy First Minister whether they agree that the Giro d'Italia television pictures from the coastal villages of Glenarm, Carnlough,



Waterfoot and Cushendall, which were beamed worldwide, have shown the massive tourism potential of the Antrim coast road. (AQT 1124/11-15)

**Mr P Robinson:** It was a fantastic spectacle. The sight of the horses riding along the beach in parallel with the cyclists on the road was fantastic. That is the kind of image that we want for Northern Ireland. I have no doubt that the Northern Ireland Tourist Board and Tourism Ireland will want to use many of the scenes from the Giro d'Italia, particularly the helicopter shots, which showed our countryside in its splendour.

I have been to the north coast on many occasions, and I have cycled up some of its elements, although not the Torr Head. It is an excellent part of Northern Ireland and is a real attractor for those who want to come to Northern Ireland as visitors.

**Mr McMullan:** I thank the First Minister for those encouraging words. Will he give me an assurance that we will revisit the plan for tourism for the Antrim coast road? We need to take it to its tourist potential, have the relevant finances to do that and put the Antrim coast road up there with the other successes that we have had, such as that with the Titanic Quarter. That is something that has been called for by the tourist providers in the area for years. I am one of them, with 25 years' experience in the tourist trade, and we have never had publicity like this before.

**Mr Speaker:** I indicate to the Member to finish.

**Mr McMullan:** We must act on that to make the most of the legacy.

**Mr P Robinson:** There has been significant investment along the north Antrim coast when we come to the Giant's Causeway. That facility is attracting a very significant number of people. The last figures that I saw indicated that about 70% of those who go to the Giant's Causeway are visitors from outside Northern Ireland.

The Member draws attention to a very significant asset that we have for the tourist industry. While he has made his remarks by way of a question to me, I am sure they have been heard by the Minister in charge of tourism, Arlene Foster, who is in her place. I have no doubt that she will want to use the best of the assets that we have in Northern Ireland to attract people to this Province.

**Mr Speaker:** Question 5 has been withdrawn.

## Welfare Reform Bill: Sinn Féin Block

6. **Mr G Robinson** asked the First Minister and deputy First Minister what steps are being taken to avoid the loss of millions of pounds as a result of Sinn Féin's blocking the progression of the Welfare Reform Bill. (AQT 1126/11-15)

**Mr P Robinson:** To get a consensus in our Executive, a majority from both sections of our community is required. At the last Executive meeting, the details of which have been published, I asked for independent experts to be brought in to give us a set of figures on the implications, so that we would not be arguing about the figures. I have also asked for us to take up a whole meeting of the Executive to deal with the issue. So, we are ready to talk, we are ready to discuss, we are ready to move forward with the issue, and I trust that Executive colleagues will be as well.

## Regional Development

**Mr Speaker:** Question 9 has been withdrawn.

### Greystone Road/ Broad Road

1. **Mr G Robinson** asked the Minister for Regional Development whether any funding will be made available for adjustments to the Greystone Road and Broad Road junction in Limavady. (AQO 6143/11-15)

**Mr Kennedy (The Minister for Regional Development):** My Department is developing a scheme proposal for a minor improvement at this junction, which will widen the Greystone Road on its approach to Broad Road and provide additional capacity for vehicles turning left and right out of this junction.

#### 1.45 pm

As a result, there should be a reduction in queues and delays, which, in turn, should ease the frustration experienced by drivers waiting to turn out of the junction. Although there are a number of worthwhile schemes across Northern Ireland competing for inclusion in my Department's minor works programmes, with costs far exceeding the resources available, I am hopeful that this scheme can be progressed at the earliest opportunity.

**Mr G Robinson:** As this is a main arterial route from Londonderry to Coleraine and there is a lot of traffic in the area, does the Minister not agree that urgent action needs to be taken on that very dangerous junction? I encourage the Minister to do all in his power to rectify that.

**Mr Kennedy:** I thank the Member for his supplementary. A full assessment has taken place, and preliminary design estimates a cost of almost £46,000 to carry out the work. We are aware of the issue, and I am hopeful that we can progress the scheme in the not-too-distant future.

**Mr Dallat:** I thank the Minister for his answer and for his continuing support for the north-west. He is, of course, aware that he inherited a long list of goodies promised by his predecessor, including a bypass at Ballykelly. Dare I ask the Minister where in the order of events that now rests?

**Mr Kennedy:** I am grateful to the Member for his question and thank him for his kind comments on my commitment to roads all over Northern Ireland and not just the north-west.

For the Ballykelly bypass, the investment delivery plan for roads includes the dualling of seven kilometres of the A26 Frosses Road between Glarryford crossroads and Drones Road. In January, the Department took ownership of the land required to build the scheme, enabling work to remove hedges to be completed. Temporary fencing has been erected on the boundary. I note his comments, particularly on Ballykelly, and will provide him with a fuller answer in writing.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Buíochas leis an Aire as na freagraí sin. I thank the Minister for his answers. In his reply to George Robinson, he referred to what could, perhaps, be described as smaller schemes than some of the major schemes, and their importance locally. With that in mind, I welcome this morning's announcement about the Bunrana Road because some minor schemes are of great importance.

**Mr Kennedy:** I am grateful to the Member for his supplementary. Of course, minor schemes are particularly important at the start of election week. [Laughter.] The press offices are hot, I think, catching other people's apples and variously reacting to positive news that I have been able to bring on many road improvements across the country, be it resurfacing or a structural demand. I am content enough for others to share in my reflected glory.

Nevertheless, it is important that money is retained and targeted at a range of minor schemes that can improve the lives of a great many people, particularly in rural parts. It is important that I as Minister am allowed to focus on schemes of that nature and have the necessary finance made available to me to achieve them.

### A2 Shore Road Greenisland Scheme

2. **Mr Beggs** asked the Minister for Regional Development for an update on the A2 Shore Road Greenisland Scheme. (AQO 6144/11-15)

**Mr Kennedy:** I advise the Member that work is well under way on the A2 Shore Road scheme at Greenisland. The contractor is approximately midway through a very tight 120-week programme that involves upgrading to dual carriageway standard some 3.5 kilometres of the A2 between the Jordanstown Road and Seapark. Improvements will include four new roundabouts at Shore Avenue; Shorelands; Station Road, Greenisland; and Seapark.

Work began in March 2013 and is programmed for completion in summer 2015. To date, approximately 300,000 man-hours have been worked on the project. That is equivalent to 180 people working full time on the project for a year. Construction of a new carriageway for Carrickfergus-bound traffic is ongoing while traffic uses the existing road adjacent to it. It will later be reconstructed to become the Belfast-bound carriageway. Between Jordanstown Road and Station Road, accommodation works for adjacent properties, retaining walls, utility diversions, culvert construction and construction of the carriageway are all ongoing. Between Shore Avenue and Shorelands, kerbs are in place and road construction up to base course level has been completed.

Along the offline section between Station Road and Seapark, the beams for Whinfield Lane Bridge are in place. Between Station Road and Whinfield Lane, kerbs are in place, and road construction is complete up to base course level. Between Whinfield Lane and Seapark, the earthworks are at an advanced stage, and work is ongoing on the kerbing and laying of the stone sub-base.

Throughout the trafficked section of the works site, one lane of traffic is being maintained in each direction, matching the traffic conditions prior to the scheme commencing.

**Mr Beggs:** I thank the Minister for his answer. I am pleased that, like the A8, the A2 scheme at Greenisland is progressing well. However, with the renewed interest in cycling following the Giro d'Italia, will the Minister outline the extent of the cycle network that is associated with the A2 at Greenisland and acknowledge that there is considerable opportunity to extend the cycle network to Carrickfergus and to link the whole area to the Belfast cycling network?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am particularly gratified, as

Minister, to have brought the A2 scheme not only to its starting blocks but to its outworking. I am conscious that it is a long-awaited scheme in the region. Promises had been made in previous years. I take some pride that the Ulster Unionist Party is delivering the A2 scheme and am very pleased about that.

My Department has incorporated cycling facilities into the scheme and has plans to extend the network further in the Carrickfergus direction. The scheme comprises the widening of the existing road between Loughshore Park and Station Road in Greenisland. That section has been designed as an urban dual carriageway and will incorporate a 3.5-metre-wide combined footway and cycleway along the shore side of the road as far as Station Road. Between Station Road and Seapark, a new offline rural dual carriageway is being constructed, and pedestrians and cyclists will continue to use the existing but quiet bypassed section of the Shore Road.

We have proposals, and we are prepared to work with others. This is election week, and new councils will be elected to take office. My Department looks forward to working with local government as we seek to promote and enhance cycling facilities.

**Mr Dickson:** I thank the Minister for his progress update. I congratulate him on the work thus far. I ask a very specific question about properties 2, 4 and 6 Station Road, Greenisland, which, as a result of the layout of the road, appear to be in a very hazardous traffic situation when the road, as currently designed, is completed. Does he agree that the potential for further blighted properties in that area needs to be looked at urgently?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He will accept, in fairness, that that is a matter that I need to refer to, and I will correspond with him directly.

**Mr Hilditch:** I welcome the Minister's update on a very successfully managed scheme, although some local politicians have been dining out on it for some time now. This is a £60 million project. Is he aware of how successful any of the social clauses of the contract were?

**Mr Kennedy:** I thank the Member for his supplementary question. We expect and insist that social clauses be part of all contracts now and that there be opportunities, particularly for young people, to avail themselves of skills. I paid a relatively recent visit on-site to meet some of the apprentices involved there, and I was encouraged — because employment and learning was a former responsibility of mine — to see that scheme working effectively. I was able to report that the contractors were very pleased with the progress, standard and quality of the people engaged in the programme. I welcome that, and I will continue to ensure that it remains part of the contracts that we award.

### Speed Limits: 20 mph Zones

3. **Mr McMullan** asked the Minister for Regional Development for an update on the five pilot sites at which his Department is proposing to introduce 20 mph zones. (AQO 6145/11-15)

**Mr Kennedy:** The protection of vulnerable road users such as children, the elderly and cyclists is a top priority for my Department. Over previous years, traffic-calming

measures have been the most successful intervention in reducing road-user casualties in residential areas. Features used include road humps, central islands and gateway signage, all of which reduce vehicle speeds to about 20 mph.

In parts of Great Britain, signed-only 20 mph speed limits have been introduced in residential and other areas where there are high numbers of pedestrians and cyclists. Although up to now there has been limited research into how effective they are at reducing vehicle speeds and increasing cycling and walking activity, I believe that it is worth trialling the concept at five locations in Northern Ireland: Belfast city centre, Langleigh Road in Ballynahinch, the Rosses in Ballymena, Whitehall in Ballycastle and Merville Garden Village in Whiteabbey.

Average vehicle speed surveys and public consultation at the five trial sites have been completed, the necessary traffic regulation orders are being processed, and I anticipate the trial reduced speed limits should be in place by the end of the year.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for his answer. How many 20 mph zones do we have and how many miles of our roads are covered by those zones?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. He will know that there is a considerable number of de facto 20 mph schemes; I do not have the exact number. It is interesting to reflect on the feedback on the success of those zones and on how the travelling public views them as well as the important issue of enforcement. We have been in consultation with the PSNI on this issue, and it is fair to say that enforcement is a major resource factor for the police, who have a concern about it. However, the fact that limits exist in built-up areas will have a positive effect on calming down the speed of traffic in those areas.

**Mr Spratt:** I note the Minister's comments on enforcement. Two weeks ago, in evidence to the Committee for Regional Development, PSNI witnesses expressed concerns about enforcement and resources. They indicated that they, along with the Minister's departmental officials, should look holistically at other measures such as calming. Would that not be a better approach? Since enforcement will be required, what discussions have recently taken place with the PSNI on the subject?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I have indicated that we have had discussions with the PSNI on this very issue and heard at first-hand some of the concerns that it has expressed. That, in part, is one reason why we have proceeded cautiously to identify the five pilot areas in order to carry out a full and proper study on the patterns that will emerge. It will be necessary to take time to assess all the issues, including that of enforcement. I look forward to updating the House with reports on how those schemes are progressing. However, I caution Members that it will take a considerable period before we move to whole-scale implementation because of some of the issues that have been raised, even through the question.

## 2.00 pm

**Mr Elliott:** I thank the Minister for his answers so far. I note that the Minister said that there is limited research on what has taken place in the UK. Can he identify the local

buy-in that there has been by residents in areas where it has been implemented in the UK? Have there been discussions with residents to see whether there is local buy-in in the five pilot areas that have been proposed in Northern Ireland?

**Mr Kennedy:** I agree entirely with the Member's point. I would much prefer to see a good level of local cooperation developed before simply imposing solutions on communities. That will be an important aspect even in the trials that we are prepared to initiate. As with all these things, unless there is local buy-in, the prospect of success is reduced. I encourage local community buy-in from public representatives and, indeed, community groups and the local population where those schemes are initially tried out or if there is a request to move forward on a broader basis.

## Procurement: NI Contracts

4. **Mr McCarthy** asked the Minister for Regional Development what percentage of procurement contracts signed by his Department are awarded to companies based in Northern Ireland. (AQO 6146/11-15)

**Mr Kennedy:** Before I respond to the Member's question, I would like to remind the House that procurement legislation requires above-threshold procurements to be advertised in the European journal. In addition, public sector procurements are subject to open competition in order to secure best value for money in accordance with the guidance in 'Managing Public Money Northern Ireland'.

In response to the question, I can advise that my Department procures the vast majority of its contracts through two centres of procurement expertise, namely the Central Procurement Directorate in DFP for supplies and services, and the Department's own centre of procurement expertise for construction-related contracts. During 2013-14, the Department awarded 68 contracts that were procured through those centres of procurement expertise. Of those contracts, 43 were awarded to companies that are based in Northern Ireland. That represents 63% of the contracts awarded. The approximate value of those contracts was almost £300 million, of which £243 million was awarded to companies that are based in Northern Ireland. That represents 81% of the value of contracts awarded. I can also confirm that the remaining contracts were awarded to a mix of companies from Great Britain and multinational companies that have offices in Northern Ireland.

**Mr McCarthy:** I thank the Minister for his response. We acknowledge the details that he provided in his answer to my initial question but what steps has he taken to ensure that all procurement contracts maximise the potential for social clauses throughout Northern Ireland?

**Mr Kennedy:** I thank the Member for his supplementary question. Indeed, in reference to the earlier point, my Department and I are determined to ensure that social contracts and the social element of contracts that are awarded can give young and unemployed people in particular the opportunity to improve their skills and get into the job market. The same applies, wherever possible, with these contracts, which are, of course, subject to EU legislation.

**Mr Byrne:** Does the Minister accept that Northern Ireland has a tremendous reputation for having a lot of major

construction companies, civil engineering companies and public works contractors that have done excellent work throughout these islands? Some of them, including members of the Construction Employers Federation, are expressing frustration at how the Central Procurement Directorate is operating. Does he agree that social clauses could help in that regard?

**Mr Kennedy:** I am grateful to the Member for his question. Indeed, I join him in adding my tribute, particularly to the construction industry in Northern Ireland, which, under the most difficult of economic circumstances, continues to provide employment prospects in all parts of the United Kingdom and, indeed, in parts of Europe. Although I am pleased that Northern Ireland firms are winning contracts in other places, I would much prefer, like him, that we could award more contracts in Northern Ireland for the construction industry, either for road construction or other aspects. That matter is raised continually when I meet members from the industry, who acknowledge the amount of work they do in Scotland, England, Wales and, indeed, the Republic of Ireland but would love the opportunity to do more work at home. I hope that the economic conditions and moneys that can be awarded to my Department from the Executive will assist with that because that, in turn, is the secret to making real strides in the local economy to improve things.

**Mr Swann:** I congratulate the Minister on the high percentage of contracts that his Department awards to Northern Ireland companies. Will he advise what percentage of procurement contracts his Department's arm's-length bodies award to Northern Ireland or GB companies?

**Mr Kennedy:** I am grateful to the Member for his supplementary question and, indeed, for his comments. My Department's arm's-length bodies, Northern Ireland Water and the Northern Ireland Transport Holding Company (NITHCo), are also centres of procurement expertise. During 2013-14, they awarded 372 contracts, 258 of which were to companies based in Northern Ireland. That represents 69% of the contracts awarded. The approximate value of those contracts was nearly £260 million, almost £160 million of which was to companies based in Northern Ireland. That represents 62% of the value of contracts awarded. Although above-threshold contracts are advertised through the European journal in accordance with procurement legislation, I am happy to confirm that the majority of the remaining contracts were awarded to a mix of companies from Great Britain and to multinational companies with offices in Northern Ireland.

## Arc 21: Road Infrastructure

5. **Mrs Cameron** asked the Minister for Regional Development what discussions he has had with the Minister of the Environment regarding the suitability of the road infrastructure in Mallusk to serve the proposed Arc 21 waste facility. (AQO 6147/11-15)

**Mr Kennedy:** Discussions have taken place and are ongoing between officials in my Department and DOE planning as part of the normal planning process. As the Speaker and the House will know, it would be unusual for Ministers to be directly involved at this stage in a planning application. My Department is a statutory consultee in the

planning process and will respond to DOE planning as required throughout the time span of the application.

**Mrs Cameron:** I thank the Minister for his answer. Does he agree that the road infrastructure in the Mallusk area already carries a large number of heavy vehicles and is wholly unsuitable for any additional heavy traffic that the proposed facility would bring?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. I do not want to second-guess the necessary discussions or consultations that will take place, by law, to determine this application. I am aware of the network of roads in the area and the limitations. I am also aware of the potential controversies around this application. We will await due process.

**Mr A Maginness:** I thank the Minister for his reply to Ms Cameron's question. I know that the Minister is constrained in what he can say, but is he aware of the widespread opposition that exists to the Arc21 facility, particularly in relation to the overburdening of the road infrastructure in that area by large lorries delivering large tonnage of waste?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. The Member will know that ultimate responsibility for the decision will rest with his colleague Mark H Durkan, the Minister of the Environment, and it is not my job to tell Mark Durkan what to do or how to do it.

**Mr G Kelly:** Go raibh maith agat. I thank the Minister for his answer. I know that he is trying to be very circumspect in this, but he knows that it is a very sensitive project. Will he take that into consideration if he is asked to look at the road structures around this facility, which has massive local disagreement?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. You can try all you like, but it has not reached my table yet.

**Mr Kinahan:** Will the Minister and his Department ensure that they meet the community groups in Mallusk, Mayfield and all the surrounding areas? That is where the concern is, and, as we have already heard, it is extremely strong at the moment.

**Mr Kennedy:** Again, I am grateful to the Member for his supplementary question. If it is considered appropriate and at the right time, I will be happy to give positive consideration to that request.

## Park and Ride: Dungiven

6. **Mr Ó hOisín** asked the Minister for Regional Development whether he has identified any sites other than Magheraboy for a park and ride site on the A6 at Dungiven. (AQO 6148/11-15)

**Mr Kennedy:** I understand that the Member recently met officials from my Department to discuss a number of alternative sites that he had proposed for the provision of park-and-ride facilities on the A6 at Dungiven. Following discussions between my officials, Translink and the PSNI, the site at Magheraboy remains the option favoured and has the greatest likelihood of being delivered in the short term.

**Mr Ó hOisín:** Go raibh maith agat a Cheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank



the Minister for his answer. Does he agree that when, not if, the Dungiven bypass proceeds, a much bigger area might be required to the west of the town rather than the Magheraboy site to the east?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I accept the point that he makes. Identifying an appropriate site is not without its challenges. We will continue to work to see whether any appropriate sites can be identified in the event of the scheme being carried forward.

**Mr Campbell:** I take on board the Minister's comment about the work ongoing to try to get a suitable site. In Dungiven, there are a number of terror-related murals, signs and posters. Will he ensure that whatever site is identified is free from that sort of activity in order that people from right around the Dungiven area will be able to use it?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. I am not a fan or a supporter in any way of such murals or memorials, and I know that the Member, as a former Minister for Regional Development, encountered the same issues as to how to deal with those effectively and properly and yet not start an epidemic of new murals and such things. I very much hope that, as we move forward, people will be sensible about those issues. With proper community consultation, many of the items that offend so many of the law-abiding society from both sections of the community can be eased out and removed from the landscape.

**Mr Speaker:** That concludes questions for oral answer to the Minister for Regional Development. We will now move on to topical questions. Thomas Buchanan is not in his place for question 1.

### Traffic Volume: Clady

2. **Ms Boyle** asked the Minister for Regional Development whether he will look at ways to address the ever-increasing volume of traffic going through the village of Clady outside Strabane, given that residents have contacted me and the local DRD office down through the years about the large numbers of articulated lorries that travel through the village. (AQT 1132/11-15)

#### 2.15 pm

**Mr Kennedy:** I am grateful to the Member for her question. I know that it is an issue on which she is providing questions for written answer.

We give an undertaking that we will look at the assessment of current traffic movements to see whether any improvements are possible. I think that our capacity to do anything is limited, but I am happy to give the matter further consideration.

**Ms Boyle:** I thank the Minister for his response and extend to him an invitation to come to Clady to see for himself how narrow the street is for the capacity that is going down it. Can he look at ways of introducing a weight restriction along that street? Go raibh maith agat.

**Mr Kennedy:** I am grateful to the Member for her supplementary question and, indeed, her invitation to go to look at a narrow street in Clady. Of course, one would have to weigh up the potential negative impacts of weight restrictions on the local business community and on the

haulage companies that use the road. All of these things are a balance. I am happy to look in more detail at whether an on-site visit will be involved. We can consider that, too, but, in the meantime, we will look at any measures or anything else that we can offer to reduce some of the impacts that are clearly evident.

### Cycling Infrastructure

3. **Mr Ross** asked the Minister for Regional Development whether he has a long-term strategy for the development of cycle lanes and cycle routes across Northern Ireland, given that, over the past couple of weekends, we have seen great racing on two wheels, from the North West 200 and the Giro d'Italia, and, in an earlier response to Roy Beggs, he commented on the potential for cycle lanes on the A2. (AQT 1133/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. The prestige associated with the cycling and motorbike racing over the past two weeks has put Northern Ireland on the international stage. Obviously, I attended both events. The Giro d'Italia was very, very successful, and I was very pleased. I am hopeful that we can continue to build the legacy of the cycling revolution that I so want and desire by improving our overall infrastructure. Yes, it will cost money and, yes, it will take time, but I think that the momentum is with us. I very much hope that as the cycling unit, which I have established in the Department, brings forward its strategy for cycling, not only in Belfast but all over Northern Ireland, we will look at ways in which we can improve the infrastructure and make it as safe as possible.

On the subject of safety, I also had the opportunity and privilege to attend the North West 200 on Thursday night and Saturday. It was a very spectacular road-racing event. Unfortunately, the sport brings attendant dangers. On behalf of the House, I extend my concern and good wishes to the families of Simon Andrews and Franck Petricola, recovering as they are in the Royal Victoria Hospital. I wish them and their family and friends well. I also pay tribute to the organisers and competitors of what was a truly memorable North West 200.

**Mr Ross:** I think that the House will, of course, echo the Minister's comments. Cycling has been a growing sport in recent years. Clearly, from the success of the Giro, many more people will be interested in getting a bicycle and using it to cycle to work or to school, or, indeed, for sporting purposes.

One of the criticisms from cycling clubs and cyclists in Northern Ireland is that many of the cycle lanes that are in place have not been maintained well or are, in some instances, more dangerous for them. Will the Minister commit to ensuring that the cycling unit in his Department will work closely with cycling clubs throughout Northern Ireland to ensure that we develop not only well maintained cycling lanes and routes but lanes and routes that will improve safety for those who are out on the roads during the week?

**Mr Kennedy:** I am grateful to the Member for his question. I think that this is where the secret will lie as we go forward: how we can improve the existing infrastructure and have new infrastructure to make cycling an even more viable alternative mode of transport for people to enjoy. I am very happy to work with cycling clubs, organisations

such as Sustrans and others from the cycling fraternity. I am very positive that we can move forward.

My recent visit to Copenhagen proved that there are substantial benefits to be accrued for those cycling. Those benefits are not only environmental and economic but will be found in quality of lifestyle and an improvement in health. By working together, Northern Ireland can reach out for and be part of those significant benefits so that we can look forward to making cycling a mode of transport that is not simply for middle-aged men in Lycra but something that the entire community enjoys.

### Bankrupt Developers

4. **Mr Girvan** asked the Minister for Regional Development whether there is any help or assistance that his Department could bring forward to alleviate some of the problems created when developers are declared bankrupt, leaving developments with unfinished roads and no mechanism to finish the infrastructure. (AQT 1134/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. I can inform him that we have had meetings with those in the construction industry and the legal profession, including the Law Society and others, about how we can address the legacy issues that have been caused by economic circumstances that were perhaps beyond everyone's control. It is a substantial challenge, because there are not unlimited amounts of money to be provided. Indeed, in any new development, the bonding system is in place to ensure that such services can be funded by the developer on behalf of the householders he is building the houses for.

I am aware of the issues. The Committee for Regional Development recently published its report into them. We are continuing to study that report. We hope to bring forward and to implement some of the — *[Interruption.]* There should be no prompting from the Back Benches. *[Laughter.]* I did not think that prompting is allowed, even in a stage whisper. We will continue to look at the implementation of the recommendations that are in the report.

**Mr Girvan:** I thank the Minister for his answers thus far. I appreciate that there is an opportunity for some of the developments to be finished. I am thinking particularly of one in Ballyclare, where the developer was to develop a major road. The town is at crisis point with congestion. Unless the Department does something, nothing is going to happen and the town is going to remain in gridlock for another generation before anything is done. A bypass road was proposed. Members asked questions about other areas —

**Mr Speaker:** I ask the Member to finish.

**Mr Girvan:** Is there a possibility that the Department will divvy up and do something for the provision of a bypass road for Ballyclare?

**Mr Kennedy:** I am grateful to the Member. I am not sure whether you were prompted to recall that as part of the supplementary, but I will accept it in the spirit in which it is offered. I am aware of the Ballyclare situation. Indeed, I have had meetings with my party colleague Danny Kinahan on the issue. It is a challenging issue. A link road was to be provided as a positive consequence of a new development, which, clearly, has encountered severe difficulties. There is also an issue as to whether the scheme that is necessary to assist with traffic movement

in the area is of sufficiently high priority in my Department, but we will continue to look at it in order to see whether we can explore a more positive outcome.

### Unadopted Roads: Augher

5. **Ms McGahan** asked the Minister for Regional Development to outline any potential funding to assist residents of Augher, County Tyrone, where there are a number of roads that need to be upgraded to an adoptable standard, albeit that she has engaged with Roads Service on the matter, with the result that it will not provide any funding. (AQT 1135/11-15)

**Mr Kennedy:** I thank the Member for her question. That is really the nub of the issue; the legacy of bonds that are not or cannot be enforced for any particular reason. That can leave some housing developments unfinished, which, in turn, leads to frustration for those who have purchased houses in good faith. However, for central government, through my Department, to fund all those improvements is not possible, unless a vast sum of money — in the region of hundreds of millions of pounds Province-wide — were to be made available to carry out that work. Having listened to the Finance Minister recently, I do not have the sense that he has that funding available to give to me at this point.

**Ms McGahan:** I thank the Minister for his response. For clarification, it is a rural road that I am speaking about, so I apologise for that. Minister, can you outline what powers the new councils will have to deal with the issue of unadoptable roads?

**Mr Kennedy:** I am grateful to the Member for her supplementary question. At the moment, my understanding is that we are not transferring responsibility for minor roads to local government. I know that that had been a suggestion in the early days — in the previous century — when local government reform was being considered, but that is not on the agenda at present. I still have full responsibility for maintaining and upgrading the entire road network.

### North West 200: Safety Lessons

6. **Mr Craig** asked the Minister for Regional Development whether he can guarantee that any lessons around safety issues that have been learnt at the North West 200 will be transferred to the Ulster Grand Prix and its organisers, given the two accidents on the North West 200 course at the weekend and the fact that the premier motorbike race, the Ulster Grand Prix, which just happens to take place in my constituency, is coming up. (AQT 1136/11-15)

**Mr Kennedy:** I am grateful to the Member for his question. He will know and confirm that safety is paramount for the organisers of all road races. They do not need me to give advice or to persuade them of that. Certainly, in all of the road racing events that I sanction and sign the orders for, I know that, for all of the organisers, be that of the Tandragee 100, Dundrod, the North West 200 or other meetings, safety is the main priority and that is how it should be.

**Mr Craig:** I thank the Minister for his answer. In previous years, his Department has been very good in working with the organisers and has greatly improved the road safety of that course. Can the Minister assure us that, if any other road safety issues are highlighted, funds may become

available to implement any necessary amendments prior to the racing occurring this year?

**Mr Kennedy:** I am grateful to the Member for his supplementary question. We work closely and liaise with the organising bodies of all of the races, and I think that we have had a very good record of improving surfaces and enhancing safety. That will continue to be the case.

**Mr Speaker:** That concludes questions to the Regional Development Minister. I ask the House to take its ease as we change the top Table.

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

2.30 pm

## Justice

**Mr Principal Deputy Speaker:** I inform Members that questions 6 and 10 have been withdrawn.

### Forensic Science Northern Ireland: Vacancies

1. **Mr Hilditch** asked the Minister of Justice for an update on the current number of vacancies for senior personnel within Forensic Science Northern Ireland. (AQO 6157/11-15)

**Mr Ford (The Minister of Justice):** At 9 May 2014, there were 14 senior personnel positions in Forensic Science Northern Ireland (FSNI). None of these posts is currently vacant.

**Mr Hilditch:** I appreciate that. The question related to a media article from a few weeks ago about the difficulty filling a particular vacancy. Is the Minister content with the organisation's structures, considering the criticism of processing times?

**Mr Ford:** The issue of processing times is rather different from the matter of staffing. If the House wants the full detail on staffing, I believe that, of 200 posts in FSNI, there is one vacancy at administrative assistant level. So there clearly is not the significant staffing issue that was originally highlighted.

A number of different initiatives are under way to improve the delivery of Forensic Science services and, in particular, to speed things up. They include the greater use of live links, the introduction of a rapid analysis scheme for cannabis and a new streamlined process for other drugs. Significant work is being undertaken on the issue of speeding up.

**Mrs McKeivitt:** Will the Minister assure the House that Forensic Science will receive all the resources necessary to run an efficient and effective service?

**Mr Ford:** I thank Mrs McKeivitt for the question. The reality is that, as in, for example, medical science, forensic science is enhancing its capabilities quite significantly. At a time of difficult budgetary pressures, it is always difficult to say that we are capable of doing everything that we wish to do. However, under the transformation programme that is under way, significant efforts are being made to streamline processes, speed things up and reduce costs.

FSNI was the first in the United Kingdom to use DNA 17 technology. That is a clear example of good investment

producing good results across the system. I certainly believe that, if we look at the construction of the new lab and the introduction of an improved IT system, we will see good value for money. However, as ever, we could always do with more resources for some of those services.

### Peace Walls

2. **Mrs Cochrane** asked the Minister of Justice for an update on the implementation of the Programme for Government 2011-15 commitment 68 on seeking local agreement to reduce the number of peace walls. (AQO 6158/11-15)

**Mr Ford:** To date, the overall number of interface structures for which the Department of Justice has responsibility has been reduced from 59 to 53 in pursuance of our Programme for Government commitment. A further significant sign of progress is the level of engagement taking place on the future of other interface structures. Through DOJ-led initiatives, and in conjunction with eight projects funded through the International Fund for Ireland peace walls programme, there is engagement at some 40 of the remaining structures. There is also significant work ongoing on additional structures owned by the Housing Executive.

Whilst there are examples of positive and progressive work, I acknowledge that, in some locations, people do not believe that the conditions are yet right for the removal of structures. The important thing is that there is engagement to explore what is possible to bring about the conditions whereby they can support that change. My Department will encourage and seek to facilitate, but it will not rush communities that are not ready.

Community engagement and consultation remain at the heart of this process. What we all need to do now is to build on the progress already made and on the engagement and to deliver a meaningful programme of change that can bring physical, community, economic and social renewal to interface areas.

On the commitment in the Together: Building a United Community (T:BUC) strategy to remove the structures by 2023, I believe that it is essential that we have a dedicated programme budget in place, alongside a cross-Executive commitment to address economic and social renewal as part of a holistic plan for interface areas. I also want there to be an intensive programme of good relations work in hard-to-reach areas.

I know from DOJ's engagement with interface communities that they would like more certainty about the strategy. I am keen to secure that and to maintain the current momentum.

**Mrs Cochrane:** I thank the Minister for his answer. Does he agree that the commitment of communities to change, even on an incremental basis, is hugely encouraging? What more does he believe that the Executive can do to support and encourage communities to make further progress?

**Mr Ford:** I thank my colleague for that question. The fact that we have engagement on 40 of the 53 remaining interface structures, and have seen six removed since the creation of the Department of Justice, is a sign of good work. It annoys me when media references are made to the fact that there are now more interface structures than

there were at the time of the Good Friday Agreement, when the trajectory in the past four years has been for removal rather than new structures being added.

It is absolutely clear that we need a detailed programme of neighbourhood renewal on interface areas to provide people with improvements that are beyond the remit of my Department. DOJ can fund structures and the removal of structures, but, when improvement is needed to the local environment, whether through roads or other measures, other Departments, particularly DSD and DRD, have responsibilities. A single funding stream is needed to ensure that we have a holistic programme that addresses the needs of those who live in interface areas in a way that builds confidence and enables people gradually to see structures opened up and eventually removed.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. I thank the Minister for his answers so far. Does he agree that the marching season has a negative impact on attempts to achieve local consensus to reduce the number of peace walls?

**Mr Ford:** Ms McCorley has a point. Clearly, there are times of the year when it is easier to make progress than at other times. In the 40 areas in which we have ongoing engagement, engagement continues through the marching season. How much of that is open and how much of it is done in relatively quiet meetings between people from different sides of an interface is a matter that has to be addressed. However, particularly in the work aided by the Community Relations Council, Belfast City Council and the IFI, we are seeing an ongoing programme of detailed engagement, which is producing results right through the year.

**Mr Nesbitt:** I am sure that the Minister is aware that those who live closest to the structures are concerned that their voices may be effectively drowned out in the consultation by those who live at some remove from the structures. What steps has he taken to ensure that appropriate weight is given to the opinions of those who live in the shadow of the structures?

**Mr Ford:** I do not think that it is the case that voices are drowned out. When my officials engage with communities, and when others, such as CRC and the IFI-led groups, carry out work, they look at the entire needs of an area and, in particular, at the kinds of issues that I addressed when I responded to Mrs Cochrane. It is not a matter of simply weighing up numbers. It is a matter of looking at the needs of an entire area. That is the kind of work that is being done in those areas where we have seen the removal of structures. That is the work that continues in the other 40 areas at this time.

**Mr Byrne:** I thank the Minister for his answers thus far. Does he accept that, when concentrating on peace walls, paramilitary-related murals have to be considered? What can he say, as we go forward, about the attitude that will be taken towards those to ensure that the glorification of paramilitary violence creates less of a chill factor?

**Mr Ford:** Mr Byrne will not be the least bit surprised to know that I agree with his concerns about the chill factor of certain murals. I am on record as saying that, if Italian cyclists had viewed election posters, that would have been less offensive than some of the murals they cycled past two weeks ago. Murals go way beyond the remit of

my Department. It illustrates the need for real, serious engagement to make some sense of the Together: Building a United Community strategy, to build on the good work of a number of agencies and to see a range of public bodies that have responsibilities in this area, including the Housing Executive and Roads Service, carry out their responsibilities in full.

### Gerry Adams: Arrest

3. **Ms Boyle** asked the Minister of Justice what contact there was between the PSNI and his ministerial private office prior to the arrest of Mr Gerry Adams. (AQO 6159/11-15)

**Mr Ford:** There was no contact between my private office and the Police Service before the arrest of Gerry Adams. I do not expect to be notified in advance of operational decisions about specific individuals.

**Ms Boyle:** Go raibh maith agat. Does the Minister agree with me that the fact that the PSNI contacted the British Secretary of State and ignored his office does nothing to inspire confidence in policing and justice? Indeed, does it not smack of old habits from an old era?

**Mr Ford:** I think that Ms Boyle does not quite understand the role of the Secretary of State in this area, which is entirely different from my role where issues relate to matters of national security. I suggest that, if she wishes to question the behaviour of the Secretary of State, she should contact the Secretary of State. I am satisfied that the police officers behaved entirely properly in this case.

**Mr Givan:** Minister, I am sure that you agree that not only should the police be free to carry out their operational duties without fear from any political repercussions but that the Police Ombudsman's Office, which is investigating two cases relating to Gerry Adams, and the Public Prosecution Service, which asked the Attorney General to carry out an independent review of why it did not prosecute Mr Adams based on what knowledge he had to do with his niece, should be free to publish their reports. The PPS has been waiting six months. It should be free to publish that report so that the public can see whether or not it has carried out its job.

**Mr Ford:** I certainly agree with Mr Givan that all the agencies of the justice system should be free to carry out their jobs properly and impartially, as I believe they all seek to do. I also believe that that means that it is the responsibility of each of us, and not only in one part of the House, to ensure that pressure is not placed on those agencies.

**Mr Elliott:** Has the Minister had any discussions with the leaders of Sinn Féin in relation to some of their members' comments about their support or lack of support for the Police Service of Northern Ireland?

**Mr Ford:** I have had no specific discussions on that topic. I believe that it should be possible for Members to show the political maturity that understands their role without being lectured by a Minister.

**Mr McKinney:** Does the Minister agree that Sinn Féin allegations of political policing, accompanied by remarks of, "How dare they touch our leader", were wrong and irresponsible?

**Mr Ford:** I can only agree with Mr McKinney. It is obvious from my comments that I reject any attempt from any



quarter to interfere in the justice system or any of the relevant agencies. Clearly, some of the comments by members of Sinn Féin at that time were entirely inappropriate, as indeed have been comments made by members of other parties in other circumstances; for example, on public order matters.

### Hate Crime/Racist Attacks: Belfast

4. **Mrs Cameron** asked the Minister of Justice what action his Department is taking to combat the increasing number of hate crime incidents. (AQO 6160/11-15)

14. **Mr McAleer** asked the Minister of Justice to outline any meetings he has had with the PSNI in relation to the recent racially motivated attacks in Belfast. (AQO 6170/11-15)

**Mr Ford:** With the your permission, Mr Principal Deputy Speaker, I will take questions 4 and 14 together.

I have given a commitment through the community safety strategy that the justice system will tackle hate crime and the harm that it causes. My Department chairs a multiagency group that was set up to deliver the strategy and a range of actions being taken to combat hate crime. Legislation is in place that allows for an increase in sentence for offences aggravated by hostility because of race, religion, sexual orientation or disability.

My Department is working with the PSNI to promote the work of hate crime advocates, who are a consistent point of contact for victims for practical and emotional advice and assistance. Policing and community safety partnerships (PCSPs) also play an important role in making communities safer. Action plans for 2014-15 will identify where interventions are required in tackling hate crimes. A practical measure to support victims is the hate incident practical action scheme aimed at providing personal protection and safety measures at home. In partnership with the Housing Executive and the PSNI, my Department is examining ways of promoting and raising awareness of the scheme.

I have discussed the recent increase in racist attacks with the Chief Constable and met the Secretary of State and senior police officers last week regarding action being taken. As you are aware, Mr Principal Deputy Speaker, I attended a recent Black and Minority Ethnic Parliament and responded to questions on work being taken forward to tackle these attacks and confirmed that such views are not shared or supported by the majority of our people. My officials attended a recent meeting in Belfast City Hall regarding these racist attacks and will participate in any further groups or actions arising from that meeting.

#### 2.45 pm

**Mrs Cameron:** I thank the Minister for his answer, and I add my and my party's condemnation of all racist and hate crimes. Is the Minister satisfied with the contribution of the PCSPs in tackling hate crime?

**Mr Ford:** Clearly, a range of actions are being taken by PCSPs. I know from the most recent quarterly meeting with PCSP managers and my officials that a number of them have very significant issues related to that work in their plans for the coming year. Indeed, in the next day or two, I will write to PCSPs to encourage them to look at that issue, sharing best practice and using some of the examples that are already under way in some areas to

promote action against hate in all respects. Clearly, it is an issue that must be addressed as we seek to look more widely at the community safety strategy for all of us.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. Does the Minister share the view of Assistant Chief Constable Will Kerr that many of these hate crimes, particularly in parts of Belfast, are orchestrated by the UVF and are effectively a form of ethnic cleansing?

**Mr Ford:** The issue that Mr McAleer has raised has been addressed in discussions that I have had with ACC Kerr and his colleagues. There is no doubt that some of the hate crime incidents we have seen, particularly those of a racist nature in east Belfast, have had links to the UVF, but we should certainly not suggest that everything connected with hate crime is the responsibility of the east Belfast UVF. Sadly, we have seen hate crime incidents in almost every part of Northern Ireland and in a number of different areas. There is no doubt that the police need to ensure that they continue the good work that is already under way, in particular to tackle the hate crime that comes from specific organisations.

**Mr Dallat:** I thank the Minister for his answers. Does the Minister agree that hate crime is highly damaging to our international reputation? Does he further agree that it is perhaps time to look at the legislation to ensure that the people who are guilty of these horrendous crimes are put where they belong: behind bars?

**Mr Ford:** I certainly agree with Mr Dallat that hate crime is one of those issues that can be a potential chill factor for people visiting Northern Ireland or people coming to work in Northern Ireland or even, I suspect, for people seeking to invest in Northern Ireland. I am not sure that, at this point, there is a significant need for a review of the legislation, as he suggests. The reality is that we have opportunities for enhanced sentencing where issues are related to hate crime. Significantly, under the 2004 Criminal Justice Order's references to crimes that are aggravated by hostility, judges can take into account a hate motivation when they award sentences. Clearly, there is not always an easy case to be made that a particular crime may have been aggravated by hostility. It is a matter of looking at the practice of the various agencies to ensure that we get that particular motivation taken into account to ensure adequate and appropriate sentencing where possible.

**Mr Dickson:** Minister, in dealing with hate crime, do you agree that, sadly, it is necessary for you and your Executive colleagues to reinvigorate the Unite Against Hate campaign to remove the scourge of those who commit these crimes in Northern Ireland?

**Mr Ford:** The original Unite Against Hate campaign, which was launched five years ago, was successful in responding to what were seen at the time as a number of high-profile racist incidents. The key partners at that time were OFMDFM and the DOJ. Originally, it started with our predecessors in the NIO as well the police, the Equality Commission and the Community Relations Council. To some extent, that campaign has lost impetus in recent times, and there may well be a case for saying that it should be revamped in the near future. Recently, I wrote to the First Minister and deputy First Minister to ask that they consider that, to seek an update on the position — it is an OFMDFM-led campaign — and to offer my commitment

that the Department of Justice will do all that it can if we seek to revise the Unite Against Hate campaign. In particular, that would include looking at the implications right across Northern Ireland and not merely some of the good work that has been done by Belfast City Council and the police in recent days.

### Policing: Twaddell Avenue Costs

5. **Ms McGahan** asked the Minister of Justice to detail the cost to date of policing the protest at Twaddell Avenue. (AQO 6161/11-15)

**Mr Ford:** The cost of policing the Twaddell protest now exceeds £9 million. On 30 April 2014, the exact cost was £8.8 million, including opportunity costs of £2.9 million.

**Ms McGahan:** I thank the Minister for his response. Minister, what conversations have you had with the Chief Constable in relation to the gaps in policing that have occurred as a result of that money being squandered?

**Mr Ford:** Although Ms McGahan raises an interesting point, I cannot say that I have discussed specific gaps that have opened up because of the money that has been spent on policing Twaddell. However, I have discussed the overall issue. For example, it is clear that there were significantly fewer arrests over the past year around what one might call normal crime because of public order issues and because of resources being diverted to Twaddell. Therefore, the community across Northern Ireland was put at greater risk because the police were less active, and that, effectively, is the opportunity cost of £2.9 million. It certainly causes me significant concern that an issue that should not continue to cost has cost such a huge amount of money at a time of decreasing resources. We have significant pressures on the police and on other parts of the justice system; therefore, it is time that the Twaddell camp went away, people accepted the determination of the Parades Commission, ceased putting pressure on the Police Service and allowed it to do the job that it should be doing for every part of Northern Ireland.

**Mr A Maginness:** I thank the Minister for his forthright answer on the Twaddell protest. That enormous amount of money — £9 million — could have been spent rejuvenating the Ardoyne and Woodvale communities who live in that area. Does the Minister agree that such a monumental waste of money could easily be set aside if people were to sit down on a neighbourly basis and talk neighbour to neighbour to settle that contentious parading dispute?

**Mr Ford:** I entirely endorse the points that Mr Maginness has made. It is clear from some parts of Northern Ireland, most particularly when we look at the engagement between the loyal orders and the residents of areas of Derry close to the city walls, that, where that engagement has happened, particularly where it has been facilitated by other groups such as the business organisations in the city of Derry, it has been possible to resolve issues in a way that has reduced tension, reduced the need for policing, even on the days of parades, and certainly not seen such an extended stand-off with such enormous costs, including the cost of policing and the cost of what cannot be done elsewhere and the damage done to community relations in north Belfast.

### Victim and Witness Care Unit

7. **Mr Hazzard** asked the Minister of Justice to outline the main functions of the recently established victim and witness care unit. (AQO 6163/11-15)

**Mr Ford:** The victim and witness care unit provides victims and witnesses across Northern Ireland with a single point of contact for their case from when the investigation or charge file is submitted to the Public Prosecution Service through to and including the outcome of any court proceedings. That person will contact the unit through their preferred means — telephone, letter or email — and at a preferred time of day wherever possible. The unit's primary role is to keep victims and witnesses informed of the progress of their case, assess their individual needs and offer access to additional services where appropriate.

The unit provides a range of information, such as if a defendant gets bail and their bail conditions, how to make a victim personal statement and updates at key stages of the process. The unit will advise victims and witnesses if they are required to give evidence. Where someone is giving evidence, the unit will advise on special measures that may be granted to help them give their best evidence and the facilities available at court to help them prepare for attending court. The unit will also advise victims about the court outcome, including any sentence given.

The new unit is an excellent example of the value of working in partnership, with effective collaborative working between the Public Prosecution Service and the Police Service, supported by staff from Victim Support NI. Victim Support staff can provide immediate advice and emotional support and, if necessary, make referrals for additional help, such as counselling.

**Mr Hazzard:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his answer thus far. Perhaps he could detail whether he has any plans to roll these units out across the North.

**Mr Ford:** The answer is that there are no plans to roll it out across the North, because rolling out right across Northern Ireland happened a week ago.

**Lord Morrow:** Can the Minister tell us today how much funding from the offender levy scheme has been directed towards the victim and witness unit to date, and what plans does he have to fund it over the next 12 to 24 months?

**Mr Ford:** My Department provided approximately £70,000 last year from the victims of crime fund, as Lord Morrow highlighted — the offender levy — to enhance the unit's services. However, fundamentally, the service is provided by the Public Prosecution Service, which is funded by DFP and not my Department, so I had better not stray too far in that direction. The additional funding was £70,000.

**Mrs Overend:** I wanted to ask the Minister whether the service would be available throughout the whole of Northern Ireland. I presume that it is, considering.

**Mr Ford:** Yes.

**Mr Principal Deputy Speaker:** You answered your own question. We will move swiftly on.

### Filling Stations: HMRC Compliance

8. **Mr Dickson** asked the Minister of Justice whether he has received a response from HM Treasury in relation

to the legislation that prevents the identification of filling stations that have failed compliance visits by HMRC. (AQO 6164/11-15)

**Mr Ford:** At a previous Question Time, Members asked about the possibility of naming and shaming filling stations that HM Revenue and Customs had found to be selling illicit diesel. HMRC advice at the time was that section 18 of the Commissioners for Revenue and Customs Act 2005 has a taxpayer confidentiality clause that makes it an offence to divulge details of anyone in relation to such an investigation and that it could not identify those believed to be evading tax in respect of fuel cases or give information that might lead to their identification.

I advised Members that I had written to the Economic Secretary to the Treasury, asking that the Treasury consider a review of the legislation. I have since received a response. I am pleased to note that the Treasury has assured me of the seriousness with which it views fuel fraud, the loss of revenue, the undercutting of honest businesses and the environmental impact. In addition — I welcome this — it has advised that HMRC is reconsidering legislative issues and possible options to allow such naming and shaming of individual petrol station owners involved in this illicit trade.

**Mr Dickson:** Minister, I know that you chair the Organised Crime Task Force. Can you update us on the wider issues in tackling fuel laundering fraud across Northern Ireland?

**Mr Ford:** Although my colleague, rightly, says that I chair the OCTF, much of it is the responsibility of individual agencies within the OCTF, principally HMRC, which is in the lead for a variety of work. I have certainly been kept well abreast of the work that it has been doing in developing a new marker for rebated diesel fuel. That is in the process of being introduced over the next 18 months or so. It is a joint project between HMRC and the Irish Revenue Commissioners, and the scientists assure us that it will make it significantly more difficult to launder, if at all possible, than the current markers. Therefore, it should assist significantly in the fight against crime.

There are also regular raids on laundering sites and suspected laundering sites. I have had the pleasure of visiting some of them, although to describe it as “pleasure” to wade through a kind of sludge from the output of this laundering, specifically where filtrate is used to take the colour out of markers, is hardly a pleasure. To see the environmental damage that is being done to rivers and burns across Northern Ireland is quite horrifying.

We also introduced legislation in December last that will allow unduly lenient sentences for excise evasion on fuel to be referred to the Court of Appeal by the DPP. I hope that that will also show that, should sentences be awarded that are not sufficiently serious, they will be followed up in a way that ensures custodial sentences, where appropriate.

### Courts: Disabled Facilities

9. **Mr Hussey** asked the Minister of Justice how he ensures that any facilities used by the Northern Ireland Courts and Tribunals Service are assessed to ensure that they meet the needs of people with disabilities. (AQO 6165/11-15)

**Mr Ford:** The Northern Ireland Courts and Tribunals Service ensures that its estate meets the needs of people

with a disability by commissioning disability audits for each venue and, as far as is reasonably practical, implementing the recommendations. A rolling programme of work has been undertaken to upgrade the estate and to improve and enhance access for disabled service users.

**Mr Principal Deputy Speaker:** I call Mr Hussey for a very brief supplementary.

**Mr Hussey:** I thank the Minister for his answer. He referred to disabled access: does he agree with me that disabled facilities in most of these areas are very poor?

**Mr Ford:** I will give a very brief answer: no, I would not agree with that. Certainly, in some of our older courthouses, facilities are less than ideal, but I believe that facilities for disabled people in our modern courthouses are, by and large, extremely good.

**Mr Principal Deputy Speaker:** That ends the period for questions for oral answer. We move on to topical questions. Jim Allister is not in his place.

3.00 pm

### Legal Highs

2. **Mr Beggs** asked the Minister of Justice whether his Department is working closely with local government to learn lessons and assist in removing legal highs, which have severe adverse effects on our young people, from the streets, given that, although suppliers of so-called legal highs often change their formula to evade misuse of drugs legislation, Belfast City Council successfully used general product safety regulations to address the problem in its area, with UUP councillor Mark McKinty taking that issue to Larne Borough Council and gaining the support of council and the PSNI for the same type of raid in Larne last week. (AQT 1142/11-15)

**Mr Ford:** I thank Mr Beggs for the question, which also featured at my previous Question Time.

The issue of legal highs and other such substances is not one for the DOJ to address directly. However, my Department cooperated in arrangements with Belfast City Council’s environmental health officers (EHOs). That saw five shops raided and prosecutions taken last year under the regulations, which were highlighted by Mr Beggs, regarding general product safety as opposed to anything specifically related to dangerous drugs.

My understanding is that EHOs spread that information to other council colleagues across Northern Ireland. I do not think that Larne is the second council to have done that — Omagh may have been — but there have been a number of cases in which the issues have been considered and work is being done by EHOs and the police. My officials have been assisting, where appropriate, with that, but we have not been taking the lead.

**Mr Beggs:** I thank the Minister for his answer and declare an interest as a treasurer of the Carrickfergus Community Drug and Alcohol Advisory Group.

Does the Minister agree that a relatively small amount of seed funding from the policing and community safety partnership (PCSP) can bring about great benefits in local communities by addressing drugs misuse through organisations, such as Preventing Addiction Larne? How

effective has the funding spent from the policing and community safety partnership been in Larne?

**Mr Ford:** I do not have the detail of how Larne spends its PCSP budget. However, Mr Beggs has highlighted something very positive: individual areas looking at the needs of their area, seeing how small sums of money given to NGOs can frequently be beneficial to fighting crime and promoting community safety, and — a further point that I made — ensuring that such good practice is shared. A lot of people assume that what works in Larne will always work in Fermanagh. We must ensure that lessons are learnt and applied, as appropriate, in other districts. That is a very good example of how PCSPs are working in the way in which I hoped that they would when we introduced the idea in the Assembly in 2011.

### Water: Safety Awareness Campaign

3. **Mr Flanagan** asked the Minister of Justice whether his Department would consider taking the lead in coordinating an updated safety awareness campaign, involving the emergency services and voluntary organisations, to encourage people to be safe on the water, particularly at times of good weather, given that the Minister will be aware of the tragic drowning of Lee Rogers in Enniskillen at the weekend and will want to join him in taking this opportunity to express his sincerest condolences to Lee’s family and friends and commend all those involved in the search and rescue operation. (AQT 1143/11-15)

**Mr Ford:** I send my condolences to Lee’s family, as Mr Flanagan has done.

The Department of Justice has taken the lead in coordinating search and rescue by liaising with other agencies across the UK and, indeed, with Irish agencies. The Department is not, however, formally in the lead, and there is a slightly difficult position whereby DCAL in particular has some responsibilities, especially around mountain and cave rescue, while others, such as lowland search and rescue are not particularly the responsibility of any Department to coordinate.

I agree that there is a need for joining up. I am not entirely convinced at this stage that the DOJ is the appropriate Department to do that coordination, given that much of the responsibility rests with DCAL. The important thing is that we see Executive Departments working with the relevant agencies to ensure that we provide the best possible way of providing the sort of support that is needed, whether that be by mountain, cliff and cave rescue, by lowland search and rescue or by the Royal National Lifeboat Institution (RNLI).

**Mr Flanagan:** I thank the Minister for his answer. I agree with him, in that I do not really care who takes the lead on it, as long as it is done. Would the Minister be prepared to engage in round-table discussions with the Minister of Culture, Arts and Leisure, some of her officials and voluntary organisations such as the RNLI, the North West Mountain Rescue Team and Sligo coastguard to help the emergency services to ensure that there is a better proactive and reactive campaign to deal with these types of issues?

**Mr Ford:** I have been engaged in a number of discussions and, indeed, have met Lowland Rescue, for example. I met the North West Mountain Rescue Team at its base in County Fermanagh, which I never quite realised was in the north-west. So, discussions are ongoing, but I think that the need

to ensure that we bring those to a conclusion as speedily as possible was highlighted in the tragedy this weekend.

### Fuel Laundering

4. **Mr Ross** asked the Minister of Justice whether he shares his frustration and anger with the fact that many of those involved in illegal fuel laundering have not appeared before the courts and have not been convicted, given that he will have seen reports on the news this morning about how some of those people have recruited scientists to try to break some of the markers in the fuel. (AQT 1144/11-15)

**Mr Ford:** I share the anger that people who are committing crimes have not been made amenable for those crimes yet. I know that HMRC and the police are doing good work. Unfortunately, however, in many cases, the work that is going on in fuel laundering does not involve teams of people sitting in a laboratory; frequently, these things are carried out automatically with limited human contact to the point where the crimes are being committed.

So, it is not a particularly easy task. That is why the importance, which was highlighted, of addressing a better marker issue has to be progressed. HMRC is doing good work on a regular basis, but we have to acknowledge that the scale of fuel laundering in Northern Ireland is significantly higher than that in any other region of these islands. That is creating problems for the law enforcement agencies.

**Mr Ross:** Is it an additional difficulty for the law agencies here in Northern Ireland to catch those who are involved in illegal fuel laundering, given that the National Crime Agency (NCA) is not able to operate here in Northern Ireland? Would he again reiterate the call that was made this morning for those parties that are refusing to allow the NCA to operate in Northern Ireland to allow that to happen so that the criminals who are involved in illegal fuel laundering can be caught and brought before the courts?

**Mr Ford:** If Mr Ross wishes me to agree again with the vital necessity of getting the NCA in place to fight crime in the devolved sphere, I will happily do so. The practical reality with fuel laundering is that excise duty is a non-devolved issue. Therefore, the NCA could be available to assist HMRC. Of course, many of these criminals are carrying out other criminal activity, much of which is covered by devolution, and that creates difficulty for the NCA with exactly where the boundaries lie.

However, he had better not be too specific about excise duty evasion, although his point is absolutely right. I certainly trust that Members who have been reluctant up to now to see us move forward on allowing the NCA to help us in the fight against crimes such as trafficking and child exploitation will see the necessity to do that in line with the safeguards that have been secured.

### Desertcreat Discussions

5. **Mr McCrea** asked the Minister of Justice for an update — no doubt he will not be surprised by the question — on the Desertcreat discussions. (AQT 1145/11-15)

**Mr Ford:** Although that is no surprise whatsoever, since the matter rests with the programme board that is looking at cost reduction, I am afraid that I am not in a position to give any specific update at this stage. I hope that we will be in a better position by the middle of next month to see



what the cost-reduction exercise has amounted to and what it is possible to achieve. However, to give him the answer that he really wants to hear, I am happy to confirm to Mr McCrea that the Department of Justice remains committed to having world-class training facilities at Desertcreat for the three services together.

**Mr I McCrea:** The Minister has, indeed, given me the answer that I really wanted. He will be aware that there is a lot of frustration with the talk from those in other constituencies across Northern Ireland suggesting that they would be better suited, having former Army barracks sites etc. The Minister has done this already, but can he again give his assurance that he will continue to battle through the difficulties to ensure that this is provided in Cookstown and that he will work alongside Executive colleagues to try to make the facility a reality once and for all?

**Mr Ford:** I can certainly give a commitment that the DOJ, in so far as it speaks for the Prison Service and works with colleagues in the Police Service, will continue to show its commitment. I trust that Mr McCrea will subject the Minister of Health, Social Services and Public Safety to the same questioning, on behalf of the Fire and Rescue Service.

### Article 2-compliant Inquests: Delay

6. **Mr Rogers** asked the Minister of Justice for an update on the unacceptable delay in the hearing of article 2-compliant inquests. (AQT 1146/11-15)

**Mr Ford:** That we have significant issues in dealing with the past generally and how that ties in with inquests in particular has been highlighted quite clearly. There are huge issues relating to resourcing in that matter. Members are well aware of the concerns that I have at the fact that we failed to reach agreement, in the talks chaired by Dr Richard Haass last year and in the party leaders' talks since then, to find a comprehensive way of dealing with the past. To be strictly technical, many of those historic inquests will never be article 2-compliant, because article 2 requires speedy action, and we could no longer say that it was speedy. However, we must seek to make the inquests as compliant as possible as fast as we can.

Without the resources that we need, and given the large number of cases that are currently in the system relating to historic inquests, the position is extremely difficult. I hope that, if the House is prepared to pass the Legal Aid and Coroners' Courts Bill, by giving the appropriate responsibilities to the Chief Constable — sorry, to the Lord Chief Justice — and others, we will be able to see that we can get better direction into the working of the Coroners Service. However, it will also be essential that additional resources are provided to the DOJ to carry out the administrative work that goes with that.

**Mr Rogers:** I thank the Minister for his answer. He will probably agree that we have a major responsibility to the families of the deceased, some of whom have gone to the grave without getting answers. If it is a matter of resourcing, has the Minister pursued this vigorously with the Secretary of State and other individuals with a specific responsibility in that area?

**Mr Ford:** I have certainly raised the issue with the Secretary of State. In my view, this particular section of the Haass report, looking at the historical investigations

unit (HIU), was the best way that we could have ensured a proper investigation of a number of areas, including those which currently fall to the Police Ombudsman, the Historical Enquiries Team and legacy inquests. In the circumstances in which a new unit was set up, I believe that we would have had a right to go to both the UK Government and the Irish Government to seek additional resources for it. In the absence of that agreement, it is very difficult to see how we would make the case for the additional resources that we so badly need.

### Policing: Part-time Officers

7. **Mr Hussey** asked the Minister of Justice whether he is aware of the content of a document prepared by the Deputy Chief Constable in relation to the future of the part-time police. (AQT 1147/11-15)

**Mr Ford:** No, I am not aware of it, but I suspect that a member of the Policing Board is about to tell me. [Laughter.]

**Mr Hussey:** I am not aware of the content of the document [Laughter.] but I am aware that it exists, and I thought that I would ask somebody more important who might know the answer. Does the Minister agree that part-time police officers are an essential backbone of the Police Service, and part-time police service should be encouraged and a part of the policing plan for the future?

**Mr Ford:** I note that Mr Hussey did not declare his past interest in such matters, unusually.

Both here and in other regions of the UK, it is clear that part-time police officers have performed a valuable role at different times. We also see the operation of policing community support officers in parts of England and Wales. So, there are a variety of models that would provide some additional support for the police. The precise way in which that would work is very much an operational issue for the Chief Constable, the Deputy Chief Constable and the approval of the Policing Board.

**Mr Principal Deputy Speaker:** Ms Claire Sugden is not in her place.

### Prisons: Chaplaincy Services

9. **Mr A Maginness** asked the Minister of Justice for an update on the discussions between the Prison Service and chaplaincy services within our prisons. (AQT 1149/11-15)

**Mr Ford:** The best way in which chaplaincy services are provided to prisoners has been under discussion for a time with various senior Church representatives, because a number of religious bodies currently have chaplains. As ever, there are issues relating to both cost and the most appropriate way of providing those services.

My understanding is that, following the circulation of a proposal from the Prison Service to, at least, the four senior Church representatives — I am not sure how many others may have been involved because there are issues with the role of lead chaplain in different prisons — there have been some partial responses but not yet any full responses. Therefore, I am not entirely clear where the Churches stand, but I believe that we need to ensure that, along with the other aspects of providing efficiency, proper chaplaincy services are provided to support prisoners, particularly those who are vulnerable.

3.15 pm

## Agriculture and Rural Development

**Mr Principal Deputy Speaker:** Questions 3 and 7 have been withdrawn.

### Active Farmer

1. **Mr Moutray** asked the Minister of Agriculture and Rural Development to outline her Department's definition of an active farmer. (AQO 6171/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Go raibh maith agat, a LeasCheann Comhairle. EU legislation adopted by the EU Commission on 11 March 2014 states:

*"In line with the case-law of the Court of Justice of the European Union, payment entitlements should be allocated to the person enjoying decision-making power, benefits and financial risks in relation to the agricultural activity on the land for which such allocation is requested."*

My Department will act in accordance with that legislation. This means that, in future, direct payments, which are intended as an income support for farmers, should go to those who actively farm the land in question. This provision has particular relevance for land let under conacre arrangements. In general terms, this means that, in 2015, when all existing single farm payment entitlements are abolished and new entitlements established, landowners letting out land in conacre will not be able to establish entitlements on that land, the principle being that where land is let, the farmer actively farming it will be the one claiming direct payments on it.

**Mr Moutray:** I thank the Minister for her answer. Has she any intention of bringing in a minimum stocking rate to define active farmers?

**Mrs O'Neill:** No, that is not within our scope. I know that people are very concerned to know the clear definition of an active farmer, and I have set out what Europe has set down. We are trying to make that available for everybody to see so that landowners in particular can establish whether they are active farmers. The basic rule is that, if you are not sure whether you are an active farmer, in all likelihood, you are not. For clarity, if anyone is unsure, they should check the DARD website for the question and answer (Q&A) section, which is very detailed, or phone the helpline for any support that they may need.

**Mrs Dobson:** I doubt that even the Minister would be brazen enough to claim that her Department has handled the definition of an active farmer well. Yet again, what should have been a relatively straightforward procedure was overridden with avoidable ineptitude from her Department. Will she now tell us the exact implications of the current definition for Northern Ireland's conacre system?

**Mrs O'Neill:** The Member will be aware that throughout this difficult process, we very much fought our corner in Europe to make sure that we had as much clarity as possible so that we could provide the same to our farmers. Unfortunately, Europe was slow in making the regulations

and ensuring that everything was clear. As soon as we were aware of the final definition of an active farmer, which I have just outlined, we made sure that local farmers were aware of it. I could give it no sooner than when I received it.

**Mr McAleer:** Go raibh maith agat. What impact will the active farmer regulation have on farmers who rent land in conacre?

**Mrs O'Neill:** If, on 15 May 2015, farmers have land at their disposal, meaning that they own it or have taken it in conacre for the purposes of agricultural activity, they can establish the entitlements on that land. As they will be the claimant, they will also be responsible for cross-compliance on the land for the entire calendar year. There are many different scenarios and everybody's situation is different. Sometimes, farmers own the land; sometimes, they rent it. They should be encouraged to read the Q&A on the website or contact DARD because there is no blanket approach to any of this.

**Mr Rogers:** I thank the Minister for her answers thus far. Does she agree that a lot of landowners are very unsure of what is happening with the term "active farmer"? What more can she do to clarify the situation for them?

**Mrs O'Neill:** This is very complex and there are major changes. People have been cautious about taking what are, effectively, business decisions.

We updated the Q&As on the website daily. That was done in line with the questions that farmers were asking us. Therefore, we tried to provide as much clarity as possible throughout the process. I also extended the trading deadline by an extra month to allow people a bit more time to make decisions. As I clarified information, we were then able to get it out there as quickly as possible.

I absolutely accept that it is a time of massive change for farmers and landowners. However, the principle around an active farmer is that support goes only to those who are genuinely active farming.

### CAP: Allocations

2. **Mr Byrne** asked the Minister of Agriculture and Rural Development how the common agricultural policy pillar 1 moneys will be allocated over the next seven years. (AQO 6172/11-15)

**Mrs O'Neill:** Two major issues will affect how pillar 1 moneys will be allocated to farmers over 2015-19. They are the transition towards a flat rate payment per hectare and the number of regions designated for administering the direct support regime.

We have considerable flexibility on the pace of transition towards a flat rate payment regime, although the EU regulation requires that we achieve a minimum level of migration by 2019. The pace at which we move to a flat rate is complex and will affect virtually every farmer in the North. Farmers in all areas — severely disadvantaged areas (SDAs), disadvantaged areas and lowlands — rely heavily on that support, and there is concern that a fast transition could be damaging and difficult for many producers. However, I also know that many other farmers want a rapid transition to a flat rate.

The regulation also allows for more than one region to be established in the North. Again, stakeholders have differing views on that issue. There has been much debate

on the merits of a two-region versus a single-region model. Analysis shows that having two regions makes little difference to the overall magnitude of the redistribution of support between farmers compared with a single-region model, but it does cause a different redistribution. It would also create a more complex support regime.

Those decisions still have to be taken. Given the major significance of the choices that face us, we need to take the time that is available to us to make the very best decisions that we can, balancing the competing needs of all sections of the farming community.

**Mr Byrne:** I thank the Minister for her answer. When will she and the Department have concrete proposals, and when can they be put to the Executive for agreement on a single zone or otherwise and the period of transition?

**Mrs O'Neill:** Political discussions are ongoing to agree the remaining issues. We have provided as much clarity as possible on all the other decisions that we have taken and ensured that that information is out there. However, the sooner we have a political deal on the way forward, the better. We have until August to declare our hand to Europe. However, I would like us to be in a position to take a decision well in advance of that August deadline. We will work through the process, after which we hope to be able to clarify those remaining key issues for farmers. They are massive key issues because of the supports and how they will be tailored. I want to be in a position to do that sooner rather than later.

**Mr Frew:** The Minister is right when she says that two key issues could damage the industry in Northern Ireland. Given that she stated in her latest answer that a quick and immediate change to a flat rate could damage the farming industry, will she reassure the House that that will not be the case? How does she counter claims from her colleague the Sinn Féin MEP, who said that she wants a flat rate immediately?

**Mrs O'Neill:** Because the changes are so major, it is important that we get them right. It is important that we do not rush them simply to serve the people who want a decision today. I wish that we could clarify the position today. However, we are in a political process, which I am happy to go through. These are fundamental key issues that will tailor how supports are distributed across the North, so it is important that we get it right.

Do I want a move to a flat rate sooner rather than later? Absolutely, so I support my colleague in that respect. However, we are being very reasonable. We are taking decisions on moving forward that will have major implications for some farmers. In moving forward, it is reasonable that there is a transition period. It is reasonable that we take our time to make those decisions and ensure that they are right and proper.

Since Sinn Féin took up the Agriculture Department, it has made it very clear that it is an economic Department. We want to drive the agriculture industry. We have a strong commitment to the agrifood sector, which is evidenced in our work in that sector.

In moving forward, we have to go through the political process. We want clarification on those remaining issues for farmers sooner rather than later. I will work through the process. As soon as I have agreement on the way

forward, I will ensure that it is communicated to farmers immediately.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. It is interesting to hear so many people talking about a transition period and how long it will be. The Minister will be well aware that, in my county of Fermanagh, there is quite large and active support for the work of the SDA group. What would the Minister say to those farmers who highlight the fact that there was no transition period when the system was brought in and that they were discriminated against? People are now talking about a transition period of 10 or 15 years to get them back on to the system that will treat them with fairness.

**Mrs O'Neill:** It is very simple. Anybody who may lose out as a result of changes is concerned and wants a period of transition. Anybody who will gain obviously wants to see it sooner rather than later. The current system is flawed. I believe that we need to move to a flat rate sooner rather than later. However, I am reasonable in that I know that people need time to adjust. We are talking about businesses that could go under if they are faced with a default position in Europe.

Let us remind ourselves of the default position, which will be a flat rate immediately in 2015 and a single region. If there is no political agreement, that is the position that we will be taking. I want to get political agreement, but it is up to the partners in government as well to make sure that that happens.

## Animal Welfare

4. **Mr Lyttle** asked the Minister of Agriculture and Rural Development when she will initiate a review of the implementation of animal welfare legislation. (AQO 6174/11-15)

**Mrs O'Neill:** I welcomed the opportunity to debate the issue of animal cruelty in the Assembly on 31 March 2014. It was a timely debate given the number of high-profile convictions that were secured recently under the Welfare of Animals Act 2011.

I share the concerns of the public and Members of the Assembly that the penalties imposed by the courts must fit the crime and provide a deterrent to others who might engage in acts of animal cruelty. For that reason, I supported the motion that called for a review of the implementation of the Welfare of Animals Act and of sentencing guidelines and practices. I note that, since the debate, a prison sentence has recently been handed down in a case of very serious cruelty against farm animals. That case was investigated by my Department, and I find the sentence encouraging. Work on the review of the implementation of the Act is ongoing. My officials are developing terms of reference for the review, which will include engagement with the Department of Justice, and I anticipate that the review will commence shortly thereafter.

**Mr Lyttle:** I thank the Minister for her answer. I know that she was as disappointed as anybody in the community at the outcome of some of the lenient sentences that have been handed out recently. Will the review consider the adequacy of maximum penalties for animal cruelty and the adequacy of the current level of resourcing for enforcement duties?

**Mrs O'Neill:** Yes, absolutely. When we review, we will review everything. We will look at the effectiveness of the Act, the practicalities, the implementation on the ground and even the funding. Looking at the whole gamut of issues is the most effective way to take forward any review.

**Mr Campbell:** Sentencing is one thing, but I presume that the Minister will agree that members of the public are the greatest assets in reporting offenders for animal cruelty, particularly in rural areas. What is she doing to ensure that the public know and understand that, when they report cases, those cases are acted upon immediately?

**Mrs O'Neill:** Councils are involved in the work on the ground, and, through their websites and through local publications, they have actively been trying to promote the service that they provide. During the review, we can certainly look at whether there is anything else that we can do to communicate with the public, because we obviously want people to come forward. If you look at the number of people who have contacted the animal welfare officers to report cases of suspected animal cruelty, you will see that people are very keen to come forward. From memory, the number is in the region of 12,000 people. The fact that that number of people has come forward is very positive, and it is encouraging that people want to stamp this out and want to help the animal welfare officers do their job.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Who is responsible for the enforcement of animal welfare abuses of non-farmed animals?

**Mrs O'Neill:** The PSNI has the responsibility for enforcement in respect of wild animals, animal fighting and welfare issues where other criminal activities are involved, and councils have responsibility for enforcement in respect of non-farmed animals such as domestic pets and horses. Councils have nine animal welfare officers to enforce the Act right across the North, and the powers in the Act allow those animal welfare officers to take a range of actions to address any animal welfare case, including providing advice, giving a warning, issuing a legally binding improvement notice or prosecution. The circumstances of each case will determine the most appropriate action.

It is important that the PSNI, councils and my Department are involved in the enforcement of the Act as it provides a new duty of care and allows inspectors to issue improvement notices for animals that are not being cared for properly.

That would not be appropriate work for the PSNI. However, should the PSNI wish to investigate and prosecute any animal welfare complaint, the Act provides those powers. Importantly, only the PSNI can make arrests in any matter where an offence has been committed under the Act.

## 3.30 pm

**Mr A Maginness:** I note what the Minister has said, and I am sure that her concern about animal cruelty is sincere, but what has she done to express disquiet and concern about the leniency of sentences to the judiciary, the police, the Public Prosecution Service, animal welfare organisations and anybody else, including the Minister of Justice?

**Mrs O'Neill:** I have discussed the issue with the Minister of Justice. I have also written to the Lord Chief Justice to express my concern about sentencing. That is a particular issue. If the Act is fit for purpose — my early

assessment is that it is, although there may be areas where we can strengthen it — and clearly allows for tougher sentencing, we need the judiciary to follow through on that. The leniency of the sentence in the recent case in east Belfast was particularly concerning. I have written to the Lord Chief Justice to express concern and to ask for consistency. Since the east Belfast case, another enforcement case has been taken in relation to farmed animals. I am encouraged by the fact that the sentencing in that case was not as lenient. Hopefully, that reflects the attitude of the judiciary in going forward.

**Mr Kinahan:** I am glad to come back to the subject, particularly after the Crosskennan problem with Belfast City Council. The Minister has just indicated that she will give more guidance, but does she accept that it was wrong of her predecessor to dismiss the concerns of many, including this party, that her Department was not offering councils enough direct support and guidance following the decision on animal welfare responsibilities? Will she consider giving additional funding to councils to help the ratepayers who end up footing the bill?

**Mrs O'Neill:** My predecessor initiated the legislation, the Welfare of Animals Act 2011. The legislation that we have in place is very strong, particularly compared with what is in place in England, Scotland and Wales. She very clearly listened to the views of stakeholders in developing that legislation. As I said earlier in respect of the review and in the recent Assembly debate, I will take a step back and look at everything that is in place around the enforcement role and the role of councils. Obviously, funding is another area that will be considered as part of that overarching review.

## Farm Animals: Illegal Slaughter

5. **Mr McKinney** asked the Minister of Agriculture and Rural Development how her Department is tackling the problem of the illegal slaughter of farm animals. (AQO 6175/11-15)

**Mrs O'Neill:** Responsibility for regulating the slaughter of farm animals lies with the Food Standards Agency (FSA). District council environmental health officers, on behalf of the FSA, investigate allegations of animals slaughtered illegally, from a public health perspective. However, my Department has responsibility for investigating any animal health or welfare breaches associated with that illegal activity. Although suspect cases are uncommon, where illegal slaughter is suspected, enforcement officers from the Department's veterinary service work closely with the police, the FSA and the relevant environmental health office in adopting a multi-agency approach to dismantling such operations and taking appropriate enforcement action.

**Mr McKinney:** I thank the Minister for her answer. How successful has her Department been in identifying any traceability elements of the animals involved?

**Mrs O'Neill:** Unless the Member is referring to a particular case, I cannot comment. It is key that the FSA is very much in the lead on the slaughter of animals, although my Department will work collectively with the other agencies, such as the police and environmental health officers. We have a central enforcement team in place that takes the lead in some instances. A lot of these activities are criminal, and they damage the reputation of the wider meat industry. We are, obviously, concerned about that because we have farm quality assured beef and we have something



that we can stand over. Such illegal activity damages our reputation, so we want to make sure that we can stamp it out where possible and work collectively to do that.

**Mr Swann:** I realise that the Minister has said that her Department is not responsible for investigating illegal slaughter, but it was her Department's animal and public health information system (APHIS) that reported that 12,500 cattle had been stolen or had gone missing over the past four years. Where does the Minister think they are going?

**Mrs O'Neill:** You may put that question to the people involved in that illegal activity. We work very closely with the PSNI. Any of these incidents usually involve a wider criminal gang; there can be other aspects to it. Quite often, the PSNI is in the lead. We are content to work with the PSNI and use our services. Our central enforcement team is very effective on the ground. It works very effectively with the other agencies, because it is a collective effort to eradicate something that is obviously a particular problem.

Where are the cattle going? It is illegal activity, and we will try to expose it where we can. We had a recent case in which it was exposed, and investigations are ongoing. We hope to see more of those as the close collaboration continues.

**Mr McCarthy:** Will the Minister outline what implications this all for the safety of supply in food?

**Mrs O'Neill:** That is why it is important that we do all we can to tackle the problem. It ruins the reputational aspect of what we have. What we have is fully traceable, and we can stand over it. Any meat slaughtered in an appropriate manner is fully traceable. It is high-quality and is second to none. The only issue we have is where there is illegal activity. We want to drive that out because it causes reputational damage. As I said, we have to do that with all the agencies and partner agencies involved.

**Mr Principal Deputy Speaker:** I call Mr Jonathan Craig. I hope to be able to hear your question.

### Single Farm Payment

6. **Mr Craig** asked the Minister of Agriculture and Rural Development when farmers will be informed of the rate of single farm payment they can expect to receive in the current round of consideration. (AQO 6176/11-15)

**Mrs O'Neill:** The single farm payment scheme entitlements are denominated in euro. The vast majority of claimants in the North elect to be paid in sterling. The exchange rate used in 2014 will be the rate recorded by the European Central Bank on 30 September this year. The Department will make a press announcement at that point to confirm the rate to be used.

The single farm payments received by farm businesses in 2014 will also be affected by the rates of financial discipline and scale-back of entitlements. Those rates are set by the European Commission and will be announced in the autumn. Farm businesses will be informed by letter in the autumn of the value of their entitlements after scale-back has been applied.

**Mr Craig:** I thank the Minister for that answer. I take it that she will ensure that those dates will be met by the Department. Critically, this dictates the income for farmers throughout the Province. They need some certainty with

their banks so that they have an income that makes them viable. If the rates change dramatically from previous years, will you give the House the guarantee that your Department will do everything in its power to minimise the impact on our rural farming communities?

**Mrs O'Neill:** We go through this process every year, and farmers know when to expect the date. They know that, every year, the exchange rate is set by the bank in September. They also know that, in autumn, shortly after that, when Europe confirms its element, I will make that public and we will inform them all in writing. It is the same process every year; there is nothing new.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mo bhuiochas leis an Aire as a freagraí go nuige seo. I thank the Minister for her answers up to now. Is she in a position to provide us with some detail on the single farm payments due in the 2013-14 financial year? How many remained outstanding for payment at the commencement of this financial year?

**Mrs O'Neill:** Of last year's single farm payments, 99.5% have been paid. The only remaining cases involve reasons of probate, or there may be legal reasons, or people might not have provided bank details. They are the only people outstanding. We far exceeded our targets. We paid four months earlier than ever before this year. We had some issues around remote sensing, but those people were still paid earlier than ever before. I am really pleased to confirm that, this year, we have received over 40% single farm payment applications online. I said to the farming industry that, if more people applied online, I could pay them more quickly, so I am delighted that we have more than doubled the number of people who have applied online. That is a very positive news story. Hopefully, that will have a very positive impact on next year's payment targets. I think that we will far exceed them again.

### Forest Service: Relocation

8. **Mr Flanagan** asked the Minister of Agriculture and Rural Development for an update on the relocation of the Forest Service to Fermanagh. (AQO 6178/11-15)

**Mrs O'Neill:** The relocation of the Forest Service headquarters from Stormont to Fermanagh is progressing on three fronts: where, who and when. We continue to develop an estate management strategy, which is pointing to Enniskillen as the preferred location for Forest Service headquarters. We have commissioned DFP's Central Procurement Directorate to report on the feasibility of accommodating staff by refurbishing Inishkeen House at Killyheviin. That would locate Forest Service with the existing DARD Direct service there. We have sought information on the preference of staff who currently work at Stormont and will use that to develop a staff transition plan. I do not expect that anyone will be required to move if it does not suit, and we are developing a strategy to deal with that. Over time, I believe that many of the jobs will be taken by local residents, and it will afford an opportunity for those people to work in the public sector at the highest level. All of this work is pointing to a timeline that will see Forest Service headquarters substantively established in Fermanagh by June 2015, subject to the business case.

**Mr Flanagan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. I thank the Minister for her answer and the

positive news that we are finally going to see the Forest Service being substantially relocated to Fermanagh by June of next year. It has been a long time coming.

Can the Minister clarify how many jobs we are talking about? There are some question marks hanging over exactly how many jobs will transfer to Fermanagh.

**Mrs O'Neill:** Sixty-one Forest Service posts have been identified as headquarters jobs. A small number of additional posts associated with plant health policies have also joined Forest Service and will also be headquarters-based. The target operating model at this stage, subject to establishing the optimum number of plant health posts and inclusive of posts already based there, includes around 78 posts in total.

**Mrs Overend:** I thank the Minister for her answer. Following the scale-back from the original decision to relocate the Forest Service to Fermanagh, can she give a commitment that she will not seek to do the same with the Rivers Agency's relocation to Loughry?

**Mrs O'Neill:** The Member must be confused: there is no scale-back. The move to Fermanagh is going ahead, as is the move of the fisheries division to County Down, Rivers Agency to Loughry and headquarters to Ballykelly. We are firmly on target. We are building on the work that we need to do. This is about the fair distribution of public sector jobs and about giving people access to Civil Service jobs. It is only right and proper, and I am glad that my Department is leading the way.

### CAP: Reform Proposals

9. **Mr Elliott** asked the Minister of Agriculture and Rural Development when she will bring the common agricultural policy reform proposals to the Northern Ireland Executive. (AQO 6179/11-15)

**Mrs O'Neill:** In the case of pillar one, which refers to producer support, I have already announced a number of important decisions relating to entitlements, eligible land, active farmers, greening, regional reserve, the young farmers' scheme and capping. However, a number of key decisions remain to be taken. As I said last Thursday at the Balmoral show, we have to keep in mind the significance of the choices that we make. We are talking about the allocation of almost €2 billion of taxpayers' money over the remainder of this decade. That has to be done carefully, wisely and fairly. We need to be mindful not just of the allocation of CAP support but of the potential bureaucratic burden and the risks we pose for ourselves in whatever choices we make.

Given the importance of these remaining decisions, it is so important that we get it right. Political discussions are ongoing in relation to the remaining key issues, and it is my intention to bring my final proposals to the Executive in the coming weeks. I am, of course, mindful of the 1 August deadline to notify the European Commission of our implementation plans, and it is most certainly my intention that we will have an agreed CAP pillar one structure before that date.

**Mr Principal Deputy Speaker:** I remind the House that the Speaker had made a very clear ruling that loud conversations should not take place on the Benches. I ask Members to respect that ruling, as I can hear those conversations quite clearly from here. I call Mr Elliott.

**Mr Elliott:** Thank you very much, Mr Principal Deputy Speaker. I hope that I was not referred to in that, because I have been sitting here on my own for quite a while. [Laughter.] I appreciate that the Minister touched on some of these issues in her earlier answer, but can she give some more detail of what stage the discussions on finalising the CAP proposals that she is having with other political parties, representatives of the Executive and other stakeholders are at?

**Mrs O'Neill:** The Member will be aware, given the significance of these decisions and changes, that we have had a massive consultation. We have had probably the biggest ever response to a consultation, and we have had numerous public meetings, with halls across the North packed with people wanting to have their view heard. I am happy to listen to all those views. I have confirmed quite a number of decisions. However, as I said, a few key decisions remain to be taken, and I am actively working through that process as we speak. I hope to be able to confirm decisions sooner rather than later. We certainly do not want to wait until the August deadline. We would like to have confirmation for farmers well in advance of that date.

**Mr Principal Deputy Speaker:** I call Mr Wilson for a supplementary question, although I think that I have probably heard most of it. [Laughter.]

**Mr Wilson:** Does the Minister accept that, despite what she has said about extensive consultation, what farmers now require is confirmation of the arrangements that will be in place for payments, especially around the single farm payment and the CAP reform proposals?

Many now find themselves in the position of facing an uncertain financial future because of the way in which she has dilly-dallied on the issue. If she really wants to give comfort to farmers, will she get a paper to her Executive colleagues so that a decision can be made?

3.45 pm

**Mr Principal Deputy Speaker:** Order. That ends the period for questions for oral answer. [Laughter.] That question was so long. We move now to topical questions.

### Farming Community: Ministerial Engagement

1. **Mr McAleer** asked the Minister of Agriculture and Rural Development whether she had much engagement with the farming community during the Balmoral show and what feedback she received. (AQT 1151/11-15)

**Mrs O'Neill:** The Balmoral show was fantastic, and the weather was kind. This was the second year at the new site. I think that it was evident for all to see that the show, which will be built on year on year, was very much enjoyed. The numbers this year were fantastic again. I spent most of Thursday there, and engagement was excellent with the farming community, the wider rural community and all the businesses that had an opportunity exhibit what they have to offer, so it was very positive.

CAP reform was the topic of the day, which you would expect. I celebrated quite a number of very successful rural development programme projects, which, again, was very positive. I also visited many stands. All round, it was a fantastic, successful show.

**Mr McAleer:** Minister, at the show, you announced your intention to implement the young farmers' scheme. Will you give us an assessment of the impact that that will have on the farming community?

**Mrs O'Neill:** Looking to the future, we need young people in the farming industry, and we want them to remain in the farming industry. At the Balmoral show breakfast, I was able to announce that we have decided to allocate 2% of our regional ceiling to the young farmers' scheme. That payment will be 25% of the total direct payments' regional average, which is approximately €84 a hectare. I know that young farmers very much welcome that. After the DARD breakfast, I met the Young Farmers' Clubs and it was pleased and delighted about the announcement.

I also announced information on the educational requirements. We have gone some way to addressing the concerns about whether we should have a level 2 or level 3 qualification. Again, that has been positively welcomed.

This is all about trying to make a sustainable farming future and supporting our young people to stay in agriculture. The fact that so many want to get involved in food and agriculture courses is testimony to the fact that they want to stay in farming. This is an opportunity for me, and, as I said, being able to support those young farmers financially has been very positive.

**Mr Principal Deputy Speaker:** Mr Trevor Lunn is not in his place.

### Rural Development Programme

3. **Mr A Maginness** asked the Minister of Agriculture and Rural Development when the rural development programme will be finalised to allow the rural community to benefit from it, given that it is one of the most important instruments for the development of the rural economy. (AQT 1153/11-15)

**Mrs O'Neill:** We are working our way through the process now. We had a major consultation on the rural development programme. We have set up a stakeholder consultation group, which is looking at all the proposals that we set out. People showed a particular interest in that in their responses to the consultation. We know that we have been allocated just over €227 million by Europe. I am looking at how my Department and the Executive can match that funding so that we will know the total and final scope of the rural development programme.

**Mr A Maginness:** I thank the Minister for her very clear answer. In the last part of her answer, she referred to co-match funding. When will that be agreed by the Executive to ensure that we have a meaningful rural development programme?

**Mrs O'Neill:** I am hopeful that that will happen very soon. It is important that we hit the ground running with the new programme. We do not want any delays, so we are working up proposals based on different financial allocations. In the very near future, we will hopefully have discussions with the Executive around the Going for Growth strategy, and those discussions will help me decide on the final allocations for the rural development programme and then the final programmes. However, we are certainly not waiting until that happens. We have been involved with the stakeholder group, and we are talking through the possible

ideas, which will depend on the final budget settlement that we get.

### Beef Sector: DARD Support

5. **Mr Milne** asked the Minister of Agriculture and Rural Development to outline any support she intends to put in place for the beef sector in these difficult times. (AQT 1155/11-15)

**Mrs O'Neill:** Obviously, we have concerns for the beef sector at this time. We want to see a strong, profitable red meat sector, and we want to do everything that we can to achieve that. Farmers have to receive a fair price for what they produce. Only when that happens will we have fairness in the supply chain and a sustainable red meat sector.

I am obviously very sympathetic to the very challenging issues that our beef sector is facing. I have met representatives of the sector and I have instructed my officials to work on how we can shape the new rural development programme and, through it, what support we can provide for the beef sector. We are working our way through that now. It is obvious that, if we are going to have a sustainable beef sector in the future, we have to look at new markets and at export opportunities. That is why we have visited places such as China and OFMDFM has visited other areas. So we need to target those markets because, if we are going to grow the exports and sales that are set out in the Going for Growth strategy, the beef sector needs to be supported. I am obviously very keen that the new rural development programme supports that industry going forward.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagra go dtí seo. Thank you, Mr Principal Deputy Speaker, and I thank the Minister for her answer thus far. Has she spoken to Minister Coveney in the South to discuss her concerns?

**Mrs O'Neill:** I regularly engage with Minister Coveney to discuss things. Coincidentally, I had a phone call with him just about half an hour ago. We are talking about how we can collectively work together to deal with issues, particularly on nomadic cattle. That is a term that I hate, but it is how the industry has termed cattle that are born and reared in the North and then slaughtered in the South or vice versa. There are particular challenges for the beef industry, and he and I are keen to work together. One area that we discussed today was asking Europe to recognise that we have a distinct situation here and that we are very different. I think that it is important that we are able to market our produce as Irish produce when businesses want to. So we are going to go to Europe together to collectively make our voice heard. We are both involved in a round of engagements with retailers and the large supermarkets on their specifications for the meat industry. Again, that is something that is causing problems for the type of meat that is coming forward. So quite a lot of work is going on between me and Minister Coveney, in the NSMC and outside it.

### Cattle Residency Criteria

6. **Mr Elliott** asked the Minister of Agriculture and Rural Development what action she is taking to resolve the significant concerns that there are from livestock markets about the various cattle residency criteria that are being imposed by DARD and the abattoirs. (AQT 1156/11-15)

**Mrs O'Neill:** First, I will correct something that you said. Nothing is being imposed by DARD. Those are commercial matters that are outside the Department's remit. Criteria have been set down very clearly by the processors. I have met their representatives and have made it very clear that I do not support this, that it is challenging for the industry, and that, to bring something in with no communication with the industry is, quite simply, not good enough. People have bought cattle at high prices and are now stuck, with nowhere to go to have them slaughtered. It is not good enough, and I have made my position on that very clear. I will continue to engage with those people. In answer to a previous question, I talked about doing a round of meetings with the retailers, and we will also do a round of meetings with the processors. If we are going to have a sustainable industry going forward, it is key that those people do not take decisions on their own without consulting the farming industry. It is just simply not good enough.

**Mr Elliott:** I welcome the Minister's opposition to the imposition of those criteria. She indicated that she is having discussions with the retailers. Is there any indication that they are in support of the processors doing this or are the processors doing it of their own volition?

**Mrs O'Neill:** I think that there is possibly a mixture of both, but, until I have met them all, it is hard to confirm that. As I said, I intend to meet them to impress on them that some of the requirements are nonsense. There is a traditional trade across the island of people buying in certain counties and always coming here for slaughter.

We do not need to disrupt that. This is a nonsense. It is all the same beef and it is all fully traceable, so there are no areas for concern. That is the message that I want to put to them clearly when I have that round of meetings next week.

### Bovine Tuberculosis

7. **Mrs Cameron** asked the Minister of Agriculture and Rural Development for an update on the strategy to reduce bovine TB in herds. (AQT 1157/11-15)

**Mrs O'Neill:** My officials have been with the Committee for Agriculture and Rural Development over the past number of weeks to update it on where we are with the proposals. It is quite a detailed proposal on what we are trying to do, but obviously TB is a very complicated disease. There is no quick fix; I wish there was. We are working our way through the test and vaccinate or remove (TVR) research proposals. Those are quite detailed, so I will not go into them all now, but I am happy to provide that to the Member in writing. Basically, we are actively trying to tackle the wildlife issue alongside all the other work that we are doing on our EU eradication plan.

**Mrs Cameron:** I thank the Minister for her answer. When will the TVR scheme be rolled out on the ground?

**Mrs O'Neill:** We got Executive agreement last week, so we are able to go out and start our badger sett survey work. It is commencing immediately, so it may be on the ground already. If not, it will be over the next number of days.

### Rural Development Programme

8. **Mr Brady** asked the Minister of Agriculture and Rural Development for an update on the new rural development programme. (AQT 1158/11-15)

**Mrs O'Neill:** Considerable progress has been made on developing the new plan for the 2014-2020 rural development period. There was considerable interest in the public consultation process that was carried out. We have listened to all the views that we received. A stakeholder consultation group was established last year to provide a forum for the key stakeholders to discuss and influence the development of the next programme. I know that that has been very beneficial for them and for the Department.

It is important that we learn lessons from the current programme and try to cut down on the red tape to make things simpler, particularly for businesses applying for funding where, potentially, it will be the same application process for £1,000 as for £20,000. There are things that we can iron out. I am very grateful for the work of that stakeholder consultation group in assisting us in trying to iron all those things out. We now know that our allocation of EU funding is €227 million. However, in the absence of the ability to transfer any funds from pillar 1 to pillar 2, I will await the outcome of the Executive's discussion on Going for Growth before deciding on a final budget for the new rural development programme.

**Mr Brady:** I thank the Minister for her answer. I was going to ask her what stakeholder consultation and engagement has taken place, but she has answered that question. Go raibh míle maith agat.

**Mr Principal Deputy Speaker:** Mr Jim Allister is not in his place, so I call Mr Gregory Campbell.

### CAP: Reform

10. **Mr Campbell** asked the Minister of Agriculture and Rural Development whether she intends to have discussions over the next 10 days to resolve the CAP reform issue, given that, in answers to previous questions, she said that it could run to August. (AQT 1160/11-15)

**Mrs O'Neill:** I am always looking for discussions. Discussions at a political level are ongoing. As I said, I do not want us running up to the 1 August deadline. I would like decisions to be taken sooner rather than later to provide the clarification that farmers are asking for.

**Mr Campbell:** If the discussions are not clarified and concluded until after the House rises at the beginning of July, what plans does she have to communicate with both the House and farmers directly?

**Mrs O'Neill:** Obviously, I hope we will not be in that position. However, there are urgent procedures and mechanisms in place to deal with that if we happen to be in that position.



## Assembly Business

**Mr A Maginness:** On a point of order, Mr Principal Deputy Speaker. Mr Brady asked a topical question on the rural development programme. It was exactly the same question as I asked the Minister. I ask the Principal Deputy Speaker to review whether it is appropriate or, indeed, in order for Members to repeat questions, particularly topical questions. I do not know whether Mr Brady was in the House when I asked my question, but it was identical. I ask that you review the matter.

**Mr Principal Deputy Speaker:** First, it is not a valid point of order. How Members use the opportunity of topical questions is entirely a matter for them, and it is up to Ministers whether they choose to repeat the answer to a previous question. The issue is not whether the Member was entitled to ask that question. I do not know his mind. He may have had in mind a particular issue that he hoped the Minister would pick up and address, but that is not for me to second-guess.

4.00 pm

**Mr A Maginness:** Further to that point of order, Mr Principal Deputy Speaker. I will not delay you or the House very long. If that is the case and it is in order to do that, you could have 10 identical questions asked to the Minister and the Minister giving 10 identical answers. Therefore, I think that it is a point of order and a matter that could appropriately be looked at by the Speaker.

**Mr Principal Deputy Speaker:** I am sure that the Member will realise that, if the Minister has discretion, he or she will not repeat an answer 10 times. I think that it is a slightly ridiculous situation that you are painting for us. I have already said that it is not a valid point of order. The Member was entitled to put the question. Whether he was seeking a different response or further information is a matter for him and the Minister. The Minister chose to respond, and that, for me, satisfies the protocols and requirements of the House.

*Adjourned at 4.02 pm.*

# Northern Ireland Assembly

Tuesday 27 May 2014

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

*Members observed two minutes' silence.*

## Assembly Business

**Mr Buchanan:** On a point of order, Mr Speaker. At two previous Question Times, my name was down for a question for oral answer, and I was not present. I take this opportunity to apologise to you. For one of them, I was called away on urgent business and did not get back. For the other, I was involved in a family bereavement. I offer my sincere apologies to you, sir, for my absence on those occasions.

**Mr Speaker:** I thank the Member for coming to the House to make that apology. I understand that Members sometimes cannot be here, and there can be circumstances in which it is nigh impossible to be here. Question Time is on Monday and Tuesday, and it just a matter of going to the Business Office before 12.00 noon and withdrawing your name. That is maybe a warning for all party Whips. If Members cannot be here, they should alert the Whip, who will go to the Business Office and withdraw the name.

**Mr Campbell:** On a point of order, Mr Speaker. I am not in any way challenging your decision on my request for a matter of the day on the prolonged delay of the European election count, which is causing alarm and concern among many people, not only among those of us who were at the count yesterday but among the 625,000 people who cast their votes. We have two elections over the next two years — one to Westminster next year and one to this House in two years' time — and we need a way whereby the Assembly can convey its concern at the ongoing delay with the count at the King's Hall so that it is not repeated in the future.

**Mr Speaker:** I feel the frustration from all parties. It might be useful if parties were to come together to table a motion. That would be one way to get the message across.

**Mr Allister:** On a point of order, Mr Speaker. I apologise for my absence last Monday when my topical question to the Justice Minister was called. I had fully anticipated being here, but, unfortunately, the recording of a television programme on the election seriously overran. At 3.00 pm, when I expected to be here, I found myself marooned in UTV, so I very much apologise for that. I have no apology to make for the 75,000 votes, which endorsed and greatly strengthened my stand in the House.

**Mr Speaker:** I appreciate the Member coming to the House, like Mr Buchanan, and apologising. I understand — I say this very sincerely — that, sometimes, it is physically almost impossible for Members to be here.

**Mr Elliott:** Mr Speaker, in the same vein, I have just been made aware that I was absent from the House for a question on, I think, 29 March. It goes back some time, and I had not been aware of it. Mr Speaker, I apologise to you and to the Minister. I was at a funeral that day, and my question was late on the list. I apologise.

**Mr Speaker:** I thank the Member for coming to the House and apologising. I want to alert the House that some Members who have been absent for Question Time have come to the Speaker's Office or to the Business Office to apologise. I am making a very clear ruling that Members need to come to the House to apologise. No doubt, this morning, after the elections, it is confession time for a number of Members. I appreciate the fact that Members have come to the House this morning to apologise.

## Executive Committee Business

### Road Traffic (Amendment) Bill: Second Stage

**Mr Durkan (The Minister of the Environment):** I beg to move

*That the Second Stage of the Road Traffic (Amendment) Bill [NIA 35/11-15] be agreed.*

First, I would like to thank my Executive colleagues for their support in bringing this Bill to the Assembly. I look forward to working with the House in taking forward and refining this important Bill. Today, we have the opportunity to debate a Bill with the potential to save lives and reduce injury on our roads. That is quite a responsibility. Reaching this significant stage has involved significant effort.

In particular, I recognise the work on the Bill that was undertaken by my predecessor, Alex Attwood.

The Bill contains provisions that will affect most people in Northern Ireland. It is right, therefore, that arriving at this point has involved extensive consultation, which has informed the development of the Bill and provides us with the assurance that we have a climate of opinion that supports the proposals before us today. We have also liaised extensively with the Police Service, Forensic Science Northern Ireland and the Northern Ireland Courts and Tribunals Service to ensure that, together, we bring forward legislation that is not only right but workable.

I will set this in context. Looking back just five years to 2009, we were five months into a year in which 115 people were to die on our roads. Since then, there have been three years with fewer than 60 deaths and one year, 2012, with fewer than 50. I know that I speak for us all when I say that figures for 2014 have been a concern. Up to this morning, 24 people have died, compared with 21 at this stage last year and 16 in 2012. I firmly believe that doing nothing is not an option. There are key challenges that we must face if we are to further drive down road casualties towards a vision of zero road deaths.

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

**Mr Durkan:** Certainly.

**Mr Wilson:** The Minister makes the important point that we want to try to get road deaths down to an absolute minimum. Does he accept that, given the fluctuating nature of the number of deaths on the roads, without all the micromanagement that is contained in the Bill, the cause of road deaths is something well without the kind of idiotic nonsense that is contained in part of the Bill, which would lead to a situation where what people do on the road is micromanaged either by his Department or the enforcing authorities?

**Mr Durkan:** I thank the Member for his kind intervention. I am not sure which particular part of the Bill the Member refers to as idiotic nonsense. However, I have a feeling that we will learn as the debate progresses.

I take on board the Member's concerns that what happens on the roads is beyond our control. However, it should certainly not be beyond our ambition to strive towards zero road deaths. Indeed, as legislators, we have a responsibility to do all in our power to reduce the number of deaths and serious injuries on our roads. That is what I

am attempting to do in bringing forward the Bill, and I will be seeking the support of the House — I have the support of the Executive — to do so.

The Bill will tackle those challenges by reducing inappropriate road-user behaviours, including drink-driving, protecting young and inexperienced drivers and improving safety for those using our roads, not least our rural roads where the majority of casualties occur.

The Assembly can ensure that our people enjoy the levels of protection from drink-drivers that they would receive in most other countries. We can ensure that new drivers here are as well prepared and protected as possible for today's roads. We can ensure that people riding quads on our roads have the same protection from head injury as those on motorbikes. That is why the Bill is important and timely, and it is in this context that I turn to its provisions.

**Mr Wilson:** I thank the Minister for giving way again. Maybe he will inform the House on how many people have died of head injuries as a result of accidents on quads on the roads over the past five years.

**Mr Durkan:** I thank the Member for his intervention. Unfortunately, I do not have that detail to hand. I will attempt to ascertain that answer for him later in the day.

The Road Traffic (Amendment) Bill has five parts, comprising 27 clauses and two schedules.

Part 1 is a short section defining expressions used throughout the Bill. Part 2 deals with drink-driving, and I will look at this first. The current drink-drive limit in Northern Ireland is 80 milligrams of alcohol per 100 millilitres of blood. When convicted in court, offenders are generally punished with a 12-month disqualification and a fine. Those who reoffend within 10 years face a three-year disqualification.

The Bill will introduce two new limits: 50 milligrams of alcohol per 100 millilitres of blood will apply to a typical driver; 20 milligrams of alcohol per 100 millilitres of blood will apply to what is expressed as a "specified person". A "specified person" is a learner driver, a newly qualified driver and a professional driver; that is, someone who is driving a bus, lorry or taxi.

While a lot of work has gone into getting the limits right, they will not work in isolation. The Bill will, therefore, also introduce a new graduated penalty regime that will reflect the level of alcohol involved in the offence, with minimum disqualification periods from between six and 24 months. Repeat offenders will still face a minimum disqualification of three years regardless of the level of alcohol.

I assure members that there will be no lessening of any current penalties. New, fixed penalties will be available to punish those detected for drink-drive offences at the new lower limits. At present, there is no offence triggered at these levels. The Bill proposes a penalty system that is proportionate to the offence, acts as a deterrent, attracts public confidence and maintains levels of support and compliance. I believe that that is what the Bill delivers.

We also need effective enforcement measures. Some people still continue to drink and drive because they believe that the risk of being stopped is low and is a risk worth taking. If we change this perception, we will make progress. At present, the police can require a person to take a breath test only if they "reasonably suspect" that

the driver has consumed alcohol or if there has been a collision. The Bill includes powers for police to establish roadside checkpoints where a constable could ask each driver to take a breath test. These will be conducted under controlled circumstances with authorisation at inspector rank or above. The new checkpoints will be highly visible. When drivers realise that there is a real likelihood of being stopped and tested, many who currently take that risk will make the right choice.

#### 10.45 am

I am also providing for greater use of our drink-driver rehabilitation scheme for offenders convicted and disqualified from driving by making it mandatory for courts to offer such training. These courses are proven to be effective in preventing reoffending.

Why do we need these measures? Between 2008 and 2012, 66 people died and 468 were seriously injured by drivers impaired by drink or drugs. Much of our road network is rural. The impact of drink-driving is felt most keenly in rural communities: 79% of fatalities and 50% of serious injuries caused by drink-driving happen on rural roads. I think we would all agree that that is unacceptable and requires decisive action. I accept that some aspects are challenging, but we must be radical to make a real difference.

Members do not need to be reminded of the incompatibility of drinking and driving. There is a wealth of research indicating that very low levels of alcohol impair the skills needed for safe driving. Impairment begins at levels lower than the current drink-drive limit.

It is worth noting that between 2008 and 2012, drivers aged between 17 and 24 were responsible for 50% of deaths and 41% of serious injuries where alcohol or drugs was the recorded cause. For those reasons, the Bill introduces two new limits. I believe that that provides the best balance between public acceptability and tackling the risk associated with younger drivers and the responsibility borne by professional drivers.

An absolute zero limit would not be a realistic option. People who never drink alcohol can, if tested, register some alcohol in their system. It can be produced naturally by the digestive process or absorbed in some other innocent and unintentional way.

**Mr Elliott:** I thank the Minister for giving way. He mentioned alcohol and drugs use while driving. What is in the Bill to stop or prohibit people from taking drugs and driving?

**Mr Durkan:** I thank the Member for his intervention. This part of the Bill deals with drink-driving, and that is where we will focus our attention today. However, driving under the influence of drugs and impaired by drugs is a serious issue. It is something that we need to work on with the PSNI and enforcement agencies as regards their detection of people driving under the influence of drugs. I am certainly committed to doing so. Unfortunately, they are more difficult to detect than alcohol, although I am assured that work is ongoing through the police, not just on this island but elsewhere, on measures to combat this problem.

**Mr Wilson:** Will the Minister give way, just on that point? If this is all down to a question of detection, is it easier to detect someone driving with a 14-year-old beside them than someone who is driving along the road out of their head on drugs? If that is not the case, why has he ignored

the drug issue while imposing a silly restriction on the age limit of passengers for first-time drivers?

**Mr Durkan:** I thank the Member for his third intervention. We will come to the issue of passengers in another part of the Bill. I stated in my response to Mr Elliott the seriousness with which I view those driving under the impairment of drugs. If it should be detectable, it will be detected that someone is driving dangerously and recklessly, and they can be held to account for that. As regards the actual detection of the drugs in that person's system, that is not quite as straightforward as the detection of alcohol.

**Mr Ross:** I thank the Minister for giving way. He is right about the difficulty in detecting those who are driving under the influence of drugs, and that has been a subject of discussion for many years. The pupil test is not, I think, a satisfactory way of doing it.

Perhaps he can remind the House whether, rather than being ignored, there is already legislation on the books that makes it an offence to drive under the influence of drugs.

**Mr Durkan:** There is an existing offence of driving under the influence of drugs, be those prescription or non-prescription drugs. Obviously, it remains an offence to consume, and to drive having consumed, illegal drugs, and that is something else that we will need to work on with the police to rid society of this problem that plagues us and causes not just danger on our roads but a lot of misery and suffering in our communities.

Finally, on the drink-driving measures, I assure Members that, before any changes are brought in, there will be a high-profile media campaign. Drivers will be left in no doubt as to the new drink-drive limits and how they will apply to them.

Part 3 of the Bill relates to the graduated driver licensing (GDL) scheme. Put simply, GDL is a package of measures designed to provide new drivers with experience and skills, over time, in lower-risk environments. First developed in the 1960s in Australia, and followed by New Zealand in the 1980s, GDL schemes are now common in almost all US and Canadian jurisdictions and in many European countries. International evidence shows that GDL has been effective in reducing collisions involving novice drivers wherever implemented. The quality and consistency of the evidence base is high, and reductions in collisions are seen for novice drivers of all ages.

As we are all too aware, young and inexperienced drivers are over-represented in road traffic collisions. The stark fact is that, between 2008 and 2012, although young drivers aged 17 to 24 comprised only one in 10 current car licence holders, they accounted for four in 10 fatalities and almost one third of all serious injuries on our roads for which car drivers were responsible. Further to that, there is evidence that young male drivers are four times more likely to be killed and six times more likely to kill than the average road user. The scale of the problem necessitates fundamental changes to how new drivers are trained, tested and gain experience once they have obtained their full licence.

Extensive consultation has been carried out in that area, too. Views were sought from a wide range of organisations. My officials also held a series of nine focus groups across Northern Ireland to gather young people's input. There will be opportunities for further



debate, consultation and scrutiny. I have also requested a meeting with the Chief Constable to continue the dialogue my predecessor and my officials have had with the PSNI on the Bill and to facilitate detailed discussions on enforcement of specific proposals.

As I mentioned earlier, GDL consists of a package of measures. Those most commonly included are stiffer penalties for new drivers who commit offences, restrictions on new drivers, additional training or supervision periods; and requirements for a collision- and offence-free period before full licensing. A systematic review of 27 evaluations suggested that the implementation of GDL had resulted in reductions in collisions of between 20% and 40%. I firmly believe that a strong GDL scheme in Northern Ireland can and will contribute significantly to our journey towards achieving zero road deaths.

My GDL proposals consist of a number of measures to prepare new drivers for the challenge of driving on their own and to protect them and other road users as they gain experience. The package was developed with key themes in mind, primarily that GDL should be fair and equitable, reduce offending, align with other relevant legislation, and be accompanied by appropriate enforcement and public information campaigns. At the same time, we have strived to balance requirements with restrictions, permissions with incentives, and improving road safety with retaining mobility.

Before I outline the measures, I will mention one that is not included. That is a night-time restriction for new drivers. While there is evidence to support the effectiveness of such a measure in reducing collisions, I have had to be mindful of the economic and social consequences of such an intervention. A night-time curfew would have an impact on new drivers and their ability to take up work, particularly those living in rural areas and those working in the hospitality industry.

My package of measures therefore includes lowering the age at which someone can obtain a licence from 17 to 16 and a half years, but it requires that they hold a provisional licence for a minimum of 12 months before taking a test. That effectively increases the age of full licensing to 17 and a half. There is considerable research to show that raising the age at which someone can drive alone is effective in reducing collisions. I have sought to ensure that learners are not unduly delayed from obtaining their full licence while ensuring that they are encouraged to make the most of the learning period.

Learning to become a safe driver takes time. Provisional licence holders need to be encouraged to focus on learning to drive and not simply on passing the test. The mandatory learning period will provide learners with that time to take more training, to practise and to gain experience on a variety of roads, traffic environments and in weather and light conditions. Although it increases the age at which a licence can be acquired by only six months, the measure will allow new drivers to practise for one full year.

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

**Mr Durkan:** Certainly.

**Mr Allister:** Is part of the problem with that not that the Minister is applying a blanket approach by effectively requiring every aspiring new driver to wait a year before they can pass their test? Many young people from the

rural community who have grown up on farms and are very skilled with machinery, tractors and all the rest make the transition to cars very swiftly and safely, and they can pass the test within weeks. Is the Minister not being punitive with those who have that experience and who will be and are good drivers by subjecting them unnecessarily to a protracted waiting period?

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

**Mr Durkan:** I thank the Member for his intervention. I take on board his concerns that it may be overly punitive. Indeed, he singled out those who live in rural communities, are from farming backgrounds and who may be skilled at operating different types of machinery and driving machinery on the farm. However, by introducing that mandatory minimum learning period of one year, we will be doing our best to ensure that those young people will be best equipped to drive safely on our roads when they reach the age of 17 and a half. Under existing circumstances, the person may be able to pass their test within a couple of weeks of becoming 17. However, at that stage, they will have had only — or should have had only — a couple of weeks' practice of driving a car on our public roads. In my opinion, that is not enough to ensure that they are a safe, responsible and mature driver.

**Mr Wilson:** I thank the Minister for giving way on that point. Surely the test of whether someone is competent to drive on the public road is whether they pass the test that has been set. Either the test is meaningful or it is not. If the Minister is saying that someone can pass their test and not be competent to drive on the road, the question that needs to be asked is whether the test is sufficient. Surely the way in which it is decided whether someone can drive on the road is whether that person passes the test.

Is a mechanism for ensuring that not that, if someone who is not competent tries the first time, like I did, and does not get through, they try a second time, and, if they do not get through, they try again until they do eventually get through? Is that not the way that it should be done? Otherwise, he is saying that the test is not all that meaningful.

**11.00 am**

**Mr Durkan:** I thank the Member for his intervention. I am not saying that the test is not meaningful. It is possible that driving comes more easily to someone who is adept at and used to operating machinery than it perhaps did to me; I passed my test on my fifth attempt. However, I know that the fact that it took me a year to learn has made me an extremely safe driver, and I have had no collisions in 17 years of driving.

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

**Mr Durkan:** One second.

However, the longer that someone is exposed to driving in different conditions, the more that they will become used to those conditions, and the safer they will be on our roads.

I will go back to Mr Ross now.

**Mr Ross:** I thank the Minister for giving way. While I have some sympathy for his argument, I do question the logic of having to wait a year before you can take your test, particularly given that there is provision in the Bill for a

logbook, in which an individual who wants to take their test has to prove that they have had a certain number of hours of practice. Surely the two things do not have to be in the same Bill. If you are insisting that an individual builds up a certain amount of experience and are setting the criteria for the number of hours of accredited learning, surely that should stand alone? You do not need the arbitrary 12-month figure, which actually makes it a longer period. If an individual does the required number of hours to take the test within the first four or five months of holding a provisional licence, surely they should not be held back from taking their test.

**Mr Durkan:** I thank the Member for his intervention and take on board his point. However, the intention behind introducing the one-year period is to maximise the possibility or likelihood that a young or new learner driver will gain experience driving in different weather conditions. Currently, someone could learn to drive over the summer months and then be on their own, unattended and unsupervised, the first time that they come across rain, ice or snow when they are driving. I think that it is important that people get experience driving in different conditions.

**Mr Ross:** Will the Minister give way?

**Mr Durkan:** Unfortunately, the test cannot create those kinds of scenarios.

**Mr Ross:** I think that Mr Wilson wants to come in again.

On that very point, is the Minister saying that, during that year, some of the accredited hours in your logbook have to be in different seasons of the year? That is not what the legislation says. If the legislation is passed, you could very well build up the required number of hours of accredited learning within two or three months of the year. So, you could do all your learner driving in the summer. So, the way that the legislation is drafted does not actually get round the issue that the Minister highlights about giving people experience of driving in different conditions.

**Mr Durkan:** I thank the Member for his latest intervention; indeed, it is a sensible one. However, the introduction of the one-year mandatory minimum learning period is not just about the accredited learning.

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

**Mr Durkan:** It is also about the practice driving that many drivers will take, be it with a qualified driving instructor or a parent.

**Mr Weir:** I appreciate that the Minister may be reluctant to open up a third front on this. I have a lot of sympathy for the general thrust of what he is saying. However, I can see a number of flaws with this. Mention has been made of the one-year period. I think that it is very sensible to say, "Ideally, a learner driver should experience bad weather, rain, snow etc." However, to me, simply having a time frame does not seem to give any guarantees on that front. We are all aware of people who, for example, apply for their licence and then do very little about it. Such people may well do the year but only do their hours of driving in the summer. You may also get a situation in which we have —

**Mr Wilson:** If you live in east Antrim, it is always sunny.

**Mr Weir:** The Member to my side is intervening to claim that, if you live in east Antrim, it is always sunny. That is not, generally speaking, my experience, but that might be by the by. We have had large variations in weather, even

over winters. Some winters have had very heavy snow, and there have been very mild winters during which you barely saw a snowflake. I can understand, particularly with a young driver, a situation in which there are concerns from parents who may well say, even during the learning period, that they do not want their children anywhere near the roads when it is snowing.

There is good sense in the idea of having to accumulate a certain number of hours. There may be reasonable merit in the legislation in that somebody may not have enough experience on the road even if they get through the test. To my mind, setting an arbitrary time frame does not appear to hold a great deal of water.

**Mr Durkan:** I thank the Member for his intervention. I am not sure whether there is anyone still in the queue, but I will respond to Mr Weir and then try to make some progress. There is evidence that the more practice learners undertake, the less likely they are to be involved in a collision when they start to drive unaccompanied. In Sweden, the extension of the learning period from six months to two years was associated with a net reduction in collisions of 15%. Consideration was given to requiring a set number of hours and lessons. However, the Bill has settled on the one-year learning period to ensure that learners can continue to avail themselves of a mix of paid, supervised instruction and practice with family or friends.

**Mr Wilson:** Will you give way on that point?

**Mr Durkan:** OK.

**Mr Wilson:** This is one of the concerns that I have about the one-year period. Mr Allister pointed out the disadvantage to people who live in rural areas, but the one-year period is also a severe disadvantage to people who come from low-income families in which there may not be a family car, because the only way in which they will get continuous experience over the year is to take lessons or pay someone to take them out. Has the Minister considered the social inequality that this clause builds into people's ability to obtain a driving licence? One family may have no car as opposed to another family having three, which means that the mother, dad, brother or sister can take the person out. That is not the case in many other instances. How does he deal with that social inequality?

**Mr Durkan:** I thank Mr Wilson for his intervention. I certainly do not want to introduce or propose something that will lead to social inequality or perpetuate disadvantage among those who may already be deprived. However, on the point that Mr Wilson is trying to make, surely it is the case now anyway that someone without access to a family car has the opportunity to practise only through driving lessons, which means paying for the use of a car. I am not sure whether it was Mr Wilson, Mr Weir or Mr Ross who made the point that there is nothing in the legislation to say that someone could cram all their lessons into one part of the 12-month learning period. I understand the point that he makes. However, I do not necessarily agree with it.

**Mr Wilson:** I think that the Minister is trying to evade my point. If there is to be one year of continuous experience for all the reasons that he has given, including so that people can experience different driving conditions and have a longer period on the road, someone who is from a relatively well-off background and whose family has two or three cars, which means that two or three people can take

them out, need only take the minimum number of lessons and gain experience the rest of the time for nothing. If someone comes from a family where those conditions do not occur, the only way in which they can gain the experience is to pay someone to take them out to get that one year's continuous experience. I am sure that the Minister can see the point clearly. He may want to avoid it because it is a difficult point for him to deal with, but that disadvantages those who do not have, because of their economic circumstances, the same family support that can afford them the experience on the road and, therefore, they have to purchase it.

**Mr Deputy Speaker:** Order. Before the Minister continues, to be helpful, I refer to the 'Rules of behaviour and courtesies in the House'. Point 8 states:

*"An intervention should relate directly to what has just been said and not be a short speech of its own."*

It would be unfortunate if the interventions became longer than the time that a learner driver needs to become fully qualified. *[Laughter.]*

**Mr Durkan:** Thank you, Mr Deputy Speaker. I am not sure to which intervention you refer. I do not believe that I was trying to evade the question or the point raised by Mr Wilson. I believe that that is tantamount to the existing situation as regards access to vehicles. That is why I am supportive of, and will continue to be supportive of, initiatives to make driving lessons and the use of vehicles accessible to all. There are quite a few schemes, especially in my constituency, that do so and facilitate young people, and not so young people, from disadvantaged backgrounds to get heavily discounted, if not free, driving lessons.

**Mr Ross:** I thank the Minister for giving way. He has been very generous with his time. He is right in saying that the access to cars is the same under existing circumstances and what he is proposing, but is the difficulty not when it comes to accredited learning? If the definition of accredited learning is that you have to go a professional and pay for lessons, and a minimum number of lessons or hours is set in the legislation, that could disadvantage those who are from less well-off families, whereas they are not disadvantaged from that at the moment.

**Mr Durkan:** I thank Mr Ross for his intervention. I accept Mr Ross's point; I cannot evade it or argue with it.

The programme of training will be evidenced using a compulsory student log book recording progress through the training programme. The introduction of a programme of training will ensure that new drivers follow structured learning over a sustained period. It will ensure that young people's driving experience covers the full range of conditions and improves the learning process to adequately prepare novice drivers for real-life driving. It is my belief that the log books will lead to more structured learning and give supervising drivers — for example, parents — more ownership and involvement in the learning-to-drive process.

The Bill will remove the current 45 miles per hour restriction for learner and restricted drivers — I am sure that Mr Wilson will be glad about that bit at least — and allow lessons to be taken on motorways. That will only be permitted when accompanied by an approved driving instructor in a dual-controlled car.

The R driver scheme has been in place for 40 years now, and there is a lack of evidence that the current 45 miles per hour speed restriction does anything to improve road safety. Indeed, speed restrictions prevent learners from gaining experience, practising certain manoeuvres under tuition and from being tested while driving at higher speeds. Very few other countries impose speed limits on new or learner drivers.

Under the current system, the first time that a novice driver experiences higher speeds is often alone, having removed their R plates, despite not having undergone relevant training or testing. That is inherently wrong. I believe that we must better prepare them for driving alone and at speeds appropriate to modern traffic, roads and conditions. Removing the restrictions will allow learners to be taught to understand, judge and, above all, respect speed and its potentially devastating effects. Further to that, proposals to allow learner drivers to take lessons on motorways and to include a broader variety of road types in the driving test would be feasible only if the 45 miles per hour restriction were removed.

**11.15 am**

In the focus groups with young people, several attendees said that they felt anxious when using motorways because of that lack of experience. Many felt that lessons should be available to learn on those roads, and I agree. Novice drivers should be prepared for motorway driving before they pass the test rather than having to face that task for the first time afterwards and on their own.

I now turn to passenger restrictions. The Bill proposes that, during the first six months post-test, new drivers under the age of 24 will be restricted to carrying only one young passenger aged 14 to 20, unless they are immediate family. Young drivers carrying two passengers are twice as likely to be killed as they are when driving alone and they are four times more likely to die if they are carrying three young passengers.

Given the complexities of family life and the rural nature of much of Northern Ireland, there will be exemptions for close relatives of a driver as well as for carers and emergency services drivers. The restriction will not apply if there is a supervising driver in the front passenger seat of a vehicle. A supervising driver must be aged 21 years or older and must have held a full driving licence for three years.

It is worth noting that the Association of British Insurers has advised that, of the possible interventions, a passenger-carrying restriction on young new drivers has the greatest potential to improve the safety of young drivers and to drive down insurance costs.

**Mr Ross:** I thank the Minister for giving way again. At the beginning of his speech, he talked about ensuring that the legislation was fair and equitable. Is he not in danger of being seen to pick on young people, in particular, as opposed to novice drivers? The GDL is about recognising that novice drivers, irrespective of age, are most at risk of being in a serious road traffic incident. Is he not moving away from that fair and equitable idea by having a provision that states that there are restrictions on those aged 24 and under but not on other novice drivers?

**Mr Durkan:** I gave statistical evidence on the risk posed to young drivers and by newly qualified young drivers while they have young passengers on board. This was not

plucked out of the air and did not fall out of the sky; the proposals are based on evidence of what happens on our roads and on roads in other jurisdictions where this type of provision has been introduced.

I understand that there has been concern about the policing of a passenger restriction — Mr Wilson made that point — and the GDL as a whole. Let me reassure you: the Bill includes powers to enable the PSNI to enforce all the measures effectively. Throughout the policy development period, my predecessor and my officials carried out a great deal of consultation, which includes ongoing discussions with the PSNI on all aspects of the Bill.

The PSNI will have the power to ask for names, addresses, ages and the relationship to the driver, and can require evidence of the information given to be provided to a police station within seven days. I reassure you that the PSNI has given its support to the introduction of a passenger-carrying restriction and will continue to work with my officials to ensure that it can enforce the GDL effectively.

I see parents having a key role in enforcement. In fact, in other countries, parents are often seen as the primary enforcers, and, even where formal enforcement is minimal, such restrictions have been shown to have a positive benefit.

The final GDL element is the extension of the post-test period to two years. It is also my intention to introduce remedial courses for relevant offenders. The New Drivers Order already makes provision for a driver's licence to be revoked if he or she receives six or more penalty points during the two-year probationary period. In such cases, the driver returns to learner status and has to resit the test.

The aim of introducing courses is to give drivers the opportunity to be re-educated as an alternative to losing their licence. I firmly believe that there is value in intervening earlier to prevent unsafe driving attitudes and practices from becoming habitual. The two-year post-test new driver period will align with the existing probation period under the New Drivers Order and the lower blood:alcohol limit for newly qualified drivers. It will be necessary to introduce a new plating system because the introduction of GDL will lead to a temporary overlap with the old licensing system. Drivers qualifying under the old system will still be bound by the current R-plate restrictions for 12 months. Therefore, during that overlap period, two different plates will be required.

Having inexperienced drivers carry a distinguishing mark or plate facilitates enforcement, helps to deter high-risk behaviour and informs other road users of the relative inexperience of a driver. Notably, the young people in our focus groups felt that it would be a good idea to retain such plates. I have committed that the specifications of a new plate will be dealt with in regulations, subject to full consultation and affirmative resolution in the Assembly.

My Department continues to reach out to young people through our road-safety education programmes in schools and our advertising campaigns. We can, in parallel, effect change through legislation, supported by enforcement, including requiring certain behaviours and conditions before a full licence is awarded. That combined approach has been successful elsewhere, and I firmly believe that it is an appropriate way forward for us here.

Part 4 of the Bill deals with the mandatory wearing of helmets on quad bikes on public roads. Extending the

requirements for protective headgear to quadricycles can surely only be welcomed by the Assembly. In response to Mr Wilson's earlier question, between 2006 and 2013, four people were killed and 39 seriously injured in collisions involving quad bikes. Public consultation —

**Mr Wilson:** Will the Minister give way?

**Mr Durkan:** In just a second. Public consultation carried out in 2012 was in favour of making the wearing of helmets mandatory for quad riders and passengers.

**Mr Wilson:** The Minister has not answered the question, of course. Four people were killed on quad bikes on roads, but my point is whether they were killed as a result of head injuries. Given the number of accidents involving quads, is this not a disproportionate and totally unnecessary response? Has he considered the very strong views of farmers who find themselves working on and off the road quite frequently, sometimes without any ability to plan whether they are going to be on the road?

**Mr Durkan:** I thank the Member for his intervention. As the Bill progresses to Committee Stage and the call for evidence, I have no doubt that I will be made aware of the views of the farming community on that and other aspects of the Bill. I look forward to hearing those views and taking them on board as we work together to shape this Bill into what it is meant to be, namely legislation that reduces the number of deaths and serious injuries on our roads. Although it might seem like a relatively small number of collisions involving quads, with only four people being killed, I am sure that the families of those four people, regardless of whether the deaths were due to head injuries or other sorts of horrific or critical injuries, would applaud any efforts to improve safety for quad users on the roads.

There are clear safety risks, as quad bikes provide minimal protection for riders in the event of a collision. If a quad-bike rider is involved in a crash, the probability that it will result in injury to them, especially a head injury, is high. Making it mandatory for riders of such vehicles to wear a helmet will help protect them against head injuries in the event of a collision and reduce the severity of any injury.

Part 5 of the Bill contains transitional and savings provisions. To sum up, the bold measures that the Bill introduces have the potential to deliver a step change in road safety, which is what is demanded of us if we are serious about pursuing an ambition of having zero road deaths. I believe that everyone in the House wants to do everything we can to reduce casualties. I also believe that there is broad agreement on the principles of the Bill, if not on the detail.

I said earlier that balances are to be struck and I believe that the Bill can strike the right balance. I fully understand that we all need to be sure that it does, and I am committed to considering the views of the House to ensure that we arrive at the best possible package of measures. I look forward to a constructive and positive discussion on the Bill.

**Mrs Cameron (The Deputy Chairperson of the Committee for the Environment):** I feel duty bound at this point to declare that I passed my test on the first go. *[Laughter.]* As Deputy Chairperson of the Committee for the Environment, I welcome the Road Traffic (Amendment) Bill. The Bill is very timely and will, hopefully, help save lives and reduce casualties as, unfortunately, after many years of improvement in the safety of our roads recent statistics are not so encouraging.



In advance of the debate, the Committee was briefed on the Bill by departmental officials at its meeting on 13 May. Officials outlined the threefold purpose of the Bill: to establish a new drink-driving regime; to introduce a system of graduated driver licensing, and to make the wearing of helmets on quad bikes on public roads mandatory. The Committee is fully supportive of the proposed review of drink-driving limits. The statistics released by the PSNI each year after its annual winter drink-drive operations make for grim reading. It would seem that the message is not getting through to some, and I hope that the measures in the Bill will go some way to addressing that.

The Bill will introduce the option of fixed penalties for drink-drive offences, but only for first offences at the new lower limits. During the consultation period, when the Department proposed the introduction of graduated penalties for repeat offenders, the Committee called for those who were found to be above the drink-driving limit on more than one occasion to be automatically banned from driving for three years regardless of blood:alcohol content levels. I am pleased that the Department has amended the Bill to take the Committee's views into account.

During the recent briefing session, members had a useful discussion with departmental officials on the proposed new blood:alcohol limits of 20 mg for specified drivers and 50 mg for all other drivers. The Committee felt that the dual limits of 50 mg and 20 mg may prove confusing to the public and to some extent contradict the current campaign advising people not to drink and drive by leading them to believe that they can safely drink some alcohol. Officials provided assurances that the education element of the Bill would be reinforced by a clear enforcement message of "Forget 20 mg: it means zero".

Some members felt that it may be more effective to have a zero limit, but officials explained that this would be difficult to administer since many people have a certain level of alcohol occurring naturally within their bodies. Officials indicated that some foods and a number of common products, such as mouthwash and over-the-counter medication, may also produce a blood:alcohol readout. The Department agreed to provide further, more detailed, examples of that, and members look forward to that clarification.

In a similar vein, Committee members queried whether it would also be possible to test drivers for evidence of drug consumption. Officials advised that this is not being considered by the Department, partly on the grounds of practical enforcement difficulties and also on grounds of cost.

Moving on to the graduated driver licensing element of the Bill, officials explained to the Committee that the package comprises a number of measures that aim to prepare new drivers for the challenge of driving on their own and protect them and other road users as they gain experience.

#### 11.30 am

We are all aware of the statistics regarding young drivers on our roads. Between 2008 and 2012, almost half of fatal collisions for which car drivers were responsible were caused by a single group of drivers: young people aged between 17 and 24, who make up only 10% of licence holders. In addition, there is evidence that young male drivers are four times more likely to be killed, and six times more likely to kill, than the average road user. Members

took on board some very worrying statistics: if a young driver carries two passengers, they are twice as likely to be killed; if they carry three passengers of the same age, they are four times more likely to be killed.

Any measures aimed at improving these statistics must be welcomed, but the Committee expressed some initial concerns in respect of one of the measures. The Bill introduces a restriction on young drivers to permit them to carry only one passenger aged 14-20 unless they are accompanied by another experienced driver. However, there are a number of exemptions to the general restriction on inexperienced drivers carrying passengers. Members felt that these were relatively complex and may prove difficult to enforce.

Members also expressed concerns about the impact of the introduction of a minimum period for holding a provisional licence on employment prospects for young people who are required to hold a full driving licence as a condition of their employment. This may also have a disproportionate impact on young people in rural areas who are unable to depend on rural transport for their journey to work. The Department has explained that it is hoped that lowering the age at which a provisional licence may be obtained from 17 to 16 and a half will provide a counterbalance to this factor. As it begins its scrutiny of the Bill, the Committee will welcome the views of young people on this aspect of the legislation.

Committee members also expressed the views of many parents when they asked if there would be a requirement to undertake a specified number of paid lessons during the 12-month provisional period. Officials confirmed that there would not be such a requirement but that it would be necessary to complete a logbook as evidence of the driving experience that had been gained. While Committee members were supportive of learner drivers undergoing longer and more comprehensive training, they also expressed some reservations that the test requirements should not become so stringent that they effectively discriminate against those with minor learning disabilities or dyslexia.

On the positive side, the Committee welcomed the reduced insurance costs that would result from graduated driver licensing. A 15% to 20% reduction in the cost of premiums for drivers in that category is anticipated.

The third element of the Bill is to make mandatory the wearing of helmets on quad bikes on public roads. The Committee saw the outcome of the public consultation on that measure in 2012 and was content with the policy proposals at that time. Although members were aware that the Department of the Environment has the power to legislate only for those who ride quad bikes on public roads, the Committee would welcome any complementary legislation that extended this provision to private land, as this is frequently where such accidents occur.

In conclusion, as soon as the House refers the Bill to the Committee, we will be calling for written submissions from interested organisations and individuals. Members will welcome those views to inform their scrutiny of this legislation. I also look forward to a good ongoing working relationship with officials to ensure that my Committee is able to scrutinise the legislation properly. On behalf of the Committee, I support the principles of the Bill and look forward to scrutinising it closely at Committee Stage.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Ba mhaith liom labhairt i bhfabhar an Bhille seo. I rise to speak in favour of the Bill and support its broad principles. It has been a good debate so far, and some very good points have been raised. I am surprised at some Members having to take two or three goes at getting their driving test. Maybe if they had been born and reared in rural areas, they would have had a chance of passing the test first time round, like Pam and me.

I welcome any new measures that we can introduce that will reduce road fatalities and serious injuries on our roads and encourage, persuade and support road users in general and, in particular, young people. I have to say that, while I appreciate that the Department has come to us on a number of occasions — this Bill has been bounced about for a number of years, and there has been a lot of consultation and remarks and things that have been said over the past three or four years in relation to the introduction of this Bill and these measures — looking at it today, it seems to me that it is slightly weighted towards the big stick approach as opposed to the carrot approach.

I have some concerns, which I will get into in a minute. Rural people may suffer as a consequence of some elements of the Bill, and that is something that I will certainly not support. Although I support the Bill's general principles, I think that, at Committee Stage, we will get to a point at which we can introduce some of the measures that we propose to bring forward and challenge existing measures in the Bill.

One of the major issues that I want to mention concerns the restrictions on qualified drivers. The Minister will be well aware of it, because I have mentioned it on a number of occasions. A lot of people whom I know who work in the hospitality industry are down along the border in rural areas, and they have to travel back and forward to work. I am concerned about how the proposed restrictions will impact on them, because a number are young people. Look at the restrictions. The Minister mentioned people up to 24 years of age, who can travel in a vehicle together and everything else. We need to be quite clear as to how we support businesses and young people in that regard.

A time frame of a year with a provisional licence is proposed. In the light of some of the comments that have been made, clearly rural people in general were not mentioned in Committee. Some of them have quite a good experience of driving. There is no doubt about that. Perhaps there is an opportunity at Committee Stage to look at how we can address those issues, because we do not want to create an inequality. Other Members have mentioned inequalities and certain conditions. As I have said on a number of occasions, there is no doubt that rural people are totally reliant on car travel. They do not have the big rural transport network out there. That is another factor that the House, and the Minister, must consider.

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

**Mr Boylan:** Certainly, yes.

**Mr Wilson:** Does the Member accept that there is a whole range of issues in the Bill that disadvantages people in the rural community, such as restrictions on the length of time before people can get a full licence? Indeed, many young people in rural areas, where there may not be widespread car ownership among them all, depend on friends to go out

for the evening, so the Bill would impact on them in that way as well.

**Mr Boylan:** I agree with the Member's intervention. As we go through Second Stage and hear comments from other Members, we see that there is clearly an issue. We need to look at rural people's reliance on cars and on neighbours and friends. However, as I said, the broad principles of what we are trying to do are encouraging.

The other issue that I want to raise — a Member who spoke previously mentioned it — is drug-driving. Perhaps the Minister will clarify how we will take forward that issue. Drug-driving has not been mentioned in the Bill. I know that it has been very difficult for us. It has now been two or three years since we heard and gathered different evidence and tried to address the issue. It is certainly an issue, because, ultimately, what we are trying to do is address the issues through enforcement and detection. The other element is driver behaviour, and that is something else that we have not touched on in the Bill yet, but I will come back to that. Minister, have we made any further progress on how we can address drug-driving in the Bill?

There is one other point that I want to bring up.

Clause 4 would introduce authorised checkpoints, and whilst I do not have an issue with that in principle, I am somewhat concerned, because there are still some sensitive issues about checkpoints and where they might be placed. I am concerned about whether communities would accept that type of checkpoint. So, I need further clarification on that. The Minister said that he will work with the PSNI on looking at that issue. We would need to be very careful about how we introduce and authorise those types of checkpoint in certain areas at this time. There are very sensitive issues, and the Department is well aware of that, because I brought the issue up on a number of occasions in the past as part of our discussions on the Bill.

As I said, we have been through it, we have looked at the issue, and we are now down to the Committee Stage of the Bill. I will certainly look at some of the clauses. We need to look at restrictions on authorised checkpoints and at drug-driving. I have no issues on penalties and fines and all that. I see them as positive and a deterrent, and I would certainly welcome them.

As I said, I look forward to the Committee Stage. The Committee has had a number of Bills over the past while, so we are well used to them. With that, I support the broad principles of the Bill.

**Mr A Maginness:** On behalf of the SDLP, I welcome the Bill, and I will say that we are supportive of its principles.

Let me reflect on what the Minister said in his opening remarks when he said that:

*"doing nothing is not an option"*

and that we have to do something. Although the Bill may challenge some Members, it is an opportunity to do something to try to reduce the number of deaths and injuries on our roads.

We have had considerable and significant success in reducing the number of deaths, and that has been due to a tremendous effort by many people, but we have to continue that process; we cannot relax. We have to move

towards what the Minister described as a “zero road deaths” situation. That is an important objective. I think that we have to measure all these provisions against that objective. I assume that that is the basic principle of the Bill.

We have a concept in the Bill — I am not sure whether it is a principle — that I and, I know, other colleagues support. That is graduated driver licensing. If we accept that principle — or concept, if it is not a principle — we must construct provisions around it to see how we can make progress on these matters. I know that colleagues raised concerns about the exact implementation of that concept, such as how we actually implement it and how we put shape and form to it. That is the job for all of us in the Assembly and, in particular, for the Environment Committee when it comes to consider the Bill in detail.

I am reassured by the Minister’s concluding remarks that the Bill can strike “the right balance”. I think that all of us in the House want to do that; we do not want to introduce unnecessary difficulties that do not improve driving performance for people, whether they are young people, older or whatever. We want to strike that balance, and that is what the Minister aims to do.

The Minister has asked for, will seek and, I hope, will obtain positive and constructive interaction with the Assembly and the Committee.

#### 11.45 am

In relation to drink-driving, I welcome a reduction from 80 mg to 50. We have to support that. It is the standard limit that has been established throughout Europe, and we should implement it and support it. I have questions about the 20 mg limit, and I think that we have to explore it in more detail. I am not saying that we should or should not go for it; I am saying that we should explore it and see if there are difficulties that we can address. Let us look at it and look at it carefully. It is an innovative provision that the Minister has rightly brought to the House, and it would be negligent of us all if we were to ignore such a provision. Let us look at it in Committee and see if it meets the concerns that we have in the community about drink-driving, particularly in relation to young people and those involved in professional driving, if I can put it like that.

The Bill gives us a real opportunity to be innovative and imaginative. A considerable amount of evidence has been given to the Department on all the issues. There has been considerable consultation, and we should carefully evaluate it, take it on board and arrive at an evidence-based decision on the Bill’s provisions. As we do that, we should bear in mind the objective that the Minister has set us of working towards a zero road deaths target. That is very important indeed, and we owe it to our communities across Northern Ireland to do that.

We will have to analyse carefully the provisions on meeting the driving test over a period of a year to see whether that period is too long, can be varied or whatever. Let us look at that and see how we can improve the standard of driving experience for those who are learning to drive. I know that people have argued that passing the test is sufficient. If you have passed the test in a very short time, it may be sufficient, but it may also be insufficient as you do not have the experience that perhaps would help you to improve your driving.

**Mr Ross:** I thank the Member for giving way. He has hit on a key point. The whole concept of GDL is that drivers get experience in a low-risk manner, when they begin to drive on their own. Is that not why the provision for holding a provisional licence for 12 months does not make that much sense? During that 12 months, the driver is not on their own facing real driving conditions. That is perhaps why we need to look at that again. By the same token, it is absolutely sensible that there should be restrictions on a novice driver for a period whilst they gain that experience on their own behind the wheel in real conditions.

**Mr A Maginness:** I suppose that it depends on the extent to which the learner driver is gaining experience of actual road driving over the 12 months. I understand the argument that you put forward, and it is not an unreasonable one. However, you have to balance that with the experience in other jurisdictions, and we have to analyse that carefully. I do not think that we can simply say that that is all nonsense and we will forget about it. It may well be that we come to a conclusion that a lesser period is necessary, but the graduated driver licensing approach is certainly the right approach for new drivers. If we accept that, we have to implement it in some shape or form, and that is the important thing.

Many Members raised the issue of rural drivers and rural experience. I do not come from a rural constituency, and I accept the points that colleagues from rural constituencies have made. I await discussion on that. It is important that we try to get that balance right and do not in any way discriminate against people who live in rural areas and impose unnecessary restrictions on those communities, particularly young drivers. Nonetheless, we have to look at these things carefully and in the round. We have to strike a balance between the rural experience and the urban experience. It is important for colleagues to bear in mind that accidents on rural roads involve a disproportionately high number of deaths and serious injuries. We cannot neglect that; we have to look at and address that to see whether we can improve the situation.

From time to time, we get exercised about the use of quads, which affects not just rural areas but urban areas. The compulsory wearing of helmets will be of assistance in reducing serious injuries and in creating the notion that quads are like other motor vehicles. They are similar to motorcycles, and people who use them require some additional legal discipline, if I may put it that way. That would inculcate it in people who use quads that they cannot do so freely. We have to create a situation in which people who use them are safeguarded. Therefore, the introduction of protective headgear is important in trying to create a new social discipline in the use of quads. I welcome that provision and think that it will be helpful in bringing home to people a new awareness of quads, which has been absent for some time.

In conclusion, I welcome the Bill. It is a great opportunity for the House. I look forward to working with colleagues in Committee and hope that we can reach consensus on the difficult issues raised. There are by no means any easy answers to the questions raised.

**Mr Elliott:** This is a significant Bill, and it has got quite a bit of publicity already. I want and, I am sure, everybody in the House wants the number of road deaths in Northern Ireland to be reduced significantly, if not stopped altogether. I know that that is a huge challenge

for everybody here, particularly the Environment Minister and his Executive colleagues, but we should strive towards stopping all road deaths if possible.

With regard to the first issue of driving while under the influence of alcohol, I would like the Minister to deal with the lower limit of 20 mg per 100 millilitres of blood that is now proposed and give an assurance that that will not impact on those who may have a small amount of alcohol in their system naturally or by other means, as has been indicated already. I would like that assurance, and I would like to have some discussion around that. I have already questioned the Minister, and he knows my concern that, although the Bill deals with the matter of driving while under the influence of alcohol, it does not deal further with driving while under the influence of drugs, which is becoming as big an issue as alcohol. I would like to see that matter dealt with. I am disappointed that it is not in the Bill, and I would like further discussion of why it is not. I do not think that just saying that it is more difficult to deal with is a real excuse; we need proper discussion and debate on it.

**Mr Ross:** I thank the Member for giving way. Given that there is existing legislation that deals with driving while under the influence of drugs, perhaps it would be useful if he could outline what additional measures he would like to see included in this Bill to specifically tackle that issue.

**Mr Elliott:** I thank the Member for that. There is existing legislation that deals with the issue of driving while under the influence of alcohol and that is being changed, so there is no reason why we cannot change the aspects and be more restrictive on driving while under the influence of drugs.

On the proposal for a graduated driving licence, I have concerns about the requirement to hold a provisional licence for a minimum of one year, as I do not see why there is a need for one year. Some people may take one year to pass their test and to be competent driving on our roads, but, for others, it will not take one year. I recall Mr Ross bringing a motion to the Assembly some time ago and, to be fair to him, although I do not think that he was making any proposals, he suggested time frames of possibly six months or a year. If there were to be any time limit, I would like to see it being six months or even less. Mr Wilson has already highlighted in an intervention the fact that the driving test should decide whether a person is competent to drive on our roads. In fairness, I accept that a small minimum time limit might be useful to progress that.

**Mr Weir:** I thank the Member for giving way. I appreciate and agree with the thrust of what the Member has said. As the co-sponsor of that motion with Mr Ross, I clarify that we did not make any specific reference to time frames. Time frames may be unhelpful, but there may be other avenues that could be pursued to achieve the same objective.

**Mr Elliott:** I thank the Member for that. However, to be fair, there was a specific reference, not in the motion but in the debate, to a time limit or a time frame, and six or 12 months was suggested. To be fair to Mr Ross, he was not making any specific proposals, but he highlighted the option of those two time limits.

I have concerns about putting in a time frame. It is a wee bit like other aspects that we debate, but I will not get into that, Deputy Speaker; otherwise you will say that it is not relevant to the Bill that we are discussing. I do not like arbitrary figures that have no real evidence behind them.

#### 12.00 noon

The consultation covered restrictions on younger drivers and the passengers whom they can carry. A Member mentioned that, and Mr Maginness said that, although he is not from a rural constituency, he is happy to discuss the matter. I understand where the Minister is coming from, but restricting passengers discriminates against people in rural areas. There is no question about that. We need to find a mechanism to get over that. Given the number of younger drivers who are killed or seriously injured, I fully understand that the matter needs to be dealt with, and we must find a mechanism to improve the situation. Everything must be enforced and policed, and that provision will add an extra difficulty.

I accept Mr Maginness’s point that the wearing of helmets on quads is not only a rural issue but an urban issue. However, whether in urban or rural areas, there is a major difference between those who race quad bikes up and down roads and a farmer who is moving stock from field to field when an animal gets out on a road and he needs to follow it and get it back in. That problem will be discussed by the Committee and through other means. We need to look at that carefully or there could be a danger of legal cases against farmers who unexpectedly have to move stock across a road or capture an animal.

**Mr A Maginness:** Will the Member give way?

**Mr Elliott:** I am happy to.

**Mr A Maginness:** I will make a couple of points. There is great concern about injuries and deaths on farms, and the Health and Safety Executive takes it very seriously. Surely farmers should wear a hard hat or a helmet while carrying out farm work on a quad. Is that not a reasonable suggestion so that, on a voluntary basis, when farmers venture onto a public road, they are legally equipped to do so? Would that not create a healthier and safer environment among the farming community?

**Mr Elliott:** I fully appreciate the Member’s thoughts. I understand that he is from an urban constituency, and the point that he has made makes it obvious that he is. When a farmer sees some of his stock on a road, he sometimes does not have the time to grab a helmet and put it on. His automatic inclination is to get his stock out of danger and prevent it causing a risk on a road on which there may be traffic. It would be difficult to implement that on a farm.

If a farmer were to move stock in a planned manner, that is a different matter, but flexibility is needed for emergencies. If Mr Maginness wants to come out on a farm to get a view on how it operates, he is welcome. I give him that invitation. He could see how things work in practice and how difficulties arise.

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

**Mr Elliott:** I am happy to give way.

**Mr Wilson:** Is this not typical of people from the town trying to legislate for people in the countryside? Will the Member not accept that farmers do not race quads up and down the roads? If farmers are on a road, it is usually to take hay to a field or, as the Member pointed out, to herd cattle, sheep or whatever, and you do not do that at 30 mph, 40 mph or anywhere near it.

**Mr Elliott:** I accept that most farmers do not race up and down roads on quads, although there may be exceptions.



That is the point that I am trying to make: there is a difference between routine or emergency work and those who go out on a planned quad race up and down a road.

I am happy to support the progress of the Bill, but I look forward to further discussions on various occasions at Committee and back in the Chamber.

**Mr McCarthy:** I thank the Minister for moving the Second Stage of the Bill. The accidents and fatalities on our roads are horrendous, and many could be avoided. If the Assembly can stop the carnage, it will have been well worth it and a job well done for everyone. The Alliance Party welcomes tougher measures. Hopefully, the Bill will bring down the number of road fatalities and injuries, which have serious human and financial impacts. We support the Bill at this stage as a mechanism for bringing forward legislation on the matter. We anticipate further scrutiny on specific proposals to test their robustness.

We are highly sympathetic to the plans to lower the drink-drive limit, but the DOE's public message must always be unambiguous: if you want to drink, simply do not drive — not one glass of wine or one pint of beer. "Do not drink and drive — full stop" must always be the message. We have all seen the graphic TV ads. Who would want to be responsible for creating such carnage and suffering? Unfortunately, once it has happened, it is too late.

Although the new penalty regime for drink-driving offences provides more flexibility for the courts and police to impose graduated penalty points and disqualification, I wonder if it is the right message that those who drink-drive above the new limit but under the current limit can get away with a fixed penalty of £100 and three penalty points, whereas any driver over the current limit will continue to be dealt with by the courts.

I turn to learner and new drivers. We all know the scary statistics of young and inexperienced drivers having accidents. At face value, there is a case for the one-year requirement for learning before taking the practical test. However, I have doubts about how the training logbook can be verified if not by a registered instructor. I know that it will be an offence to forge or misuse a logbook, but those provisions will require further scrutiny.

It may be difficult for the police to enforce on the road the restriction of young drivers to only one passenger. In principle, it is supportable, but, again, greater scrutiny will provide robustness to the proposals. I finish by asking the Minister what the merit of the two-year period is, if the 45 mph speed restriction is removed.

At this stage, the Alliance Party supports the Bill and wishes the Environment Committee well in its deliberations on this life-and-death issue.

**Mr Weir:** I support the principles of the Bill. At the outset — I hope that there will be time next week to address this — I think it is appropriate to mention and place on record my sadness at learning the news this morning of the death of my former colleague from North Down, Sir John Gorman. I am sure that all in the House will join me in that when we have the opportunity, perhaps next week, to deal with the matter in more detail. Certainly, at this stage, my thoughts are with his family.

I appreciate that no one will want me to digress too much from the Bill. As I indicated, I think that all of us can unite around the intentions behind the Bill. Consequently, the

good intentions that are out there are to be welcomed. Mention was made of a wide range of initiatives in recent years that, fortunately, had reduced the number of deaths on our roads. For any family, the death or serious injury of a loved one on our roads is one too many.

With the best will in the world, it is unrealistic to believe that we will eliminate death on the roads. We have to accept that. Down the years, quite a number of measures have been taken that have led to a reduction in the number of deaths. We should remember that some were controversial at the time. Perhaps few people today realise how controversial the compulsory wearing of seat belts was a number of years ago. *[Interruption.]* I appreciate that there may be a couple of people who believe that that was not necessarily the right move, but I will not embarrass anyone by naming names in that regard. Even if we go back 20, 30 or 40 years, the extent to which it was seen to be socially acceptable to drink and drive is, fortunately, something that has been clamped down on and a range of measures has led to that reduction of deaths.

The reduction in deaths has not always been purely about road safety measures in regulations. In my opinion, the biggest leap forward has been in the restructuring of cars to make them safer. Quite often now, we drive past what appear to be horrendous road accidents where the police and ambulances are involved and cars are being towed away, but then we hear nothing at all about them on the news. That is because the structures of cars nowadays are so protective that, in many cases, an accident that 20 years ago in a similar car would have led to a fatality now, fortunately enough, results only in minor injuries.

Obviously, the concern is that, despite the fall in road deaths, there is a danger that we seem, under current measures, to have bottomed out. To use the Minister's phrase — I hope that I am not entirely misquoting him — we need to create a new step change in reduction. From that point of view, the spirit of the Bill is something that we can all embrace.

As a Member of the Committee, I think that there are a lot of elements in the Bill that will require detailed scrutiny. To that extent, I look forward to the weeks and months ahead in which we will try to establish what we can welcome and approve in the Bill and what areas need to be changed. We need to do that on an evidence base. My initial thoughts are that many of the changes that relate to drink-driving make sense. We should embrace the concept of lower limits, and the system of random breath-testing and the greater use of educational courses are certainly worth trying.

One of the major controversies surrounds the issue of learner drivers and new drivers. A number of Members mentioned the motion that Mr Ross and I brought on the issue of graduated driver licensing. As Mr Maginness said, the concept should be embraced. However, those who looked at the debate on that occasion and those who did the research on GDL will see that a plethora of schemes have been used across the world, some of which have been more or less effective in certain circumstances. It is about providing a cocktail of measures. Within this, therefore, there will be aspects of the changes for learner drivers and new drivers that are particularly appropriate and others that may be less so, for example, looking at the way in which we deal with L-plate and R-plate restrictions.

I was taken by the notion that the pure restriction to 45 mph means that, in practical terms, there can be a lack of experience. For example, on any particular occasion, you eventually reach a situation in which someone who is newly qualified is suddenly alone on a road with a 60 mph limit or, indeed, at a future stage, on a motorway and has no experience of driving in those conditions. Alterations to that would be welcome.

We need to look at the need for particular levels of attainment of experience, which seems to be sensible, but there are other aspects of this about which I have greater concern. It has been mentioned that there is a suggestion in the legislation about a year before taking the driving test. There are other ways of doing this. Specifying time frames seems to be the wrong way of going about it. It has also been mentioned that, in different parts of the country, there are people who have gained that experience very quickly and have a degree of aptitude.

A bit like Mr Wilson, I suppose, I passed my driving test on the second go. Some who have seen me drive may feel that a lot longer may have been —

**Mr Wilson:** Did you ever pass?

**Mr Weir:** I did.

Some people have a natural aptitude for driving, and others do not. A particular concern about the time frame is whether it is measured simply as the period between someone's applying for a licence and getting the test. We all come across young people in particular who are mad keen to be out driving as soon as they are the age. They will get the licence. They will get vast amounts of driving experience very quickly, and may well have good aptitude and be able to pass the test quickly. Others may be a bit more reluctant. They may almost feel a certain pressure to apply for it as a rite of passage, then may well have a bad experience in their first couple of lessons and essentially be put off learning for a bit. There may actually be a situation where someone has clocked up a year or 18 months since getting their original provisional licence but has very little experience. Therefore, an arbitrary time frame is not one that necessarily matches circumstances properly. Again, as with all aspects of this, that is something that the Committee will want to explore.

Clearly, to address some of the concerns, one element that is sometimes used in GDL is the restriction on the number of passengers that, in particular, young drivers or inexperienced drivers can carry. Quite naturally, widespread concern has been raised on that particular issue. Mr Boylan mentioned in the debate and previously the implications for employment, for example, if that were put in place. To be fair to the Department, I think that there has been an attempt to produce some form of nuanced position on that. However, most people looking at what is proposed at present will see, at first sight, a bit of a dog's dinner, to be perfectly honest, in terms of the restrictions and the exemptions to those restrictions. From that point of view, I am sceptical about that element of it, but we will wait and see.

Finally, I think that we need to see an evidence base on the use of protective headgear on quad bikes. I suppose, like Mr Maginness, I am a bit of a townie in that regard. I am less familiar with the position. Indeed, my experience of quad bikes is more of seeing young people trying to race about on them at 30 or 40 mph. I very much take

that on board. I am sure that the Committee will listen to the rural voices of people like Mr Elliott and their farmland experience. There may well be an argument that the situation is quite different for farmers in rural areas. I also take on board what has been said and appreciate that there is a general degree of protection. The idea that there is simply a correlation between protective headgear and something that will reduce the number of deaths is again something we have to tease out an evidential basis.

Many aspects of the Bill can be useful and will be a productive way forward. However, to put it at its mildest, other Members and I will certainly query a number of its aspects. My colleagues to my right and left are due to speak next. I suspect that, over the next few minutes, they may query those aspects a bit more vigorously than I have, as neither has the opportunity to test them on the evidence of the Committee for the Environment.

There is the very serious and critical issue of how we actually produce legislation that leads to a reduction in the number of road deaths and with which we can help to drive that down. It has got to be done with something that is effective and enforceable and that is where the key tests need to be applied. Although it is a much shorter Bill than the Local Government Bill, I suspect that we will face it in the same way, in that we had a Bill that was a useful template to work on, to which we then made quite a number of amendments. My suspicion is that when we move through the process of Committee Stage and scrutinise this Bill, a number of changes will need to be made to it as we move ahead.

I look forward to the rest of the debate and to the serious scrutiny that the Environment Committee can give the Bill. Hopefully, at the end of it, we will have an effective piece of legislation which, hopefully in an effective manner, protects our citizens in terms of road safety.

**Mr Eastwood:** I thank the Minister for bringing the Bill to the House. I know that his predecessor initiated the legislation, but he is otherwise engaged today, as are some other Members.

**Mr Weir:** You will soon have him back.

**Mr Eastwood:** I cannot hear you there. Sorry, Peter.

This is very important legislation, and every Member in the House appreciates that it is about safety. Even some of the more libertarian Members across the way, I think, understand that the purpose of the Bill is to save lives. Anybody who watches the news on any given weekend will know how important that is and how we have to strive every day to make our roads safer.

We have to recognise that things have improved massively in the past number of years and decades, but we have a serious issue, in that far too many of our young people and our people in general still die on the roads. One of the issues around that is the state of some of our roads. Coming from the constituency of Foyle, I know all too well that, to get to anywhere else, you have to travel across fairly treacherous roadways. We never had the opportunity to go anywhere near a motorway when we were learning to drive. Even if we had been allowed to do so, we would have had to go far too far to find one, unfortunately.

We have to understand that the Bill is a genuine attempt to save lives. We can argue over some of the details now, but we will do a fair bit of that when the Bill comes to the

Committee. Everybody seems to be committed to the idea that we have to do more to achieve the goal.

We have heard quite a bit about the rural community. I, too, am a townie, but I have plenty of family involved in farming, so I have a slight understanding — not as much as some people around here — of the needs of the farming community and the wider rural community in particular. If you take any of the issues, you will see that rural areas are affected a bit more. If you take the drink-driving issue, the issue of carrying passengers, the issue of the length of time that you have to have been learning to drive before you can do your test and the quad issue, you will see that all affect rural people a bit more. That is because of the isolation, the lack of transport and a lot of other things.

What has affected rural communities a bit more is the deaths on our roads. Rural communities across Northern Ireland, across Donegal and across Ireland have been absolutely devastated by horrendous stories about groups of young people in particular. I remember one incident around Carndonagh in Donegal where, I think, seven young people were in one car, and all but the driver were killed. The impact of such incidents on rural communities in general is much greater than that of some of the smaller issues that we can deal with as we work through the Bill.

It is good that, once the legislation is passed, we can finally say to people that no drink at all is allowed, because there is still some confusion. We can do all the ads that we want, but, until you make it law and say, “No drink is allowed before you get behind a wheel”, people will continue to do it and say, “If I have one drink, I may as well have two drinks or maybe three or four drinks. I can handle it. I can handle my drink, and I can drive a car no matter how many pints I have had”. We all know the devastating effect that drink-driving can have. Therefore, that is a very sensible measure that I hope we can agree on.

On graduated driving licences, we have heard the figures: 17- to 24-year-olds hold only 10% of driving licences, but they are involved in 42% of the fatal collisions that occur across the North. We need to do whatever we have to do. We can discuss the details of how many months, how many lessons or whatever, but it has to get to the stage at which people are not just learning how to pass their test but are really learning how to drive. People always tell you that you learn how to drive after you have passed your test. People could do a bit more learning before they pass their test. That makes a bit of sense.

In terms of the motorway issue, I remember passing my test on a Friday and having to drive to Belfast on a Monday. I had never seen a motorway or been behind the wheel of a car for driving on a motorway. It was an absolutely terrifying experience coming into Belfast and trying to negotiate the different lanes and different speeds of cars, and I was allowed to drive only at 45 mph.

**Mr Elliott:** I thank the Member for giving way. I accept some of what he said, particularly that there is a theory that you learn to drive properly only after you have been successful in your test and that, prior to that, you learn to do your test. However, that is the issue with the test. It needs to reflect proper driving qualities, and, if the driving test needs to be changed, so be it. I do not think that having a year, six months or three months to learn to do that will make any difference, because all that you will do is learn how to do the test.

**Mr Eastwood:** You will also have to do a certain number of lessons, however, and those will have to be logged and all that. So, I think that there is merit in that.

It makes perfect sense to get rid of the 45 mph limit not just for motorways but in general. How can you learn to cope with driving at 70 mph if you have never driven even at 50 mph? It makes absolutely no sense at all, and that is a good idea that is in the Bill. How will somebody from Derry, for example, ever get practice on a motorway if they have to drive 50 or 60 miles to find one? Maybe we can do a bit of work to bring the motorway a wee bit closer to make that a bit easier.

I know that one of the controversial issues in this is passenger restrictions, and I hear the arguments about that. However, the international evidence tells us that it is more dangerous and more distracting for young people in particular to carry a number of passengers who are around their same age. It makes sense that we try to deal with that, and I am sure that there will be plenty of debate on that.

**Mr Ross:** I thank the Member for giving way. As somebody who did a lot of work on the whole GDL issue a number of years ago, the Member is absolutely right in saying that the evidence suggests that carrying passengers in the car distracts the driver, particularly young drivers, and makes them more likely to be involved in a traffic collision. But the same could be said for restrictions such as preventing young people from driving at night. That is because, again, the international evidence points to the fact that, if young novice drivers are driving during dark periods, they are more likely to be involved in a road traffic accident. Yet his Minister has rejected that idea, correctly in my view, because I do not think that that would be desirable. So, even if the evidence says that it will work, it is not always desirable. Would the Member go further than the Minister and have restrictions on night-time driving, or does he appreciate that, sometimes, even though the evidence suggests that it will work, it is not necessarily desirable for legislation?

**Mr Eastwood:** The Member makes a fair point. The Minister has accepted that there are other things that he could have done on night-time driving and everything else. However, I think that he is doing what he can do, what is sensible and what can be implemented. In fact, the restrictions on passenger numbers and passenger ages will apply at night as well when there is likely to be more peer pressure with the issues that we know about. Given that most of those incidents and accidents happen at night, I think that that makes some sense. Of course, there is PSNI support for that measure.

One of the major issues that was just touched on in the debate is insurance for young drivers. We have all heard of the extortionate quotes that people have been given for car insurance, especially young people and new drivers in general. Insurance companies, whether we can believe them or not, are telling us that these kinds of improvements, as they see them, can help to bring down car insurance prices.

In terms of the quad issue, I understand that issue, and I think that we may have to look at how we can legislate for that in farming. However, I see far more quad bikes in estates around Derry than I do in Donegal or Tyrone driving around the roads. I know that they are a much-used vehicle for farmers, but one of the major issues with quad

bikes is the issues that we see in estates, towns and cities. Those issues need to be tackled in a number of different ways, and this is one way that we can help to at least improve some of the safety issues.

Finally, I commend the Minister and the previous Minister for their work on this issue. They are doing everything that they can to try and ensure that we can drive down the incidents of fatalities on our roads, and I think that has to be commended. I am sure that there is broad support for the broad principles of the Bill, and we will get into the detail around it as we go forward.

**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. When the House returns, the first item of business will be Question Time.

*The debate stood suspended.*

*The sitting was suspended at 12.30 pm.*

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

**2.00 pm**

## Oral Answers to Questions

### Social Development

**Mr Principal Deputy Speaker:** Those who were not up all night counting votes will notice that it is the Minister of Finance who is standing in for his ministerial colleague, who is unwell. Question 11 has been withdrawn.

### Housing Repossession Task Force

1. **Ms Ruane** asked the Minister for Social Development for an update on the work of the housing repossession task force. (AQO 6186/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** The work of the housing repossession task force will be time-bound and completed in two phases. The first phase will focus on the nature and extent of the possessions issue in Northern Ireland, with a view to producing an initial research report by the end of June 2014. Minister McCausland is pleased to advise that the task force is making strong progress in the completion of the research phase. Outcomes from the research will inform the second phase of developing evidence-based recommendations for potential mitigating actions by the end of this year.

**Ms Ruane:** Go raibh maith agat. Does the Minister accept that building or providing more social homes will prevent low-income families being forced to buy properties in the rented sector and, thereby, potentially spiralling into debt and that it is more appropriate to build more social homes?

**Mr Hamilton:** I suppose that a habitual problem in the next 45 minutes will be that I often express my view, which, I am sure, will chime entirely with that of the Minister for Social Development. The Minister and his Department are on track to meet the target laid out for social and affordable homes over the current Programme for Government period — I think that it is around 8,000 homes. It is an ambitious but very achievable target that will make a considerable difference to people in Northern Ireland.

Given the times that we are in, more people are under pressure and, for them, social housing is the appropriate answer. It is not the answer for everybody. That is why I am and have been very pleased, over the past number of years, that the Minister for Social Development has pursued not just more social homes but more affordable homes. I am pleased that, with the help of my Department — the Department of Finance and Personnel — the budget for co-ownership housing in Northern Ireland has doubled over the past number of years. Last year alone, over 1,000 people were able to avail themselves of the co-ownership housing scheme in Northern Ireland. For them, owning a home was the right option. I do not think that, if you were to talk to the more than 1,000 individuals and families who availed themselves of co-ownership in the past year, you would think that they felt that they were stuck with that. That is the choice that they made, and it was a positive choice for them. A lot of the modelling



looked at how much was being saved and found that the mortgage and rent payment through co-ownership was considerably less than what people were paying for private rented accommodation. For some people, social housing is the obvious answer; for others, affordable housing is the answer; and, for others, it is buying homes with, perhaps, some assistance from government and others.

**Mr Spratt:** I thank the Minister for his answers so far. Is he concerned that possible future interest rate rises may result in an increase in repossessions?

**Mr Hamilton:** There is a fear or spectre of the inevitability of mortgage interest rates rising over the next number of years. A rise would be good for savers, who have been struggling because of the record low rates for such a long time, but there would be an opposite reaction among those who are on the property ladder and are paying off their mortgage. One only had to listen to the governor of the Bank of England, the weekend before last, talking about the housing market. The housing market in Great Britain, particularly in London and the south-east, is in an entirely different position from ours. There is widespread talk about it overheating and a property bubble developing. There are no such worries or concerns, at this stage, about that happening here in Northern Ireland. There is very little heat in the market, albeit that it has been changing over the past number of months.

There are understandable concerns that, if there were to be a sudden increase in interest rates, it would put a lot of people under pressure. I take some comfort from listening to the governor of the Bank of England saying that he is not looking at sudden increases in the interest rate. He is not saying that it will happen very soon. I think that we all understand that, inevitably, it will happen at some stage in the future. It is important that those on the property ladder paying their mortgage do what I heard described last week at a Bank of Ireland event: just as the banks are undergoing stress tests, individuals should look at their household income in the context of possible interest rate rises and what that might mean for their budgets. There are obvious concerns, and people need to be cognisant of them. Those stepping onto the property ladder need to make sure that they can afford the house that they are buying and that, if there is a sudden jump in interest rates, they would still be able to afford to live in the house they have bought.

**Mr Byrne:** I thank the Minister for his answers. Does he accept that those unfortunate families living through a nightmare are being put through hell because of house repossessions and having to be moved out? Does he accept that that is unacceptable? What advice can the Executive give to people suffering the loss of their family home?

**Mr Hamilton:** I absolutely agree with the Member: for those who find themselves in the unfortunate position of being unable to afford to keep up payments on their house and facing the very real prospect — the reality, in many instances — of their family home of many years being taken off them, that is not a nice situation to be in. That is why the Minister for Social Development and his Department have supported the Housing Rights Service in providing support and assistance to those in that situation. All the evidence is that, the quicker people get to the likes of the Housing Rights Service with their problems to try to work them through not just with the Housing Rights

Service but with their mortgage lender, the more likelihood there is of a positive outcome to their problem.

We can all understand and appreciate that people are perhaps reluctant sometimes to accept that they have a problem. They try to carry on and muddle through, but, all the time, the pressure is building. If the Minister were here, I am sure that he would send out the message that, if you think that you have problems or if you actually have problems with paying your mortgage, engage early not just with your mortgage lender but with the Housing Rights Service, which provides an exceptional service supported by the Department for Social Development. In those circumstances, with that help and expert advice, there is always the chance that the very scenario that the Member paints of somebody losing their family home might be avoided.

**Mr Kinahan:** I thank the Minister for his answers so far. In my patch, Christians Against Poverty has been excellent in helping people out. Does the Minister accept that we do not have enough support and debt relief to help people? Will the Minister put more effort into helping the housing repossessions task force to build better contacts and making sure that everyone knows what is available?

**Mr Hamilton:** I echo what Mr Kinahan said about the charity Christians Against Poverty, which has a presence in my constituency as well. It and many others, including some of the more established names, such as Citizens Advice and the Housing Rights Service, which I mentioned, do exceptional work. Although the issue is more about repossessions than housing debt, sometimes that is triggered by debt issues in other parts of people's lives, which have a knock-on effect on the ability of an individual to pay their mortgage. In that sense, a more overarching approach is useful.

In response to the crisis over the past number of years, the Department for Social Development has helped to fund the Housing Rights Service, and my colleague the Enterprise Minister has helped to fund the citizens advice bureaux to carry out work on personal debt on her Department's behalf. Lots of work is going on. I am sure that, in response to the Member's question, we could get a fuller response to him about what is being done to knit together those different but sometimes interrelated parts of the debt problem.

### Building Successful Communities

2. **Mr D McIlveen** asked the Minister for Social Development for an update on the Building Successful Communities pilot schemes. (AQO 6187/11-15)

8. **Mrs Cameron** asked the Minister for Social Development how the Building Successful Communities initiative will benefit the areas included in the pilot scheme. (AQO 6193/11-15)

**Mr Hamilton:** With your permission, Mr Principal Deputy Speaker, I will answer questions 2 and 8 together as each raises similar issues.

The Building Successful Communities programme, which the Department for Social Development launched in October 2013, springs directly from the vision of housing-led community regeneration as outlined in DSD's housing strategy. That vision is focused on ensuring that everyone has the opportunity to access good housing at a reasonable cost. It recognises the significant role that housing can play in helping to support and sustain

economic recovery, create employment and help to regenerate some of our most deprived and neglected communities.

The six pilot areas — five in Belfast and one in Ballymena — were chosen because they represent some or all of the problems that Building Successful Communities is specifically designed to address: blight; vacant housing stock; antisocial behaviour; high incidences of reported crime; and economic inactivity. Obviously, these areas are very different from one another, and some of the specific challenges are unique to that area. The Building Successful Communities programme, therefore, cannot and will not try to implement a one-size-fits-all solution in each pilot area. That is why Minister McCausland is delighted to report that three of the six pilot areas have already established their regeneration forums. Work is now under way in those three areas to identify each area's specific physical, social, environmental and economic needs, with a view to developing a plan to address those needs. The regeneration forums in the remaining three pilot areas are expected to meet soon.

Minister McCausland knows that Members will be particularly interested in an update on the pilot in the Doury Road — I hope that I have pronounced that correctly — in Ballymena. That Building Successful Communities forum met for the first time on 1 May, and a second meeting is planned for 27 May. A Building Successful Communities seminar is also planned to take place at the 174 Trust on the Antrim Road, itself a magnificent example of the transformative power of regeneration, on Wednesday 11 June. The seminar is targeted at members of the regeneration forums and will draw speakers from across the regeneration field who will impart their experience, encouragement and suggestions for the challenges ahead.

**Mr Principal Deputy Speaker:** I remind the Minister of the two-minute rule.

**Mr D McIlveen:** I thank the Minister for his answer, and I am delighted that he mentioned the Doury Road — I will correct his pronunciation slightly on that. It is my understanding that the Housing Executive intends to put the demolition on hold. Does that mean curtains for the demolition, or does the Housing Executive plan on demolishing the vacant properties at a later stage?

**Mr Hamilton:** With the Doury Road — that must be the Ballymena pronunciation — it is my understanding that the Housing Executive's demolition plans mentioned by the Member preceded the decision to pilot the Building Successful Communities programme in that area. In light of the establishment of the Doury Road as a pilot area, Minister McCausland has agreed with the Housing Executive that it would not be appropriate to progress current demolition plans. All plans for regeneration of the estate, including any necessary demolitions, are subject to be taken forward through the plan developed by the Building Successful Communities forum in the Doury Road. The forum includes the Helm and Triangle housing associations, which have been appointed to progress all new social and affordable housing developments in that pilot area.

**Mrs Cameron:** I thank the Minister for his answers so far. Will he confirm how long the Building Successful Communities programme will run?

**Mr Hamilton:** I thank the Member for her question. Stage 1 of the programme, which covered its set-up, staff and governance arrangements and the establishment of the forums, is now entering its conclusion. In the next month, the programme will move to stage 2, which will cover the beginning of the production of action plans and the appointment of consultants to work with each forum and to provide expertise and support in the formulation of action plans.

The Department for Social Development anticipates that stage 2 will be completed for all six pilot areas by July 2015. Stage 3, which will run until the end of 2015, will deal with the approval of the action plans, equality screening related to those actions and the securing of funding from the Minister of Finance and Personnel. I say to the Minister for Social Development, "Good luck with that".

**Mr McKinney:** Will the Minister reassure the House that the Building Successful Communities pilot scheme will comply with the relevant equality legislation?

**Mr Hamilton:** As I said in response to the previous question, equality screening, which is done in any policy, of the Building Successful Communities programme will be done at stage 3, which will run until the end of 2015.

That will deal with a range of issues including, as I mentioned, funding and equality screening relating to specific actions and action plans that are developed by the fora in each area.

### 2.15 pm

**Mr Cree:** The Minister mentioned the Doury Road. I wonder whether he is aware that over 20 families have been given notice to quit there as part of that development. Does he agree that that is not really conducive to a good project?

**Mr Hamilton:** I am sure that the Member knows I would not have that level of intimate detail on the particular circumstances surrounding notices to quit. I will certainly ensure that officials from the Department for Social Development contact the Member with an answer and explanation as to why that is the case.

### Housing: Need Calculation

3. **Mr McCarthy** asked the Minister for Social Development whether he will seek independent advice on the best way to calculate housing need following the concerns raised about the method used to calculate these figures in North Belfast. (AQO 6188/11-15)

**Mr Hamilton:** Minister McCausland has the responsibility for ensuring that access to housing is available for all citizens, irrespective of their religious or political persuasion. He has publicly and consistently highlighted the need to build more homes and improve housing conditions for everyone in Northern Ireland. The Housing Executive has a statutory duty to regularly examine housing conditions and need. In doing so, it frequently commissions independent research to inform its approach. That reflects the Housing Executive's Northern Ireland-wide remit and its long track record of determining housing need, identifying where new housing should be located and allocating housing on the basis of identified need.

**Mr McCarthy:** The Minister will be aware of the considerable concern about the Department building houses in that area from people who question whether it is about political benefits for the Minister rather than providing homes for people in greatest need. How can the Minister restore public confidence in the process, particularly among people in north Belfast?

**Mr Hamilton:** The Member's original question was about ensuring that there is independent advice. On behalf of the Minister for Social Development, I can assure the Member and the House that the models and statistics that are produced to identify need are independently assessed and reviewed.

His concerns, which he says reflect the concerns expressed by others, are, of course, coming from one particular perspective and do not bear in mind the deep social housing need right across north Belfast. When one looks at the whole of the North Belfast constituency, one sees that there is an identified housing need of 1,994 people who are deemed as members of the Protestant community, or who identify themselves as such, and 1,988 people who identify themselves as Roman Catholic on the waiting list. I am sure that the Member is too long in the tooth to fall for the hype and propaganda of others. I am sure that he will appreciate that 1,994 versus 1,988 does not show that there is need predominantly on one side of the community versus the other and that, in fact, there is balance in the very high housing need in that constituency.

**Mr Dunne:** Can the Minister clarify what independent advice the Housing Executive receives in calculating housing need across Northern Ireland? Is it just assessed against waiting lists?

**Mr Hamilton:** No, it is not. The Member is right, as, indeed, was Mr McCarthy, to ask about independent advice. This is not a case of the Minister just sitting down and working it out himself. It is not even a case of the Housing Executive or his Department doing that. This is work that has had external independent underpinning by people who are experts in the field. For example, the most recent calculation of housing need that looked across the whole of Northern Ireland, not just north Belfast, was done in January 2013, just over a year ago. That work was carried out by Chris Paris, who was an emeritus professor at the University of Ulster and is now at the University of Adelaide. Professor Paris calculated that, to meet estimated demand, 1,200 new social homes are required per year in the 2008-2018 period.

That is work that, as I said, is not done by the Minister, the Department or the Housing Executive but is done and assisted by an independent academic from, at that stage, the University of Ulster. So, when some people are hurling around various accusations in the direction of the Minister for Social Development, what they are actually doing is undermining the work of an academic from the University of Ulster.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Does the Minister now concede that the use of the figures regarding housing need in north Belfast was disingenuous, referring, as they did, to the parliamentary constituency rather than the housing district? Will he outline the actions that are being put in place to address the plight of those who are in housing need within that district?

**Mr Hamilton:** I am sure that the Member would not wish to parcel up need artificially. Need is need, and need across the whole of the North Belfast constituency has been identified — as I outlined in response to Mr McCarthy — as not being predominantly in one community but pretty equal across both communities. You can identify that in district offices. Of course, there is an office called the north Belfast Housing Executive office, which does not cover the entirety of north Belfast. So, to ask about north Belfast and get a north Belfast answer does not in any way cover the entirety, or even close to the entirety, of the North Belfast constituency.

I think it is useful, right and proper that the Minister provides figures on a constituency-by-constituency basis. I know that my own Department is frequently asked for statistics on a constituency-by-constituency basis. It is not always easy, because sometimes that is not how figures and statistics are actually produced, but I think, in a situation where the north Belfast district office covers roughly a quarter — with Newtownabbey 1, 2 and Shankill also covering that area — it is only right and proper that there is a broader perspective of need, and considerable need, across the constituency, in the Protestant community every bit as much as there is in the Catholic community in north Belfast. I can see Members opposite shaking their heads. The truth of what is happening across the way is that they want to wallow in the need of one community and not have any regard for the need of other communities over a line. *[Interruption.]*

**Mr Principal Deputy Speaker:** Order.

**Mr Hamilton:** There is serious housing need in the North Belfast constituency, in the Protestant community every bit as much as there is — indeed, more than there is — in the nationalist community. That is a need that the Members opposite clearly wish to ignore —

**Mr Principal Deputy Speaker:** Two minutes are up.

**Mr Hamilton:** — but it is not need that the Minister for Social Development is going to ignore.

### Housing: Gerrymandering

4. **Mr Maskey** asked the Minister for Social Development, in light of the questions being raised by the media, independent non-governmental organisations and international housing experts regarding the alleged gerrymandering of housing allocations and resources in north Belfast, whether he will stand aside from his ministerial position until an independent review is undertaken to establish the facts. *(AQO 6189/11-15)*

**Mr Hamilton:** No.

**Mr Maskey:** I acknowledge that response from the Minister on behalf of the other Minister. I will make a point that follows on from the last discussion. I think it is very unfortunate that the issue of housing has now become seriously politicised and sectarianised in north Belfast. I put it to the Minister who is speaking on behalf of his ministerial colleague that, in a recent interview, the Minister in question stated that, although one of the nine houses recently allocated in the Oldpark area of north Belfast had been allocated to an applicant with 200 points, over half of the nine properties allocated were allocated to people with no points. Does the Minister not accept

on behalf of his ministerial colleague that that makes a complete mockery of the concept of objective need?

**Mr Hamilton:** I am afraid that, without specific knowledge of the particular nine houses, where they are, who got them, what points they got them on and all of that, I am not in a position to give the Member the sort of answer that he was obviously looking for.

**Mr Wilson:** Does the Minister, like me, find the barefaced hypocrisy of Sinn Féin Members amazing? On the one hand, they call for the resignation of a Minister who has allocated resources for housing on a pattern that does not suit their sectarian prejudices and, on the other hand, they ignore the fact that their own leader has been implicated in covering up the rape of a young girl, while the deputy First Minister in the Assembly has now been implicated in murder by one of his terrorist colleagues in Londonderry?

Will he give us an assurance that the Minister for Social Development will not bow to the pressure of Sinn Féin and that my constituents, some of whom live in north Belfast, will not be disadvantaged by spurious, prejudiced and biased reports, which are politically motivated and designed to take resources away from the Protestant community?

**Mr Principal Deputy Speaker:** I remind Members that Question Time is meant to be about the topic under discussion. It is not an opportunity for speeches, and the Member who has just spoken — a former Minister — is well enough aware of that protocol, and he is out of order.

**Mr Hamilton:** Social development questions are a lot livelier than finance and personnel questions. I might come back in future.

I agree entirely with everything that the Member said. There is lots of catcalling and howling from the Benches opposite for resignations or for Ministers on this side of the House to stand aside when those Ministers are doing their job. They are trying their best to address housing need in Northern Ireland wherever it arises, whether it be in Catholic, Protestant or whatever communities in north Belfast and across Northern Ireland.

The situation in north Belfast is such that attempts have been made down through the years to mask the fact that there are problems on the Protestant community side. Those problems have been shown to be very real by the work of the Minister for Social Development. He met frequently with the MP for the area to address the housing issues. It is not the fault of the Minister for Social Development that the DUP MP for North Belfast is incredibly active on the issue. The Minister has received no request from Sinn Féin or the SDLP to meet to discuss any housing issues in the area. So, there are some johnny-come-latelys to the issue who are now crying, gurning and complaining about it when the Minister has been doing his best to address the housing need on both sides of the community in north Belfast and, indeed, elsewhere.

**Mr A Maginness:** Is it not clear from the online newspaper 'The Detail' that Minister McCausland was intent on meeting not simply with the chairperson of the Housing Executive but with officials of the Housing Executive at a local level in order to browbeat and bully them into a political stance that suited his political agenda, instead of addressing the needs of the 3,888 people who require houses in north Belfast?

**Mr Hamilton:** To accuse the Minister of browbeating officials of the Housing Executive is a very serious accusation.

**Mr A Maginness:** I can put it in stronger terms if you want.

**Mr Principal Deputy Speaker:** Order.

**Mr Hamilton:** However, I expect nothing less from Members opposite, and particularly from the SDLP Member for North Belfast. When the SDLP was in control of the Department for Social Development, its Minister removed the ring-fence for housing provision, and that included provision for north Belfast. If there are accusations made of neglecting need in north Belfast, perhaps the Member should look much more closely at his own party. The Member's reading of the article in the online newspaper 'The Detail' is distinctly different from my reading of what it says. There is no accusation of gerrymandering or browbeating made by the newspaper. The Member should be incredibly careful about what he accuses the Minister for Social Development of.

**Mr Copeland:** I ask the Minister, on behalf of his ministerial colleague, whether he can give a commitment that the seemingly endless and partisan spat between him and those opposite will not in any way impact on the eventual delivery of much-needed housing at Girdwood?

**Mr Hamilton:** Girdwood is obviously only one part of north Belfast, and new social housing is earmarked for that site. However, the Member is getting towards the right approach. The accusations that are being thrown by Sinn Féin and the SDLP are an attempt, as Mr Wilson said, to throw up a smokescreen. I assure the Member that the Minister for Social Development will not be knocked off course from addressing the core of the issue, which is that the North Belfast constituency has a very high social housing need on both sides of the community. Addressing that need is the Minister's job, and I am sure that he will do the best that he can to address it.

### 2.30 pm

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

### Work Capability Assessment

1. **Mr Cree** asked the Minister for Social Development what action has been taken to improve work capability assessments following the review of the employment and support allowance. *(AQT 1161/11-15)*

**Mr Hamilton:** I am not familiar with the specific details of what has been done on that. At the risk of repeating my previous answer to the Member, that information will be provided in what I am sure will now be a very lengthy letter back to Mr Cree.

**Mr Principal Deputy Speaker:** Will we try for a hat-trick? I call Mr Cree for a supplementary question.

**Mr Cree:** Yes, indeed, Mr Principal Deputy Speaker — it will be a hat-trick.

Part of the process involves the use of mental health champions. How many mental health champions are there, and what is the procedure for appointing those people to specific cases at appeal?



**Mr Hamilton:** I have always wanted to do this: I refer the Member to the answer that I gave some moments ago.

### Welfare Reform: Public Understanding

2. **Mrs Cameron** asked the Minister for Social Development whether he recognises that there is a general lack of public understanding about welfare reform and its potential effects. (AQT 1162/11-15)

**Mr Hamilton:** I think that there is hardly a member of the public, particularly over the past weeks and months, who could have escaped that there is a debate going on about welfare reform and how it affects people in Northern Ireland. As a sometime participant in that debate, I would perhaps be one of the first to accept that, from time to time, that debate has generated much more heat than light. I think that, while the heat has been kicked up, perhaps some of the realities of welfare reform in Northern Ireland have been missed by a great many people here, particularly those who might feel that they will be affected in one way but who, in reality, will not be affected. I am sure that that will cause considerable and perhaps some unwarranted concern for people.

I know that my colleague the Minister for Social Development was very keen to inform and to better inform the public through an information campaign. Unfortunately, the Committee for Social Development took a somewhat different view of the merits of that. I think that that is regrettable, because I think that anything that better informs the public about anything that we do would be very worthwhile, especially for those who may be affected but who will perhaps not be affected or affected as much. That is particularly the case for an issue such as welfare reform, which is detailed and difficult even for Members to get their heads around.

**Mrs Cameron:** I thank the Minister for his answer. Given his response, how urgent does he believe that a resolution to welfare reform is in Northern Ireland?

**Mr Hamilton:** Notwithstanding the points that I made in my previous answer, I think that there is an urgent need for us to accept that, if we do not get on with dealing with welfare reform, the ramifications for Northern Ireland will be incredibly severe.

I received correspondence from the Chief Secretary to the Treasury in the past week in which he confirmed that the Treasury has already taken £13 million from the Executive's baseline spend this year. That money is now gone. So, there is no longer any debate about it being paper money, not being a real process or not happening. The money has now gone from our baseline, and the people of Northern Ireland, including vulnerable people who avail themselves of services from the health service, the Education Department and, indeed, the Social Development Department, will suffer from the lack of that £13 million to spend. There is, of course, the looming threat of a further £87 million being taken off later in the year if progress is not made on welfare reform in Northern Ireland.

I know that many Members are not fans of the proposed welfare reform. There are also many members of my party who are not fans of elements of the welfare reform agenda. We have rightly opposed those elements in Westminster, where they should be opposed. The reality is that non-

progress on the basis of a package that, I have to say, is incredibly attractive versus what people in England, Scotland and Wales now have at their disposal, given that time is critical, is letting down the people of Northern Ireland and is an abject failure in leadership on the part of some in the House.

### Housing Executive: Overpayment

3. **Mr Rogers** asked the Minister for Social Development whether he agrees that the assessment of the alleged overpayment of £18 million was way off the mark. (AQT 1163/11-15)

**Mr Hamilton:** No.

**Mr Rogers:** Does the Minister agree that reputational damage was done to those contractors as a result? What will the Minister do about that?

**Mr Hamilton:** The reason for my short answer was that, as the Member will know, work is ongoing on the alleged overpayments of £18 million to, I think, four contractors in Northern Ireland. The work is being carried out by the Housing Executive, which is the organisation that had the contracts. That investigative work has not come to the Department for Social Development yet, and, therefore, on behalf of the Minister, I am not able to comment at this stage.

**Mr Principal Deputy Speaker:** Ms Megan Fearon is not in her place.

### Neighbourhood Renewal Schemes

5. **Mr Byrne** asked the Minister for Social Development to outline the future of the neighbourhood renewal schemes, which have been so beneficial for many parts of our cities and district towns. (AQT 1165/11-15)

**Mr Hamilton:** The week after local government elections to our 11 new reorganised councils is, perhaps, an apt time to be raising that. It is my understanding, as I am sure the Member will appreciate, that the powers for regeneration, including powers for neighbourhood renewal, are to move to the new councils as of 1 April next year.

**Mr Byrne:** I welcome the Minister's response. Will any finance be allocated to the new councils to widen the scope and remit of the neighbourhood renewal schemes, particularly to smaller towns?

**Mr Hamilton:** I am sure that the Member, particularly given the stewardship of the Department of the Environment by his party colleague Mr Durkan, will be well aware that one of the overarching principles of the review of public administration is that no power or service should transfer from central government in Stormont to local government in a way that would cost local government. Detailed work is going on between the Department of the Environment and my Department to work out the exact intricacies of the funding mechanism for various services moving forward. The principle of it being done in a cost-neutral way is important. Obviously, there will be discussions to be had in each individual Department on how that is done. The Department for Social Development will have a view on how that should be done, and other Departments might have slightly different views. I know that some discussions are ongoing, and I have, in fact, met the Minister of the

Environment to discuss a particular issue of some powers transferring from DSD to local government.

Of course, moving forward, additional money starts to become the responsibility of each individual new council. It will be for the new councils, within their borrowing power and rate base, to choose their priorities. If new councils want to spend more on, for example, neighbourhood renewal, that is a matter for them. That is the essence of being in government, whether local or central. It is about making choices, and, just as we would have to make a choice if we wanted to move funding to neighbourhood renewal and take the consequences of less spending elsewhere, so, too, will local government face those realities in the years to come.

### Housing Executive: DLO Performance and Development Committee

6. **Mr Sheehan** asked the Minister for Social Development for an update on appointments to the DLO performance and development committee, which was advertised recently by the Department and Housing Executive. (AQT 1166/11-15)

Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I understand that the Minister for Social Development had some misfortune recently, and, in spite of the controversy earlier on here today, I send my best wishes for a speedy recovery to him.

**Mr Hamilton:** I am sure that the Minister is grateful for the Member's best wishes. Rather than giving the Member a completely inaccurate update, I will ensure that the Department communicates with him and gives him a detailed response.

**Mr Sheehan:** When the Minister is doing that, will he provide details of how many people applied for those positions?

**Mr Hamilton:** I am sure that the Department will have heard that and will ensure that the Member gets as comprehensive a response as it can provide.

### Super-councils: Responsibilities

7. **Mr Hilditch** asked the Minister for Social Development to outline the new responsibilities that the super-councils, rather than the Department, will deliver. (AQT 1167/11-15)

**Mr Hamilton:** Neighbourhood renewal is just one of the powers that will transfer from the Department for Social Development to local government. I am quite excited about councils getting the powers of regeneration, including regeneration of sites such as Queen's Parade in Bangor in the new North Down and Ards Council area, of which I am now a ratepayer. I will be funding the redevelopment in Bangor, and Mr Gordon Dunne will be very appreciative of those rates heading up the dual carriageway into Bangor.

I am sure that the Member, too, in his constituency, will see the potential for places such as Carrick and Larne not having to wait, as they have in the past perhaps, for prioritisation by the Department for Social Development. That is not to knock what happened in the past; it is just the reality of having a certain amount of money at our disposal to spend on regeneration projects. Certain areas will get prioritised, and others will have to wait their turn. As I said in response to Mr Byrne, it is now up to the new

councils as they settle in and develop plans for their areas to say what they want to prioritise their expenditure on. I am very excited about the possibility of many schemes that have perhaps been sitting on the shelf for a number of years being fast-forwarded and developed in pretty quick order.

**Mr Hilditch:** I thank the Minister for his answer. Does the Department have confidence that the new councils will be able to deliver those essential functions once they take over?

**Mr Hamilton:** I think that there will be a bit of a culture shock for some elected members. They will need to grasp their responsibilities very quickly, because responsibility begins on 1 April next year. Although councillors will still have to do everything that they did before and ensure that it is done to a very high standard, there are a lot of powers — planning, community planning, regeneration and so forth — that they will have to get their head around almost immediately. Good teams of councillors have been elected across the country to serve their new district council areas, and they have to collectively realise that they have an opportunity to shape their new council areas in a way that those of us who were in local government in the past had no opportunity to do and would have been quite envious in some ways of the powers that are being bestowed on local government to reshape and regenerate their towns, cities and villages. The biggest challenge is not the capability of officials or the capability of members of councils; it is their ability to see the big picture. All our new councillors need to begin to embrace very quickly the possibilities and opportunities that the review of public administration presents to them.

### Housing: Newry and Mourne

9. **Mr D Bradley** asked the Minister for Social Development for his estimation of the current housing need in the Newry and Mourne housing district. (AQT 1169/11-15)

Ba mhaith liom a fhiafraí den Aire cad é mar a mheasann sé an riachtanas tithíochta i gceantar an Iúir agus Mhúrn.

**Mr Hamilton:** I do not have those figures to hand.

**Mr D Bradley:** Gabhaim buíochas leis an Aire as a fhreagra. I thank the Minister for his answer, short and all as it was. In due course, will the Minister provide up-to-date figures and outline how that need is being addressed?

**Mr Hamilton:** I am very pleased to assure the Member that I will ensure that that information is provided to him.

## Culture, Arts and Leisure

**Mr Principal Deputy Speaker:** I inform Members that questions 7 and 11 have been withdrawn.

### Business Cases: CAL Decisions

1. **Mrs D Kelly** asked the Minister of Culture, Arts and Leisure how many business cases are with her Department and awaiting a decision. (AQO 6201/11-15)

**Ms Ni Chuilín (The Minister of Culture, Arts and Leisure):** I thank the Member for her question. DCAL is considering five business cases. They are at various stages, and my officials are continuing to work with the

relevant organisations to ensure that each case is of sufficient quality to facilitate a timely decision on the investment of public funds.

#### 2.45 pm

In addition, DCAL has provided feedback on two further business cases and is awaiting the submission of revised drafts. Work is also ongoing in the Department on the development of a further four business cases for projects that we hope to progress in the near future.

**Mrs D Kelly:** I thank the Minister for her answer. I take it that there are nine business cases in total: the five plus the four. Will she give us a flavour of the business cases, the impact on the budget and whether the spend will be met? Indeed, what does that mean if some are to be spent within the school term timetable?

**Ms Ní Chuilín:** I am not sure about the school term timetable; I am going by own timetable. As for the flavour of the business cases, although there are nine cases today, I could go in next week, and there could be a further two. That is the nature of the progression, which is good because it means that we are moving in the right direction.

We are looking at the refurbishment of Coleraine library at a cost of over £2 million; the Arts Council gifting of musical instruments at almost £60,000; Tollymore National Outdoor Centre at almost £2.5 million; Dungiven sports provision; Omagh Riding for the Disabled Association; the Ulster canal; T: BUC; and the strategic outline business cases for the subregional stadia programmes.

#### Giro d'Italia: Legacy

2. **Mr Givan** asked the Minister of Culture, Arts and Leisure what action her Department is taking to increase participation in cycling following the success of the Giro d'Italia. (AQO 6202/11-15)

4. **Mr McKay** asked the Minister of Culture, Arts and Leisure to outline her plans to build on the success of the Giro d'Italia. (AQO 6204/11-15)

6. **Mr Anderson** asked the Minister of Culture, Arts and Leisure what plans her Department and Sport NI have to capitalise on the success of the Giro d'Italia. (AQO 6206/11-15)

15. **Mr Beggs** asked the Minister of Culture, Arts and Leisure how she will ensure that East Antrim capitalises on the increased interest in cycling following the success of the Giro d'Italia. (AQO 6215/11-15)

**Ms Ní Chuilín:** With your permission, Mr Principal Deputy Speaker, I will take questions 2, 4, 6 and 15 together.

The 2014 Giro d'Italia Big Start has certainly been a resounding success. We have once again shown the world how well we can host and enjoy major sporting and cultural events. The Giro d'Italia is a fantastic event, and the 2014 Big Start has helped to raise the profile of cycling across all our communities here.

DCAL and Sport NI are working closely with the governing body of the sport, Cycling Ireland, to deliver a number of specific actions set out in the NITB-led Giro legacy plan to develop the sport of cycling and increase participation in clubs and in all communities. These actions include the development and implementation of cycling strategies

and the provision of training for leaders and coaches in cycling clubs across the North. Sport NI is also engaging with schools, through its Active Schools programme, to encourage them to develop linkages with local cycling clubs to increase participation and develop the sport.

**Mr Givan:** I thank the Minister for that response. She rightly identifies the great success of the Giro d'Italia. Will she assure the House that she will work with the Regional Development Minister so that the infrastructure can be improved across Northern Ireland to benefit those who take part in cycling? In working with the cycling clubs, will she encourage those from a socially deprived background to get into this sport, given the health benefits that often come with the activity?

**Ms Ní Chuilín:** I am quite happy to give the Member that assurance. I am working not only with DRD, as he mentioned, but with his colleague Arlene Foster and my colleague Michelle O'Neill in DARD. That is because, although we need to ensure that we have the roads infrastructure for road cycling, we also need to look at track cycling, which has become an increasingly popular sport across all social strata. Colin near Lisburn may be just outside the Member's area, but he might be aware that the VC Glendale Club has enjoyed £10,000 as a legacy of the World Police and Fire Games specifically to get what the Member mentioned: children from socially deprived backgrounds, and not only to purchase bikes and cycling equipment for them but to get them actively involved in the sport. Potentially, there are also coaching and training programmes.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her answer. The Giro was a great success, with scenery from the North and the entire island broadcast across the world. I suppose that the best scenes were in places such as Carnlough and Ballycastle; I do not think that there is any doubt about that. On the back of the previous answer, will the Minister outline what plans her Department has for future funding of cycling as a sport and the health benefits that it has?

**Ms Ní Chuilín:** I thank the Member for his question. I am not going to get into a dispute about which part of the island looked best but, like many others — many millions, I am sure — I saw the spectacular sight of the cyclists going through Carnlough with the horses on the beach. That was absolutely great.

I do not think that the sport's potential for health is lost on any of us. Indeed, Edwin Poots and other Ministers have been actively involved in looking at how we can use the power of sport to decrease childhood obesity and promote better health, particularly mental health.

Sport NI made an indicative award to Cycling Ireland to carry out a high-performance review in conjunction with Cycling Ulster. We will keep that under review. Thankfully, the Giro will help to increase the numbers coming to cycling and, hopefully, help others, including schools and other clubs that maybe have cycling as third or fourth cousins, for want of a better term, to get involved. That will help the business cases that are under way to make sure that we have not only the proper facilities but support for and promotion of cycling for years ahead.

**Mr Anderson:** I thank the Minister for her responses so far. She touched on some issues that I am interested in. The Giro was a great success. However, Minister, for some years, cycling has been recognised as a competitive

sport for the disabled. How can that aspect of cycling be developed by the Department and Sport NI?

**Ms Ní Chuilín:** The Member may be aware that we have a very good working relationship with Disability Sports NI, which will continue. That relationship will strengthen as it takes forward its ongoing review of facilities management and the facilities for those with disabilities. Cycling and many other sports are part of that. The role of the Giro and the Olympic and Paralympic Games helped us to bring a different degree of focus on the needs of disability sports, including cycling.

I repeat that, where there are gaps, particularly for those with disabilities, we need to make sure that, first, they have our focus, and we need to work out the rest later. Participation is for everybody, not for just those with abilities, and it is important that those with disabilities are at the very top of the objective need criteria.

**Mr Beggs:** I declare an interest as a casual and occasional cyclist. Cycling can benefit an individual's health and well-being, the environment and, indeed, the hospitality sector. Can the Minister advise us how she is building on the success of the Giro d'Italia to encourage more of my constituents to cycle and to improve facilities for those who may wish to visit it?

**Ms Ní Chuilín:** Primarily, that is a question for DETI. I am not passing the buck, but DETI has been very proactive on the tourism potential of sporting events, particularly in the Member's constituency, which is, primarily, a rural area. First, we need to get casual cyclists back on their bikes on the road or the track, whatever the case may be. We also need to get others to visit good spots across the North and, indeed, across the island, to help to regenerate the local economy. Cycling is one aspect of that and angling is another. There are other sports, and the regeneration of the economy will be supported through hosting and promoting better sporting events.

#### T:BUC: CAL Contribution

3. **Mr D Bradley** asked the Minister of Culture, Arts and Leisure what role her Department will have in the implementation of Together: Building a United Community. (AQO 6203/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. My Department has responsibility for one of the seven headline actions in the Together: Building a United Community strategy, namely the development of a cross-community youth sports programme. DCAL is designing a pilot project for implementation in 2014-15. That pilot will inform the Department's signature programme, which will be rolled out across the North in subsequent years.

The cross-community sports programme has the potential to be a vital element of the T:BUC strategy by delivering a meaningful and sustained impact on good relations through the transformative power of sport. In line with other strategic actions, DCAL will continue to use culture, arts and sports to improve equality and good relations. In order to reflect the joined-up approach required by the strategy, DCAL will also contribute to the other headline actions, as and when appropriate.

**Mr D Bradley:** Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire fosta as ucht a freagra. An bhféadfainn a fhiafraí den Aire

an dtiocfadh léi miniú dúinn cad iad na spóirt a bhéas i gceist go háirithe? I thank the Minister for her answer. At this stage, will she outline in a little more detail which sports will be involved and how the programme will operate?

**Ms Ní Chuilín:** At this stage, we are looking at as many sports as possible, not just the big three, although they are very important, particularly in areas that experience a lot of social deprivation. We are talking about soccer, gaelic games and rugby primarily, but we are also looking at other sports and other programmes and particularly at coaching and training-led initiatives in those sports. Although participation in sport and physical activity is important, it is particularly about children and young people who are in the NEETS category and who need a way out. Those people, by and large, have been excellent ambassadors and role models in their sports, so we are using these programmes not only as a way of helping their career development but to introduce sports that are not traditionally played in those areas. However, given the fact that we are looking exclusively at deprived areas, we are also looking at rural areas. So, we need to make sure that whatever sports are popular in those communities, and it could be cycling or others, are included as well.

**Mr Ross:** The Minister will be aware that I have written to her about a proposed cross-community snooker initiative supported by Northern Ireland professionals Mark Allen and Joe Swail. Will she support the scheme, which could benefit from funding through the T:BUC funding initiative, and will she agree to meet me and representatives of Mark Allen and Joe Swail to see how we could move this forward?

**Ms Ní Chuilín:** At this stage, I am happy for officials to meet the Member and then meet after I get all the information. It is a good initiative and a good idea because, as I said earlier, parts of our community are much lacking in good, positive role models. Our sportsmen and sportswomen have been really good ambassadors and role models, and snooker is one of those sports. I am happy for officials to meet and take initial soundings and I will meet the Member with the organisers thereafter. I did the same thing with boxing and there are other sporting initiatives coming to me. From what I have seen thus far, albeit at a preliminary stage, the initiative looks very good and it is good that it is joined up because we can ensure that everybody, where possible, has an opportunity.

#### Milk Cup

5. **Mr G Robinson** asked the Minister of Culture, Arts and Leisure what assistance her Department has given to the Dale Farm Milk Cup 2014. (AQO 6205/11-15)

**Ms Ní Chuilín:** I thank the Member for his question. As the Member knows, primary responsibility for the funding of events, including the Milk Cup, lies with DETI in the first instance. Sport NI, as an arm's-length body of DCAL, has not received a request for funding for the 2014 Milk Cup. However, in anticipation of my Department receiving a request, a bid has been submitted for the June monitoring round for additional funding for creative and cultural development in the north-west, which will, hopefully, include the Milk Cup and the Foyle Cup.

In addition, Sport NI has met the organisers of the Milk Cup event to discuss potential support in future years. Sport NI is carrying out a post-programme evaluation of



the pilot international sports events programme, and a decision on the future direction of the programme will be based on the results of this evaluation. If the programme re-opens, sports events such as the Milk Cup may be eligible to apply provided they satisfy the criteria.

Looking ahead, collaborative work between DCAL and DETI will continue to bring forward a number of major sporting events such as the Rugby World Cup to help ensure that we continue to benefit from hosting major sporting and cultural events such as the Milk Cup and the Foyle Cup.

**Mr G Robinson:** The Milk Cup is a very prestigious event that brings so many people to our Province and particularly to the north coast. Will the Minister do all in her power to make sure that funding is made available for this terrific sporting event, which attracts so many people from all over the world?

### 3.00 pm

**Ms Ní Chuilín:** I am sure that the Member will agree that, despite that, the Foyle Cup and that competition's being betwixt and between Departments for a number of years is really unfair. However, there is a big emphasis on the organisers of those competitions to be — pardon the pun — match fit. I know that my colleagues in DETI have worked in conjunction with my officials in DCAL and Sport NI to try to ensure that those competitions continue. As I have said, I have made a bid. I will try to bring forward support as an interim arrangement. However, I will use this opportunity to implore the organisers of both competitions — particularly of the Milk Cup, as the Member asked about it directly — to get in a bit earlier and for their funding package, which is essential for hosting the event, to be a bit more strategic.

**Mr Dallat:** I consider the Minister's answer to be positive, and I offer no criticism whatsoever. However, does she agree that the little games of ping-pong between the Departments must end and that this particular competition is far too serious to be funded on an ad hoc basis? Will the Minister do what she can to ensure that the organisers of the cup — a voluntary organisation — know what is happening from year to year? Otherwise, we will lose it.

**Ms Ní Chuilín:** I totally agree with the Member. As the competition happens in his constituency, I am sure that he will acknowledge that I, too, am fed up with the ping-ponging and have lifted the responsibility for this. It is not fair on the organisers, although they have a responsibility to get sponsorship and funding that is a bit more secure. More so, it is really unfair on the kids who look forward to taking part in the competition, their clubs and their families, who volunteer and go to considerable expense themselves to fulfil their children's ambitions to play in the competition.

I understand that such competitions — the Milk Cup in particular — are run on a voluntary basis. Therefore, I would like to see some support to get them to a better position so that they do not come at the last minute. They need to come at the start of the year, rather than at the last minute, to give us all an opportunity to see what we can do. Otherwise, it looks like an afterthought. I can say on behalf of DETI, from the conversations that I have had and the work that we have done, that it is not an afterthought for us. Both Departments are frustrated by the way in which the competitions have been brought forward.

**Ms Sugden:** How is the Minister assisting with the development of youth football in the community and voluntary sector in my constituency so that we send more home-grown talent to world-class tournaments such as the Milk Cup?

**Ms Ní Chuilín:** This is the first opportunity that I have had to welcome the Member. You are very welcome. I urge her to check her late colleague's questions on the matter, because we have supported a lot of grassroots community sport initiatives, particularly soccer, in that constituency. We have worked for not just young boys but young girls, and not just with football, to ensure that it is an inclusive process, and we will continue to do so. We have also worked very well with Coleraine Borough Council to ensure that not only competitions such as the Milk Cup continue but others that help very young children in very junior leagues become involved in sport and physical activity.

**Mr McCartney:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire. I commend the Minister for her support of the Milk Cup. In her answer to George Robinson, she talked about the Foyle Cup. Will she take the opportunity to provide an update on discussions that she has had with the organisers of that competition?

**Ms Ní Chuilín:** I thank the Member for his supplementary question. I know that DCAL officials and Sport NI have certainly had some discussions, particularly on the legacy of the City of Culture. As I said to George Robinson, a bid has been submitted in the June monitoring round on the legacy of the City of Culture, and that bid will include the Foyle Cup and the Milk Cup, hopefully.

As I have stated previously, I am also working very closely with colleagues in DETI and with NITB on a new strategy for events, which will go up to, I believe, 2020, to make sure that those competitions are given the same equality as competitions for golfing, cycling, motorcycle racing and other sports, because they attract an international audience and international competitors. It is important that we talk about and support good examples of grass roots soccer.

### Anglers

8. **Mr Kinahan** asked the Minister of Culture, Arts and Leisure what steps she has taken to streamline the engagement between anglers and the relevant government Departments and public bodies. (AQO 6208/11-15)

**Ms Ní Chuilín:** I do not know whether it is election fatigue — you are flying through these questions — but I am sorry for the delay in getting to my feet.

I thank the Member for his question. DCAL was involved in a recent review to inform the development of a new angling strategy. 'A Strategic Review of Angling, 2013' was commissioned by Sport NI and the Tourist Board in association with the Loughs Agency, DCAL inland fisheries group and the governing bodies that are involved in angling.

The review highlights the potential to develop the sport of angling and the contribution that it can make to promoting equality, tackling poverty and social exclusion, and developing angling tourism.

The report also reflects on the current governance arrangements in angling and makes a number of recommendations, including the establishment of an angling forum to enhance engagement between the agencies, the governing bodies and the various stakeholders.

**Mr Kinahan:** I thank the Minister for her answer. It is good to have Departments working together. Angling is not just about game and coarse fishing; it is also about sea angling. Will the Minister review who she speaks to, to make sure that sea angling is fully included and that the Department talks to the right people?

**Ms Ní Chuilín:** I can certainly check, because I am sensing that the Member has a concern that some of the people whom he has talked to have been left out. If that is the case, I am happy to talk to the Member to try to make sure that those people are included in the ongoing discussions.

The Member has consistently asked questions about this. We have tried our best to include as many people as possible. Angling is a very popular and growing sport, and it is particularly important for rural communities. We need to make sure that as many people as possible have had the opportunity to become involved in this very significant review. Even if people do not feel that all the recommendations are theirs, they can certainly feel that they were included in the process by arriving at some of the recommendations that will certainly come about as a result of the review.

### Seamus Heaney Centre

9. **Mr Milne** asked the Minister of Culture, Arts and Leisure for an update on the Seamus Heaney centre in mid-Ulster. (AQO 6209/11-15)

**Ms Ní Chuilín:** Everybody must be tired, because no one at all is getting to their feet.

DCAL is supportive of Magherafelt District Council's proposal to develop a Seamus Heaney interpretive centre in Bellaghy. I have met the Member, representatives of the Heaney family and Magherafelt District Council to indicate my support for the proposal. Those discussions have been continuing at official level. At that meeting, I made a commitment to seek Executive support for the establishment of this Seamus Heaney centre, as proposed by the Heaney family, because it will be an important regional and international attraction.

**Mr Milne:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire go dtí seo.

I thank the Minister for answer. As a native of Bellaghy, I am delighted to see Seamus Heaney being recognised in such a significant way locally. I commend Magherafelt District Council and DCAL for their commitment to the project. Can the Minister give an indication of the timeline for this development?

**Ms Ní Chuilín:** I thank the Member for his supplementary. As he knows, because he led the delegation, this is intended to be a three-year project, and Magherafelt District Council will take the lead on it. It has come to my Department for support, and I am sure that it will go to others. I am aware that the council is at the initial stages of the procurement process, and planning permission

is pending. Until that happens, I am unable to offer the Member a more specific timeline, but I have no doubt that we will be made aware of it in the future. It is encouraging at this stage to have so much support for the facility, which will no doubt be a major tourist attraction not just for mid-Ulster but the North and the rest of the island.

I hope that we will find out the exact details soon, and I will be happy to share those with the Member.

**Mrs Overend:** It is important that Seamus Heaney's family are at the centre of the organisation of the centre in Bellaghy. Was any consideration given to using Bellaghy Bawn? The Turf Man monument stands just outside the Bellaghy Bawn and was unveiled by Seamus Heaney about five years ago. What sort of assessment was made and how does the Minister square the circle that the Bellaghy Bawn is now closed because of a lack of funds yet finance has been found to build a new centre?

**Ms Ní Chuilín:** Those are questions that the Member needs to raise with Magherafelt District Council and certainly not with me. I do not have the detail. The Member should know how these things happen in her constituency and what stage they are at now.

### Stadia Redevelopment

10. **Mr McKinney** asked the Minister of Culture, Arts and Leisure, in relation to the projects at Windsor Park and Casement Park, what lessons can be learned from the successful redevelopment of Ravenhill. (AQO 6210/11-15)

**Ms Ní Chuilín:** The redevelopment of Ravenhill, which involved the construction of two new stands at the Aquinas and Memorial ends of the ground and the replacement of the existing grandstand, increased its capacity from 11,000 to 18,000. This very successful project was delivered on time and within budget.

The project's success can be attributed to a number of factors: the appropriate governance structures established at the beginning and maintained throughout the project cycle; the successful partnership working between the governing body and DCAL; the approach to the delivery of socio-economic returns, which is focused on delivering maximum benefits to the local community; and maximum opportunities for the long-term unemployed and apprenticeships. The same governance structures and partnership working arrangements have been applied to the Windsor Park and Casement Park projects to ensure the successful delivery of both programmes.

**Mr McKinney:** I want to touch on one point that the Minister made. I am not sure whether she has already answered the question. Have the contracts included social clauses to offer employment and apprenticeship opportunities to those who are not in education, training or employment?

**Ms Ní Chuilín:** Absolutely. All three stadia programmes involved very robust social clauses. We are working very closely with DEL, particularly on NEETs and apprenticeships. We are also working with other Executive colleagues because these are the first robust social clauses to come from the Executive, and I am happy to share them. It is incumbent upon us that whatever capital infrastructure we are building and developing, whether stadia, housing, education, hospitals or roads, we ensure

that the contracts realise benefits for people who are worst affected.

**Mr Sheehan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire fosta as ucht a freagra. I thank the Minister for her answers. Will she tell us how the new stadiums will be integrated in the local communities?

**Ms Ní Chuilín:** This is a follow-on from Fearghal's question. It is very important that we not only have social clauses, so that the people who live and sometimes work on the perimeter of these stadia are not outside looking in, but that we make sure that there are community facilities within them. In Ravenhill, for example, there will be an education centre. They are working with Aquinas and with people from the Cregagh estate. Last week, there was a meeting with people from the Cregagh partnership to ensure that they are not spectators at the development of Ravenhill, and I have every reason to believe that that will not be the case. I have also had meetings with the people at Windsor Park, the IFA and stakeholders in the community, and I did the same in west Belfast for Casement. It is about not only developing opportunities during the construction but making sure that post-construction opportunities are developed and used as a catalyst to bring other investment into those areas.

**Mr McGimpsey:** These developments are wonderful opportunities for major investment in areas of serious disadvantage. Windsor Park, for example, is in the heart of the Village. Does the Minister agree that this needs to be part of a wider redevelopment involving, for example, rehousing, education and Belfast City Council investment? All these go together and, if we have one without the other, we will lose out somewhat. Will she agree to encourage other Ministers to ensure that their Department matches what DCAL is doing in looking at redevelopment beyond simply sport?

3.15 pm

**Ms Ní Chuilín:** I agree with everything that the Member has said. In his constituency, he can look at the recent example of the development at Windsor Park with Belfast City Council in respect of the Olympia Leisure Centre. However, you are right: there are other opportunities around housing, hospitals, health centres, education and community facilities with the new RPA and the super-councils. Those investments can bring in other investments and make sure that there are seamless links. For decades, those communities have not seen the investment that they should have. While it is a good start, none of us should take the attitude that that is it, and we are done. It is a start, and that is all that it is.

**Mr Principal Deputy Speaker:** That ends the period for questions for oral answer. We now move on to topical questions. The first three questions on the list have been withdrawn within the appropriate timeline.

### Irish Language and Ulster-Scots Strategies: Publication

4. **Mrs D Kelly** asked the Minister of Culture, Arts and Leisure for an update on the publication of the Irish language and Ulster-Scots strategies and to clarify whether the publication of one is dependent on the other's being ready for publication. (AQT 1174/11-15)

**Ms Ní Chuilín:** I thank the Member for raising the issue. It gives me an opportunity to say that the strategies are with translation services at the minute. One will not be published without the other. I will not decouple the strategies; either both go or none goes. I have given both equal status and respect and expect others to do likewise.

**Mrs D Kelly:** I know that there have been difficulties for some time in trying to draw up an Ulster-Scots dictionary. That is why I was concerned. Can the Minister indicate what budget, if any, she has for the implementation of the strategies?

**Ms Ní Chuilín:** The Member may be aware through her colleague in DOE that all Departments need to invest in the strategies. They become Executive strategies because they are part of the Programme for Government. I anticipate that the translation will be done through the summer, and we will begin again the round of discussions with Executive colleagues about what funding they will bring to the strategies. We hope to bring them forward at the beginning of a new session of the Assembly after the summer. The Member is right that it is important that the strategies be given not only equal respect but investment.

### Belfast Peace Line Project

5. **Mrs McKevitt** asked the Minister of Culture, Arts and Leisure whether she was aware of the successful preview at the Cannes Film Festival of the Belfast peace line project, a joint short movie collaboration from Ferris Entertainment and the David Lynch Foundation, based on the Troubles and the peace process in Northern Ireland. (AQT 1175/11-15)

**Ms Ní Chuilín:** No, I was not aware of it at the time, but I have since become aware of it. Not only does it give us all an opportunity to congratulate our local film and television producers, but it shores up the need to appreciate what NI Screen is doing with our local producers. Not only that, but it uses a very difficult subject that, sometimes, as politicians, we cannot or will not get our heads round; however, we can do it through the medium of the arts.

**Mrs McKevitt:** The global film industry is huge, and it showcases parts of this island that you could never buy. What support can your Department offer the likes of Ferris Entertainment, which is looking to grow in the global industry?

**Ms Ní Chuilín:** The Member will be happy to know that I have made a bid for additional funding to NI Screen, which can then help local companies. I appreciate that, sometimes, Members are asked to raise specific projects and programmes, but we need to make sure that embryonic programmes, projects and companies will get support that will help them to secure other support in future. NI Screen has been and will continue to be very supportive of them.

### Salto Gymnastics Club

6. **Mr Givan** asked the Minister of Culture, Arts and Leisure for an update on the business case for the further development of Salto Gymnastics Club in his constituency. (AQT 1176/11-15)

**Ms Ní Chuilín:** At the minute, I have no update on the business case, but I am very familiar with Salto and the work that it has done. I have been a regular visitor

to Salto and Lisburn Racquets Club, which is another excellent facility in the Member's constituency. To give some reassurance to him, things are moving in the right direction.

It might be frustrating for people — in this case, for Salto — and it might seem a bit tedious, but I need to make sure that every i is dotted and every t is crossed.

**Mr Givan:** I thank the Minister for that. I certainly understand her wanting to dot the i's and cross the t's. In the past, Sport NI often made local authorities go through business cases. Money was expended, but, at the end of the process, the money was not there to take forward a scheme, and that was lost money. Will she assure me that, once the i's are dotted and the t's are crossed, the resources for the scheme will be brought forward to implement the business case, once it is approved?

**Ms Ní Chuilín:** I assure the Member and his colleagues that, if the business case for Salto gym stacks up, I will go through the process of bidding to his colleague to get his support. I find it frustrating, and I have listened to the frustrations of councils and of clubs that have spent money, of which they did not have a lot in the first place, in preparation for this, only to be left feeling disappointed and out of pocket. I want to avoid that. I want to make sure that we do not have unnecessary bureaucracy, that everybody is taking a can-do attitude and that, if people agree to do certain bits of work, they are done in a timely fashion to ensure that projects are delivered so that you can bid for the budget and are not overcommitting yourself from one mandate to another. I am aware of Salto's position, but the Member needs to be aware of mine. I am very supportive, but I need to make sure that everything is done properly.

### Bands: Funding

7. **Miss M McIlveen** asked the Minister of Culture, Arts and Leisure for her assessment of the Arts Council's musical instruments for bands scheme and whether she will commit to future funding for the band community. (AQT 1177/11-15)

**Ms Ní Chuilín:** The Member will be aware that I have continued to give my support to the musical instruments for bands scheme, and I will continue to do that as long as everything is as it should be. There are a lot of bids from my Department in this monitoring round, unlike previous monitoring rounds. I do not wish to be disrespectful to that process, because I do not believe that any Minister should do that in the House. I have given it support and will continue to do so, and, hopefully, there will be a favourable outcome in the future.

**Miss M McIlveen:** The Minister will be aware that the recent scheme closed after a three-week opening period about which there was very little, if any, advance notice to the community and limited publicity. Will the Minister ensure that that does not happen in the future?

**Ms Ní Chuilín:** I am disappointed to hear that, because most people who apply for the grants, particularly for small amounts of money, are heavily engaged in voluntary activity. They are probably doing everything from washing cups to making tea to providing tuition. The last thing they need is to be hit with a very late application deadline for substantial funding. I assure the Member that I will try to

find out what happened, and I will happily write to her with an update.

**Mr Principal Deputy Speaker:** Mr William Irwin is not in his place.

### Eels: Ballyshannon Kill

9. **Mr Lynch** asked the Minister of Culture, Arts and Leisure for an update on the thousands of young eels that were killed at Ballyshannon ESB station. (AQT 1179/11-15)

**Ms Ní Chuilín:** It was with regret that I found out from the television about the substantial fish kill. The Member has raised this before, and I assure him that I have met representatives of Erne Angling and will continue to enquire about what happened and what lessons we need to learn to ensure that it does not happen again. I will continue to make representations to the ESB. I have also written to my Irish Government colleague Minister of State Fergus O'Dowd to find out exactly what we can do next, because it seems that this could have been avoided.

**Mr Lynch:** Gabhaim buíochas leis an Aire as a fhreagra. Will the Minister ensure that regular updates are provided? In this incident, the ESB clearly failed the eel population and the eel fishermen in the Fermanagh lakeland area?

**Ms Ní Chuilín:** I assure the Member that I will do that, and I will go further: I will request a meeting with the ESB to make sure that the service-level agreement and the memorandum of understanding that it entered into on the protection of eels in those waterways are protected regularly. I will keep the Member and other Members who have brought this to my attention informed of any progress.

**Mr Principal Deputy Speaker:** Thank you, Minister. As Mr Jim Allister is not in his place, I ask Members to take their ease until the next item of business.



## Executive Committee Business

### Road Traffic (Amendment) Bill: Second Stage

*Debate resumed on motion:*

*That the Second Stage of the Road Traffic (Amendment) Bill [NIA 35/11-15] be agreed. — [Mr Durkan (The Minister of the Environment).]*

**Mr Ross:** It is always difficult to return to a debate after such a long gap, but it has been a fairly good Second Stage debate. There has been a fair amount of agreement among Members on the areas in which the Bill is perhaps spot on and other areas that need closer examination and more work.

The Minister is just coming back into the Chamber. He certainly played his part in making it a useful debate so far by giving way as often as he did. I am sure that he may regret that. It was helpful that we were able to have some clarification of issues during the debate. That makes for healthy scrutiny of legislation.

I claim some responsibility for the process that has brought the Bill to the Floor. Perhaps that is why my colleague Mr Wilson put so much distance between the two of us. Back in April 2008, I brought a motion to the House proposing that we should investigate moving to graduated driver licensing (GDL) for Northern Ireland. In November 2008, I proposed that we should look at the drink-drive limits as well and made proposals about lowering it from 80 mg to 50 mg and looking at a level of 20 mg for novice and professional drivers. I am glad that we now have some type of legislation in the House that will, hopefully, deliver both of those things, although we need to make sure that we pass good legislation.

GDL is spoken about in many jurisdictions, but it can mean very different things. Effectively, graduated driver licensing is a menu of options that we could or should implement. There are a lot of varieties of it across the world, so we need to make sure that we get the right one for Northern Ireland. The statistics used by various Members make the point that we recognise that, for young and novice drivers between 17 and 24, there is an additional risk when they start driving cars. I think that that is universally accepted, so it is universally agreed that we need to make sure that they are as well equipped as possible before they start driving on their own.

When I first came into the House, the motivation for my interest in road traffic issues was that, in the year when I left school, one of my friends lost his life in a road traffic collision. Two other people I played hockey with also lost their life on the roads that same summer, so I had three friends, all of whom were 18 years of age, who lost their life on our roads. That highlights the tragedy that road traffic accidents can mean, and it places a real emphasis on us to make sure that we equip young people when they get on the roads. It is about education and ensuring that they are equipped and know the dangers they face. It is about how we ensure that young people have experience behind the wheel so that, when they start driving, the risk is as low as possible.

*(Mr Speaker in the Chair)*

As I said, there is a variety of ways in which we can do that. The Minister, in his Bill, has outlined the ways in which the Department would like us to move forward. Over the past number of years, we have looked at other suggestions as well. It is important that we say that, irrespective of whether we support all the contents of the Bill, GDL works. Anybody who studies other areas of the world that operate a system of GDL could not help noticing the fact that it has an impact on traffic accidents in those jurisdictions. In the United States of America, where GDL was introduced in the mid-1990s, it has had a major impact in the states that have introduced it, with a reduction of between 15% and 20% in serious road accidents and deaths on roads. It has worked. The same can be said for Canada, New Zealand and Australia, where, I think, there was a drop of around 23% in serious road collisions.

GDL works. The first thing that we say when we introduce legislation is that it needs to be well tested. This is a tested form of legislation and I am confident that it works.

#### 3.30 pm

The idea of placing restrictions on novice drivers in Northern Ireland is nothing new or controversial. We have had the R-plate system in place here since the 1960s, so it is not too innovative to suggest that novice drivers should have some restrictions placed on them. I think that the public generally appreciate the fact that this has worked reasonably well, although, as the Minister said earlier, the restrictions have been in place for some time now and there are areas in which we need to improve. This is a reasonable time at which to do so.

Restrictions on novice drivers have been accepted because there is a recognition that inexperienced people on the roads, perhaps younger people in particular, take more risks than they need to take. Perhaps their reaction times, or ability to read the road, are not as good as those of people who have been driving for a longer period of time and they do not have general experience of driving in a range of environments. The Minister's colleague Mr Alban Maginness said that we want to have young people learning to drive in different conditions. Ideally, we would, but I am not sure how we could ever get legislation to do that. However, the point was well made.

Back in 2008, when I first raised the issue, suggestions were made and areas identified in which there could be restrictions. I raised a number of issues, and I point to my colleague, who was Minister of the Environment at one stage and who was perhaps cooler on the idea of GDL than some of his colleagues. I did not say that any of those issues specifically should be implemented; indeed, I pointed out that it would be undesirable to implement some of them for various reasons.

Some of the things that I mentioned then concerned speed restrictions, and I am glad that the Minister is looking at removing the 45 mph limit. The reason and rationale for that has been set out, in that we want to have young people gaining experience of driving at higher speeds; speeds at which they will be driving particularly on motorways or on larger roads. It is important that we recognise that. I think that the 45 mph limit can be dangerous for motorway driving, so I think that the position that the Department has included in the Bill is sensible.

The area of passenger restrictions is more difficult, but, again, it was mentioned back in 2008. It got a lot of media attention at the time, as have the Minister's proposals on this. At that stage, I remember getting hundreds of emails from young people, not just from east Antrim but across Northern Ireland, who had deep and well-based concerns, and I think that we have to recognise that.

The other issue that got a lot of media attention was night-time driving. I welcome the fact that the Minister has not included this in the Bill because I do not think it would be desirable to bring it forward. However, as I pointed out to the his colleague, if the only test that we have shows whether it would make a difference in reducing accidents or making it safer for people, then it probably should be included, because I think that we need to have a further test on that. Mr Alban Maginness said that we should be passing legislation that helps us move closer to having zero road deaths. Where night-time restrictions are in place in the United States of America and Australasia, it has had an impact, so I do not think that we can question whether it works, but I would question whether it is practical to legislate on it and whether that would be desirable. I do not think that it is.

At the time, I remember that we had discussions like those we have had today about motorway learning and whether those in a rural community would be disadvantaged. That debate is worthwhile and important. It is important that the first time a young person drives on a motorway on their own is not on the day after they have passed their test, because that can be the most dangerous experience, particularly trying to get on to a motorway. Finding a way in which we can have further learning on motorway driving would be important.

Other areas were identified in 2008, such as that of accredited driving instructors and how many hours of accredited learning a young person should have before they can take a test. Mr Wilson, others and I have all highlighted that there are difficulties with that, although it would be very beneficial in practice. Evidence from elsewhere in the world shows that it equips young people to be better drivers when they start driving on their own, but we have to balance that against the cost. If we were to say that young people had to undertake a certain number of hours of accredited driving lessons with a professional, that could have a huge cost. We do not want to place an additional burden on those families who can ill-afford it: that is something that we have to bear in mind when we are legislating.

One of the other areas is the effective zero limit, which is 20 mg. I am very supportive of that. The lower limit helps us sell in a sensible way the message that you should not be getting behind the wheel of a car if you have taken a drink of alcohol. As other Members have already said, there is a natural level of alcohol in the bloodstream of those who use mouthwash and particular types of diabetes medicine, so it is a sensible proposal to bring forward. I remember, back in 2008, that some Members in the Chamber, not on this side but on other sides, talked about restrictions on engine sizes. That might well help slow people down, but it would not be practical to legislate for it. Families who perhaps have only one car would not be able to fit into the legislation.

GDL is not a prescriptive package. It is a menu, and we pick the elements of it that are most appropriate for

Northern Ireland. We are at Second Stage, so we are talking about general principles. The general principle of the Bill is right, and I am supportive of it. There are elements of the Bill that I am more than happy to support. However, there are other elements that the Committee in particular needs to look at much more closely and decide whether it is appropriate that they stay in the Bill.

I will go through some of the clauses. Many of them have already been discussed in today's debate, but it is important that we bring them out again. Part 2 talks about drink-driving and drink-drive limits. I am very comfortable with all the suggestions and proposals that the Minister and the Department have brought forward on drink-driving. I proposed the same back in 2008, and I am still of the view that they will be a positive development in making our roads safer.

Mr Weir talked earlier about the massive advances in car safety that there have been over the past number of decades. That has helped us reduce the number of serious accidents on our roads. In much the same way, there has been a cultural shift. Drink-driving is not as culturally acceptable as perhaps it once was. There is a general acceptance among the public that you should not be drinking and driving and that you should not be taking the additional risk.

All of us would accept that, irrespective of how little you have to drink, alcohol will impair your ability to drive when you get behind the wheel of the car. Even if it is only a minor amount and even if it slows down your reaction speed only by a fraction, it has an impact on your ability to drive and to react to circumstances. Therefore, it is a sensible enough policy to bring forward, as is the case with the tougher penalties and the graduated proposals in the Bill. That is important, and something that I very much support.

The Minister's colleague Mr Eastwood talked about the libertarian tendencies of some on this side of the House. I am comfortable enough with being described as such. It is important that we enshrine individual freedoms, choices and responsibilities. However, when it comes to drink-driving, it is, of course, not just the individual who is impacted on. That individual, by taking a risk and driving, could kill other people on the roads. It is not just about how that individual has been impacted on but about how that individual could impact on other people. I am very much in favour of tougher penalties for those who take unnecessary risks behind the wheel.

Clauses 4 and 5 relate to checkpoints. That is one of the areas that the Committee perhaps needs to look at in quite a bit of detail and talk to the PSNI about the practical outworkings. I listened to the comments of Mr Boylan, who described how he thought that there may be sensitivities around checkpoints. Although I accept that there may be, I do not think that that, on its own, is a reason not to include the provisions in the Bill.

There is a general principle that, if an individual is stopped by the police, the police should have a reasonable suspicion that that individual has potentially broken the law or is over the drink-drive limit. That reasonable suspicion has been enshrined in our law for many decades and is something that we need to be cognisant of. The Committee may want to ensure that it investigates that issue in greater detail. However, the prospect of coming across random

testing, perhaps even on rural roads, may be a deterrent to those who, at the moment, know that they should not be drink-driving but, on the balance of probability, do not think that they will be stopped and thus take the risk. If they help to prevent that, the clauses perhaps should remain in the Bill.

Clause 7 is about graduated penalty points. Again, I think that it is a sensible provision. I think that there is a distinction to be made between an individual who, perhaps from having a glass of wine at lunchtime, is marginally over the limit or finds himself between the old limit and the new limit, and somebody who intentionally goes out, drinks five or six pints of beer and then gets behind the wheel of a car. There is a distinction between the two, and I think that it is important that the legislation and the courts recognise that distinction.

Clause 13 would impose the current minimum penalty of 36 months' disqualification for those who have been convicted before of one offence within that 10-year period. I was quite strong on that when I briefly went back on to the Environment Committee in this mandate. That is because I take the view that, if you have broken the law once by drink-driving and you have been given that warning, you should learn your lesson. I do not think that there is any public sympathy for somebody who has been convicted of drink-driving and then does it again within such a short period. So, I think that it is absolutely right that the Minister and the Department take a tough line on those repeat offenders and put in a minimum penalty of 36 months' disqualification. I think that it is a positive development in the Bill, because the lesson needs to be learnt that, if you break the law once, you should not do it again.

Part 3 of the Bill comes on to the more controversial elements, as it deals with learners and novice drivers. I think that there are areas of it that, as I acknowledged, may be proven to work elsewhere in the world but that may not be particularly practical or desirable to legislate for in Northern Ireland. I think that there needs to be a lot more thought given to that, and the Committee will want to examine it in much closer detail.

We had quite a bit of discussion about clauses 16 and 17 in particular this morning. I fail to recognise the rationale of allowing a 16-and-a-half-year-old to get a provisional licence while telling them that they cannot actually do their test for 12 months, particularly given that we are talking about having logbooks for a number of hours of built-up experience when you are learning to drive. So, I do not think that the two need to be there. I am comfortable enough with having a logbook where you need to prove that you have a certain number of hours of learning on the roads, but doing that by proving whether an individual has actually done the hours that their book says that they have perhaps needs more thought and more detail.

I just do not think that the 12 months with a provisional licence is particularly logical or sensible. I listened to Mr Maginness's points earlier when he said that that 12-month period would give you an opportunity to drive in different conditions. I am not convinced that it would, because I think that you could either front-load or back-load the hours that you spend learning to drive before you take your test. I am not convinced by the argument that that is a sensible step to take.

Mr Allister mentioned this at the very beginning of the debate. I also do not think that those 17-year-olds who have grown up on farms and who have perhaps been driving agricultural vehicles or have had the opportunity to drive on their own private land and are more suitable for taking a test earlier should be kept waiting six months until they are 17 and a half before they can take their test. In my view, if you have had the number of hours of learning and are good enough to pass the test and to drive on the roads, you should not have to wait for an arbitrary length of time. So, I think that clauses 16 and 17 need a little bit of work. Perhaps the Committee will want to look at those clauses in greater detail.

Clause 18, which is about the minimum hours, is, as I said, a sensible enough approach. It has worked elsewhere in the world. The issue is about how we prove that. We need to ensure that, when we talk about an accredited instructor, we do not just mean professionals, who would be quite costly to take a number of driving lessons from. I think that that would have an impact on those who are less well off. Again, I think that that needs to be looked at a little more closely.

Clause 20, which I mentioned at the beginning, is about the 45 mph limit. I think that that is a sensible proposal. One of the shortcomings of our current system is that you do not have the experience of driving quicker. It has been mentioned before, so I think that that is a sensible enough proposal, and I would support it.

### 3.45 pm

I have a difficulty with the area in which there are restrictions placed on novice drivers who are 24 years of age or younger. I freely acknowledge that the evidence from elsewhere is that it has a positive impact in reducing road traffic accidents among that age group. However, I am not sure whether, in practical terms, it is particularly fair to focus on age rather than whether they are a novice driver.

I learned, in 2008, that when young people think that they are being targeted because they are young, they react very badly. However, if you explain to them that it is about novice drivers, they become more relaxed about it. So I think that, if we are to have any restrictions, and I am not sure that we should, they should be on novice drivers because they have a lack of experience behind the wheel, as opposed to young people. Otherwise, we would be taking a discriminatory position against younger people.

The Committee would need to have a detailed conversation about whether that provision is easy enough for the police to enforce. I suspect that it is because it is done elsewhere in the world. It is a matter of whether it would be an effective use of police time and effective legislation. I question that and think that the Committee should look at it in closer detail. Perhaps it is an aspect that will not make it through to Final Stage.

I am a little more relaxed about the issue of quad bikes than some, although the point was well made by Mr Wilson and Mr Elliott that, if it would impact on the farming community doing its job, it may not be particularly desirable. I was a little more concerned when I heard the Deputy Chair say that the Committee wanted to look at regulation, or legislation, for use on private land. I would be a lot fiercer in my opposition to the imposition

of regulations on the use of quad bikes and wearing of helmets on people riding them on private land. I think that that is a step too far. On public roads, it is a slightly different issue. I have not been convinced by the Minister or the Department that it is necessary and would have a positive impact. The Committee will have to look in closer detail at the impact on the farming community. Potentially, it is another area of the Bill that needs to be changed.

That said, and I do not want to sound as though I oppose the Bill, I think that GDL is worthwhile. However, to get it right and make sure that it works properly, we need to give more attention to some areas, which I have highlighted, in the second half of the Bill. I hope that those points will be taken on board by the Minister and, perhaps, addressed by him today. They will be addressed in Committee Stage.

**Mr Wilson:** We have had a good, lengthy debate on the Bill. The one party that we have not heard from is NI21, or is it NI10 and a half, now that it has been split? We are talking about road accidents etc, and I would have been very interested to hear its views on road crashes because they seem to be experts in the subject. They may not be expert in how to avoid crashes, but they certainly are experts in their impact.

During the debate, a lot of people said, because, I guess, they believe that it is the politically correct thing to say, that they support the principles behind the Bill. I have to say that I do not support those principles. The Bill, in its very essence, seeks to micromanage what people do with one of the greatest freedoms to which they, especially young people, aspire: the ability to have their own form of transport and go out and enjoy the benefits of that, whether for recreation or employment. The Bill eats away at those basic freedoms.

**Mr Lyttle:** I thank the Member for giving way. I am sure that the Member will acknowledge that there are many other forms of transport, such as cycling, in addition to the one under discussion.

**Mr Wilson:** You would easily know that that was a townie speaking.

If you live up in the middle of the Antrim hills, you would need grappling irons to get up some of the hills to go to work let alone pushbikes. Having a pushbike there is not much of an incentive or an ability to give you the freedom of mobility. I will come to that issue in a moment or two, because I believe that the Bill eats away and impacts especially on people who live in remote rural areas.

I have been in the Minister's position. One of the remits of his Department is road safety. I met and dealt with many officials who were genuine in their concern to promote road safety, but, because that was their one area of concern, they were fixated and infatuated with it. Indeed, I think that there were some of them who, if they could, would have banned people from stepping off the footpath on to the road to save lives. I am not denigrating their objective. They wanted to do their job to the best of their ability and passionately believed that, by putting restrictions in place, they could achieve that objective. However, there are other objectives and things that we have to consider when we look at legislation. In many of its aspects, the Bill has ignored some of those things.

The third thing in introduction — I knew that that would get your attention, Mr Speaker — is that we have talked about

what has been done to reduce the number of accidents and deaths on the roads. I suggest, and there has been no analysis done, that the biggest factors in reducing road deaths have nothing to do with legalisation that deals with the minutiae of what people do behind the wheel. It has been more to do with improvements in road surfaces, improvements in road furniture, such as crash barriers, improvements in the technology of cars, whether it is more effective braking systems, increased stability or roll cages, or, indeed, police enforcement. It would be interesting to see whether there have been any studies that quantify whether the intrusions into what drivers do behind the wheel have been effective in reducing the number of deaths.

There are parts of the Bill that I support. One is drink-driving and the reduction in the amount of alcohol that people are allowed to consume. I think that it is important that we get the message over that you should not drink at all. We have done that through adverts etc, but there was still that remaining doubt about whether one glass of wine would take someone up to the limit. Having set the limit that he has, the Minister has made it clear to people that they should not drink at all as they will be over the limit and subject, if caught, to the penalties in the Bill. I also think that the message ought to be got over to habitual offenders that they will face increased sanctions for behaving in that way.

There are a number of issues, and I hope that the Committee will look at them when it looks at the detail of the Bill. Having listened to the Deputy Chairperson of the Committee, my fear is that, given the mindset that was demonstrated in some of the points that she made, the Committee will want to go even further with restrictions. I was amazed at the suggestion that it might even look at imposing the wearing of headgear on quads on private land.

Does that mean that, as I tear around the forest at the bottom of my garden on the quad at whatever speed I want to and at whatever risk to my safety, someone will invade my private space and say that I have to wear a helmet? Would they even know that I was there? If that is the mindset of the Committee, I fear what the Bill will look like when it comes out of Committee. I will deal later with public roads. What jurisdiction does the Committee think that there should be and what is its attitude if it believes that law enforcement bodies should be able to come onto private land and say that people have to behave in a certain way on that land if the only person who is likely to be affected by the way that an individual is behaving is the individual himself? I worry that some of the issues that I want to be addressed will be addressed in a way that is even more draconian than the way in which the Minister wants them to be dealt with.

Let me take up a couple of points with the Minister. The first is about the logbook evidence that people have gone through a certain level of training before they do their test. There are already complaints that, even with basic training for motorcyclists, some instructors will take a different and much less systematic approach to that training than others. The costs for basic training vary greatly, and some instructors will argue that you could not do basic training at the price at which it is done if you were doing it properly. For example, if you take somebody out for a four-hour session on a motorbike — all of us who are teachers will know about this — how much is that person taking in after four hours? If people are going out on a motorbike on a wet



day and are soaking wet at the end of the four hours, how much attention are they really paying and how much are they really learning?

It is not clear either from what the Minister said or from the Bill whether the logbooks are to be filled in by people who will have a monetary interest in filling them in to the satisfaction of the individual who has paid them for the training. If an instructor fills them in, is there not an incentive for that instructor to complete them in the most complimentary way because the client has paid money? What checks will be done? Given that the Minister has said that, during one year, he wishes drivers to experience more training and more opportunities to learn about driving in different conditions and so on, can the logbooks be filled in by a person's brother, father or mother who has taken them out driving and said that they have done this, that and the other? Since there is no minimum number of training sessions, I suspect that the logbook could be filled in by a number of people. How will all that be verified? All the associated costs, of course, will be passed on to the individual. Does he have an estimate of that? During Committee Stage, maybe there will be an examination of the costs and what the Bill will do to the costs, which are already high, for people who want the required training to make them competent for the test. There are issues on that aspect. It seems to me that someone other than a competent instructor could fill in the logbook. As I said, even instructors, if they are not supervised, would have an incentive to fill in logbooks in a way that may not fully reflect the ability of the individuals who have paid for the training.

#### 4.00 pm

The second issue that I want to raise is around the test arrangements and the fact that there will be a one-year delay. I really do not understand that. The Minister, even in his response to interventions, gave less than satisfactory reasons for having the one year. It is disadvantageous to those who may, as Mr Allister pointed out, have been brought up on a farm. Whether you like it or not, they may have been driving on private land and become used to the controls of a vehicle from a very early age. They could easily go onto the road the first day they are legally able to and drive efficiently and effectively.

There is also the point, which the Minister dodged, that the one-year period disadvantages those who do not have easy access to a car and can keep getting experience over that year only by paying someone to take them out on the road. There is a real social issue there that needs to be addressed. The other thing is that many people, especially in rural areas, want to get their test as quickly as possible when they reach 17, as the age is now, because that opens the door to employment and social activities that they normally have to rely on parents or friends to take them to. Elongating the period between when they are able to get a provisional licence and technically drive by themselves — even after that, there will be difficulties for them — disadvantages people in areas where there is not public transport and where they cannot get on their bike in the way that Mr Lyttle suggested because they are miles away from anywhere. There does not seem to be any logic to that. If they can pass a test, surely they are competent to drive; if they cannot pass a test, the period will be elongated anyway.

If the test is not sufficient at the moment to test people's competence in lots of different situations, perhaps the test needs to be changed. However, there should not be an arbitrary period. I notice in the legislation that, by order, that period could be changed. Maybe the Minister will explain that. I assume that it could be changed to a longer period. In what circumstances would the Minister and the Department decide to elongate that period? It strikes me that there are a lot of unanswered questions, and I believe that it is an unnecessary restriction.

I come to my next point, namely the restrictions on what drivers between the ages of 17 and 24 can do immediately after their test. This is one of the most bizarre bits. The Minister said that it is designed to save lives, because a lot of accidents occur when young people rake around the roads at night with friends in the car, presumably egging them on, and then they crash. That is tragic. However, if that is the problem, perhaps the Minister could explain how the police will have no difficulty in enforcing this. In the rural areas where most of these accidents happen, you would not see a policeman for 20 miles. If the problem usually occurs late at night in remote rural areas, how on earth will we find the police? The police may have assured him that they can enforce this, but the truth of the matter is that the problem tends to arise in places where the police are not present. Look at where police traffic cars are mostly found: on main roads and motorways. When it comes to the more remote areas, for goodness' sake, when rural crime occurs, it can sometimes be three or four days before the police even come near the farm from where stuff has been stolen. Yet, we are told that this could be easily enforced.

This brings me to another point: why make laws that we know are not likely to be enforced because either the resources or the ability to do so is not there? That brings the law into disrepute. This is micromanagement. If you have just passed your test, you could rake around the roads with three 13-year-olds in the back, but you could not have a 14-year-old in with you. If you drive a van like mine, which has two seats in the front as well as the driver's seat, the Minister even proposes in legislation that you can have someone aged between 14 and 21 in the front seat but they must be accompanied by someone who is over 24. He even determines the seating arrangements. The younger person has to sit at the window, and the older person has to sit in the middle, beside the driver. This is the nonsense and micromanagement that we have in this kind of legislation. I must ask the Minister this: is this really where we want to go when it comes to reducing road accidents? Does he really believe that this will have any big impact? To me, this is intervention well beyond a level that the general public would say is proportionate to the problem that needs to be addressed. It is also disproportionate to the kind of remedy that will work. The Committee needs to look at why that is the case.

The other thing is that it seems that family members are less valued than non-family members. You can have family members in the car with you but not non-family members. What is the thinking behind that? I know that the Minister will say, "Well, family members are not as likely to egg you on". I remember that, after I had learnt to drive, nobody egged me on more than my wee brother, who sat beside me and said, "Get after him". The idea that a family member is less likely to egg someone on to drive hard

is not borne out by the facts. We should look at all these restrictions.

The other thing is that the Bill creates a big problem. We recently did an exercise in one of the rural areas of east Antrim, and one of the things that people said prevented them from getting work was the fact that they lived so far from Larne or Ballyclare that they could not get there without their parents driving them and their parents were not always available because they sometimes had their own work to go to or whatever. The easiest thing was for three or four mates to use or share a car to get to where the work was available. There was no public transport etc. The restrictions that the Minister creates in the Bill will prevent that from happening. Again, it does not take cognisance of the transport arrangements that often pertain in rural areas. On the one hand, we get the Minister for Employment and Learning trying to find inventive ways of getting young unemployed people into work and into training schemes; on the other hand, we get the Environment Minister putting barriers to opportunities in the way.

One part struck me as a bit odd, and I can see this happening. If the vehicle being driven were an ambulance, and you as the driver were taking somebody to hospital, had just got your licence and were under the age specified, you could still drive people to hospital. However, if you happened to be out working and your 17-year-old or 18-year-old mate got injured and cut an arm, leg or whatever it happened to be, and you were to transport him or her to hospital in the car, you would be committing an offence under the legislation.

The Minister is shaking his head, but if you had only got your licence and fell into the category in which you could not have someone aged 17 to 24 in the car with you, and you were driving that person solely and did not have a longer-qualified driver along with you, you would be creating an offence in this case. I take that scenario because an ambulance was mentioned, but I could go through lots of others in which the legislation would create those kinds of anomalies and difficulties.

Of course, people say that you should have knowledge of the law, but the one thing that strikes me here and is not mentioned is that the legislation does not pertain to other jurisdictions. For example — I am going to sound like a nationalist — what about people who live across the border where the restrictions will not apply and where people may not even be aware of them? They may wander into Northern Ireland with their mate in the car just after they have passed their driving test. Will those people be guilty of an offence through ignorance?

People may come on holiday from England with their mates and be driving around Northern Ireland not aware that the law here is different from that in England and Scotland. Will they be guilty of an offence or will allowances be made for them?

That brings to me to the last point I want to make, which concerns crash helmets when on quads. I have no doubt that the police have given an assurance to the Minister that they will enforce that. I can see a case, and I get this in my constituency, in which wee lads, whose parents bought them a quad, rake up and down the street on it. There may be a field at the end of the street or half a mile away. They

rake up to that field, rake around the field and everything else, and they are a torture to neighbours.

Given the fact that the police in Northern Ireland have had powers for, I think, the past five years not only to apprehend such people but to take their vehicle off them, I am not aware of those powers having been exercised once. If the police do not enforce the law as it stands, under which you could deal with people who are driving recklessly, are we likely to find that they are going to enforce a law that says you have to be wearing a crash helmet?

I would love to see how we are going to make the distinction in the legislation, because the Minister said that he has some sympathy for the points that Mr Elliott made. How are we going to make the distinction for a farmer who happens to be out on a quad in his fields, which may be associated with his house, meaning that he did not have to go on to the public road? As Mr Elliott described, he then finds that cattle or sheep have broken out, goes on to the road to round them up and comes across a police car that happens to have wandered into that part of the rural area. The farmer would be very unlucky if he found that to be the case, but let us say that he was that unlucky and gets apprehended. How are we going to tweak the law to say that that person is not guilty of an offence but some wee lad on the estate is guilty of an offence? If you are going to have the law, it is going to apply to everybody.

I think that the figure that the Minister gave me was that there have been four deaths from quads in the past five years. He did not say that those deaths were from head injuries. I can think of one death in my constituency in the past two years, and that was of someone who was killed late at night on a quad. It was not from head injuries; rather, he was killed outright because of the circumstances of the accident. A helmet would not have saved him.

#### 4.15 pm

We are going to introduce this kind of restriction on the basis of the number of deaths that the Minister outlined. Again, we have to get some proportion. Of course, any deaths that occur on the roads are unfortunate, but let me say in closing that we cannot take all risk away. When you are driving vehicles along the road, some of which weigh tons and are capable of going at 100 miles an hour, all the hazards on the roads mean that there is always going to be risk. We have to weigh up whether there are reasonable things that can be done to reduce that risk and save lives while not going so overboard on this that we impact on the freedoms of people who live in rural areas, attack young people — this is an attack on young people — and take away freedoms.

One of the freedoms for young people, as I said, is the ability to have their own form of transport. Are we going to take that away from them without knowing whether it is going to save a large number of lives anyway? As Mr Ross pointed out, the Minister has avoided one of the issues, because he made a judgement about driving at night. Given that more young people have been killed driving in cars late at night, you would have thought that, if the real aim was to reduce deaths, that is what he would have done. He has decided not to do that. Why? Because he has weighed up the practicality of that kind of restriction against the lives that would be saved. He has decided that it is not practical, that it is too restrictive, that it would be

too unpopular as well and would have an impact, as he said, on people's ability to get employment. His restriction on who you can carry in your car in daylight after you have passed your test is equally restrictive and will equally have an impact. If the argument is good enough in one case, it is good enough in another.

I hope that these are the kinds of issues that the Committee will be prepared to tackle head-on. I also hope that it will not get so caught up with the idea that this is all about saving lives that its critical faculties will go out the window. There are many things in the Bill that require very close examination, and I trust that they will get a close examination at Committee Stage.

**Mr Durkan (The Minister of the Environment):** I thank all Members who contributed to the debate. There have been quite a few contributions, all of which I found extremely useful, and some of which I found quite entertaining as well. I am grateful to the Deputy Chair of the Environment Committee and to Members from all sides for their consideration of the Bill and for their contributions.

I want to respond to issues that have been raised. I assure Members that I will read Hansard to ensure that I have not missed any issues, but if I find that I have, I will write to the Members concerned. I am sure that they will get another opportunity in the House to remind me if I do not do so.

I will go through the contributions in order. Mrs Cameron, the Deputy Chair of the Committee, detailed the Committee's consideration of the Bill to date and looked forward to further scrutiny of the proposals. Importantly, she said that the new learning and testing regime must not be so overly stringent that it becomes unfairly difficult for anyone with a learning disability. I assure her and the House that the level of literacy that is required to follow the syllabus and complete the logbook will not be any greater than that required to prepare for and undertake the current driving theory test.

Mr Boylan described this as a "big stick approach" and spoke of the difficulties that some of the proposals might present for the rural community, for example the issue of mobility for work, particularly for those in the hospitality industry. It was taking that into account that led to our not proceeding with the night-time restrictions or curfew on newly qualified drivers.

Mr Wilson intervened — surprise — and spoke of young people in rural areas depending on lifts from friends to go out in the evening. Indeed they do, but evidence shows that a group of young people travelling with an inexperienced young driver greatly increases the risk of collision and catastrophe — a point that Mr Eastwood made well. That is particularly so in rural areas at night. We have to bear in mind that these restrictions are for six months, not forever. It seems that many contributors forgot or were unaware of that fact.

Mr Maginness said that we do not want to introduce difficulties for drivers for no good reason and that the Bill and its proposals must improve road safety and save lives. He echoed my remarks that the Bill must strike the right balance. While some Members spoke of the need to protect rural drivers from overly punitive restrictions, Mr Maginness reminded us, quite rightly, that the majority of collisions occur on rural roads.

Mr Elliott was of the opinion that some restrictions proposed in the legislation discriminate against those in rural communities. He spoke about the difficulty in enforcing the passenger restrictions and touched on drink-driving and the issue of driving under the influence of drugs. He would like the Bill to deal with that very serious issue. I am sure that others would as well. Driving while impaired by drugs is already an offence. Westminster is progressing legislation to make it an offence to drive with certain levels of certain drugs in one's body, but the science and equipment required make that very challenging. That difficulty, and the fact that a much higher number of casualties are caused by drink-driving, means that the focus of the Bill is drink-driving. However, I foresee a Bill on drug-driving being introduced at some stage, possibly by a future Minister of the Environment.

Mr Boylan raised concerns about checkpoints. Their use will be intelligence-led, and they will have to be planned. The date, location, starting time and finishing time will have to be clearly set out in writing and approved in advance at inspector level or above.

Kieran McCarthy made a good contribution. He welcomed measures in the Bill and the positive human and financial impacts that it could have. He spoke of the importance of the new drink-driving limit not leading to confusion about DOE's "Never ever drink and drive" message. Our central message is, always has been and always will be this: never ever drink and drive. Even at low levels, and Mr Ross made the point very well, alcohol will impair drivers.

However, zero tolerance does not require zero limits. There are a number of reasons why we want the law to operate under prescribed limits. Absolute zero would bring practical difficulties: for instance, people who never drink can produce small amounts of alcohol in the digestive process. We want to catch people who knowingly and deliberately break the law. Twenty milligrams per 100 millilitres is seen as the de facto zero and a practical minimum drink-drive limit. That is because cough syrups; naturally occurring alcohol caused by bacteria in the gut; the small measures used for religious ceremonies; and certain foodstuffs and mouthwashes all may contain small amounts.

We want drink-drive laws to be publicly acceptable, because, generally, if a law is viewed as acceptable, people are more likely to comply with it. We do not want to lose the very strong public support and compliance that we have built up over the years for our drink-drive laws. Our 2009 public consultation suggested that a reduction from 80 milligrams to 20 milligrams for all drivers might be just a wee bit too dramatic.

Mr McCarthy also spoke of the restrictions on young drivers. I fear that he might have misunderstood some of the proposals on passenger restrictions, although, in fairness, they do initially seem quite convoluted. I am sure that all Members concur with that.

There was a query about why we should increase the post-test period to two years. The main rationale for introducing a two-year post-test new driver period is that, as several studies have shown, the heightened collision risk for new drivers levels out only after the first two years of solo driving, and there is no evidence that speed restrictions on learners or novices improve road safety.

Mr Weir pointed to the plethora — I think that he used that term — of GDL schemes that have been introduced and used across the world. We need to look at what works, what does not work so well, what would work and what is workable here. He thinks that many aspects of the Bill are good; however, he also queries quite a few aspects, which is fair enough. He has a suspicion that a number of changes will be made to the Bill, and I have a suspicion that he is probably right.

Mr Eastwood spoke of the need to learn to drive rather than to learn to pass the test. He spoke of passing his test on a Friday and how terrifying it was having to drive on the motorway up to Belfast on the Monday. Having got a lift or two from Colum in the past, *[Laughter.]* I can certainly assure the House that it must have been terrifying indeed.

Mr Eastwood also spoke of the implications for insurance. The Association of British Insurers insists that these proposals could and should result in the cost of insurance premiums being driven down, which everyone would and will be glad of.

Mr Ross spoke of his record in the House of promoting GDL and advocating new drink-drive limits. His contribution therefore was, unsurprisingly, well informed and measured. Education and experience are key to reducing the number of collisions involving young drivers. He pointed to how well GDL works in other jurisdictions and shared with us his first-hand experience of the susceptibility of new young drivers and their passengers to serious collisions on the road. He agrees that many, if not all, elements in the Bill would be beneficial, but he reminded us of the need to strike the right balance to ensure that we get the right package. He has concerns about the implementation of passenger restrictions, despite acknowledging the effectiveness of such measures elsewhere.

Mr Wilson made more than one contribution, but his formal contribution was quite informative. I am not going to join him in slagging off NI21. We had a bit of a "Carr" crash of our own in Derry. He said that he opposes the basic principles of the Bill — he is the only contributor today to do so — and that the Bill eats away at people's basic freedoms. I am not sure whether I have met any of the officials to whom Mr Wilson referred, but I agree with him that we need to look at wider societal issues and impacts rather than just road safety in isolation.

Education, legislation and enforcement have all played an important role in reducing the number of deaths on our roads as have, undoubtedly, improvements in engineering, as Mr Wilson stated. That is the engineering of vehicles and our roads.

#### 4.30 pm

Mr Wilson raised concerns about logbooks and how they might be open to abuse and even fraud. Logbooks are, to a degree, self-enforcing. If a learner has not completed the training but has updated the logbook, it follows that he or she will not have the prerequisite knowledge and skills to take and successfully pass the driving test. In addition, the Bill includes powers to revoke a licence and impose a level 3 fine for a person found to have produced a forged logbook, therefore deterring candidates from filling in their logbook without the required training. The logbook can be verified by a driving instructor or supervising driver,

who could face fines, as well as obvious professional reputational damage, should they —

**Mr Ross:** Will the Minister give way?

**Mr Durkan:** Go ahead.

**Mr Ross:** I take the point about the logbook in the context of a professional driving instructor and how there could be evidence that they went out driving with a young person for the instruction element. However, if one of the people who can sign the logbook is a parent, how would the Department or the courts determine whether parents were telling the truth when they signed off on the logbook? Is that not one example in which the practical implications of the legislation cannot be enforced?

**Mr Durkan:** It could certainly pose practical difficulties. However, if the logbook has been forged, and, for example, a parent signs off that little Sammy can do a three-point turn and then, on the day of the test, it transpires that, although Sammy might do the odd U-turn, he is incapable of doing a three-point turn, it will become evident that the logbook has been forged. The parent might argue that he had done it OK yesterday. I take the Member's point that enforcement could and probably would be extremely difficult.

Mr Wilson articulated further concerns, including about enforceability, but legislation is not and should not be about catching people. It is about stopping people doing things that put themselves and others at risk. I also want to clarify that there is no category in which you cannot have a passenger between the ages of 17 and 21. He gave an example of someone who had hurt their arm and said that you could not drive them to hospital if they were between the ages of 17 and 21. You are allowed one passenger between the ages of 17 and 21. You are not allowed multiple passengers.

**Mr Wilson:** What if they ran into each other on a quad, and they both broke their arms? *[Laughter.]*

**Mr Durkan:** Mr Wilson did warn us that he had many more possible scenarios. Indeed, there are an awful lot of permutations, quite a lot of which I have put to my officials over the past week. At one stage, it seemed as if we were doing old 11-plus questions when we were talking about three passengers in a car travelling at 45 mph and A is related to B but not to C. *[Laughter.]* I can understand fully where Members are coming from.

Mr Wilson had concerns about motorists coming over the border. Sorry — he was concerned about those who might be unaware of the new restrictions. That is a fair point. Quite a number of our neighbours who visit Derry, and who are very welcome, seem to remain unaware of parking restrictions in legislation here. There would be a full public information and education campaign.

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

**Mr Durkan:** Yes.

**Mr Wilson:** Do you regard this as partitionist legislation? *[Laughter.]*

**Mr Durkan:** Certainly not.

Mr Wilson said that we cannot take all risk away. We cannot, but we have a duty to reduce risk, and I believe that we can do so. The legislation is not, as Mr Wilson



states, about attacking young people. It is about protecting them and letting them gain the experience and the confidence to protect themselves. Like all contributors and me, he is looking forward to Committee Stage and further scrutiny of the Bill.

In conclusion, I again thank Members for their contributions to the debate on the Road Traffic (Amendment) Bill and for the questions and issues that they have raised. We must not underestimate the enormity of the responsibility of this House to do whatever we can to save lives and reduce injuries on our roads. I am confident that the bold measures in the Road Traffic (Amendment) Bill have the potential to do just that. Having listened to the valuable contributions to the debate, I will leave confident that this House will accept the challenge involved in pursuing an ambition of zero road deaths.

I and my officials look forward to working closely with the Environment Committee as it begins its detailed scrutiny of the Bill, which, I have no doubt, will prove to be equally valuable. I commend the Bill to the House.

*Question put and agreed to.*

*Resolved:*

*That the Second Stage of the Road Traffic (Amendment) Bill [NIA 35/11-15] be agreed.*

## Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014

**Mr Durkan (The Minister of the Environment):** I beg to move

*That the draft Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014 be approved.*

I am pleased to bring before the Assembly the first piece of subordinate legislation to be made under the powers of the Local Government Act (Northern Ireland) 2014. The regulations will be made under sections 38 and 124 of that Act and section 20 of the Local Government (Miscellaneous Provisions) Act (Northern Ireland) 2010. The legislation requires that the regulations be laid in draft and approved by a resolution of the Assembly.

The purpose of the draft regulations is to provide for the operation of the shadow period between 26 May 2014, when the 11 new councils were established, and 1 April 2015, when the 26 current councils will cease to exist and the 11 new councils will take on their full range of functions.

The Secretary of State for Northern Ireland agreed to bring the local elections forward to 22 May in order to facilitate the transition between the existing and new councils. The resulting shadow period will give the 11 new councils time to prepare themselves to hit the ground running on 1 April next year. During that time, the 26 current councils will continue to be responsible for service delivery, while the new councils will make the key decisions necessary for their operation from 1 April.

The draft regulations provide for the new councils to use the shadow period to prepare for the discharge of their functions after 31 March 2015. That will include organisational design issues, including the establishment of committees and subcommittees, appointing key staff, and agreeing budgets, schemes and plans such as corporate and business plans.

The new councils will also strike the rate for 2015-16 during the shadow period, as provided for by the Local Government (Boundaries) (2008 Act) (Commencement, Transitional Provision and Savings) Order (Northern Ireland) 2013. The regulations will place a duty on existing councils to provide information and assistance to their new council during the shadow period. That includes the provision of premises, facilities and staff. Costs incurred by new councils during that time will be apportioned among their predecessor councils in line with the population of each existing district within the new council area. For example, if the existing Armagh City and District Council makes up 30% of the population of the new Armagh, Banbridge and Craigavon district, that council will meet 30% of the costs of the new council. However, in the case of the new Belfast district, 100% of its costs will be met by the existing Belfast City Council.

A duty has also been placed on Northern Ireland Departments and the Housing Executive to provide information to new councils in cases where it is required for the discharge of their functions. The regulations make provision for new

councils to make appointments to positions of responsibility in respect of the shadow period and for the four-year term of the new councils commencing on 1 April 2015. The regulations will apply the provisions of the Local Government Act in relation to the allocation of positions of responsibility and committee positions in new councils.

Although the new councils will not be able to appoint councillors to external positions of responsibility during the shadow period, an exception has been made in respect of appointments to the partnership panel as well as policing and community safety partnerships (PCSPs) and district policing and community safety partnerships (DPCSPs). The exemption in relation to the appointments to PCSPs and DPCSPs has been included at the request of the Department of Justice. This is needed to allow councillors to participate in the selection of lay members on those bodies so that they can be fully operational in advance of 1 April next year.

Following on from the provisions in relation to positions of responsibility, the regulations also require certain mandatory provisions to be included in a new council's standing orders. One relates to the procedures for filling positions on more than one committee at the same meeting to ensure that the principles of proportionality are upheld and allow that committees are broadly representative of the political make-up of the council. This provision was added to the regulations in response to comments made during the consultation process. It will prevent any one political party holding all the positions on a committee of a council.

The other mandatory standing order prescribed by the regulations relates to decisions that may be taken by a qualified majority. The Local Government Act specifies most decisions that are subject to a qualified majority, but the standing orders include two additional ones: decisions that are subject to call-in on the basis of disproportionate adverse impact on any section of the inhabitants of its district under section 41(1)(b) of the Act, and suspension of a council's standing orders.

The regulations make provision in relation to the continuity of exercise of functions of councils from 1 April 2015. This is necessary to provide a smooth transition to the 11 new councils and ensure that business conducted by the 26 councils can continue uninterrupted after that date.

The regulations will also provide for the winding up of the existing councils after reorganisation has taken place and will allow new councils to make by-laws during the shadow period, although these will not be permitted to come into operation until 1 April 2015.

The Local Government Act provides that councillors of the 11 new councils must observe the new code of conduct made under the powers conferred by the Act. The regulations extend that requirement to councillors of the 26 existing councils. This will ensure that there is a level playing field across both sets of councils and will help prevent confusion in relation to the activities of councillors who hold a seat on an existing and new council.

Finally, the regulations provide for the new councils to produce the statements of accounts of statutory transition committees, once they cease to exist 28 days after the election.

The timescale within which the regulations have had to progress through their Assembly procedures has been extremely tight. I am sure that Members will appreciate the need to have the provisions in place as early as possible in the shadow period so as to allow new councils the maximum available amount of time to make their preparations in advance of 1 April and to assist them in navigating the complex issues that need to be resolved ahead of the reorganisation date.

I take this opportunity to thank the Environment Committee for its assistance in allowing the regulations to be debated today. I think we are all aware of the detailed and complex programme of work that the new councils must complete in advance of 1 April next year. These regulations are an important step in giving them the tools they need to do the job.

I ask the Assembly to approve the draft regulations.

**4.45 pm**

**Mrs Cameron (The Deputy Chairperson of the Committee for the Environment):** The Committee was briefed on the draft Local Government (Transitional, Supplementary and Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014 at its meeting on 19 May. It would be remiss of me if I did not point out at this stage that Committee members were extremely unhappy at receiving the documentation so late. In fact, the Committee was asked to consider the consultation responses, together with the SL1 for the regulations, by post. That did not afford the opportunity for full and proper scrutiny. It was reluctantly, and in recognition of the imminent local council elections, that the Committee agreed to hold an additional meeting to scrutinise the regulations.

Members expressed some concerns around the process of nominations to committees. Officials advised the Committee that a new regulation 7 has been inserted as a result of comments received to the consultation. It provides for the new councils to have mandatory standing orders in place for the date of their creation. That, in turn, will allow for the new councils to appoint more than one committee at the same meeting. Schedule 3 to the regulations was inserted to provide the mechanism for councils to do that by prescribing the process to be followed if more than one committee is to be appointed at the same meeting. That provides that no one party can hold all the seats on a committee and that the political make-up of each committee should broadly reflect the political make-up of the council. A further provision in schedule 3 permits the Department to insert another standing order, which specifies votes that must be taken by a qualified majority.

I commend the Department for listening to stakeholder comments in the consultation responses and acknowledging them by making the necessary changes for those who wish to utilise the provision. Officials also advised the Committee that guidance is to be issued to all councils on d'Hondt, Sainte-Laguë and single transferable vote (STV). That will be very useful, particularly for those joining councils as new members.

The Committee also heard from officials that meetings have been held with the new chief executives to explain how the voting systems will operate to ensure the smooth running of the first few meetings of the new councils.

Although the Department did not communicate the information on the regulations to the Committee in a timely manner, it is reassuring to some extent to learn that chief executives are being briefed ahead of these important changes and that relevant guidance is to be issued as soon as possible.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. New regulations on transitional arrangements give councils the power to discharge their functions in the period of handover from the old to the new councils. The regulations that we are discussing provide clarity to make the process as seamless as possible and flexibility on a practical level as to how things might work out during the important period of local government change.

Under the shadow council arrangements, there will now be a statutory requirement for the old and new councils to be able to discharge their duties in a way that does not compromise their autonomy. The old council will be able to continue to deliver on its statutory duties to provide for a seamless and uninterrupted delivery of services to the ratepayers, while, at the same time, supporting the development of the new fledgling council structures, which will be live from April 2015.

The transitional arrangements as specified in the regulations clarify the function of the new shadow councils. The temporary modifications relating to by-laws will impose a duty to assist in the preparations for the new councils coming into effect. Importantly, the regulations will also provide for a code of conduct, as well as stipulating how positions of responsibility will be filled, including the appointment of councillors to committees during the transitional period. Regulations will provide guidance on the winding-up of business of the old councils, such as guidance on the final statements of accounts and on finalising the business of the statutory transitional committees. All in all, the arrangements contained in the regulations will provide the legislative clarity required for a successful transitional period.

I congratulate all councillors elected over the weekend. I expect the regulations to be a valuable asset in providing clarity to them. They will also be of value to the newly appointed chief executives and senior management teams as they navigate their way through the oncoming period of change. I wish them, their staff and all the elected representatives all the very best for the period ahead. I welcome the new regulations.

**Mr Elliott:** Thank you very much, Mr Speaker. As you know, I am not a great lover of this Bill overall. However, these regulations obviously have to be put in place to get the new councils going.

There are queries about a couple of aspects that perhaps the Minister could address when he gets back on his feet. I know that when officials appeared before the Committee, there were indications of discussions with the chief executives about how the process for the appointment of positions of responsibility and to committees would work. Perhaps the Minister could elaborate on what those discussions have entailed and what the advice is for the chief executives on the appointment process.

There are also queries on councils' standing orders and whether guidelines will be given to chief executives on the formation of those standing orders, as well as on what is required for a qualified majority. I am pleased to note that

some clarification has been given on the appointment of committees, in that the appointment of positions to more than one committee will not be made at one meeting. I welcome those aspects, but I seek the Minister's clarification on those elements of the Bill.

**Mr Weir:** I was not aware that I was due to speak, but I welcome these regulations. The Minister has put in place the main piece of legislation, and it is therefore important that we have these regulations. Where guidance is to be given, it is useful that it will help steer the new councils through this transitional phase in an appropriate manner. I think that it is important that we are not overly prescriptive and that councils have the opportunity to find their own way. As such, I welcome the proposals, having been with the Environment Committee when the regulations were put forward. I think that it is important that they are there to provide that guidance, particularly in the early days of the transition period, and I urge the Assembly to support that.

**Mr Durkan:** I thank everyone who contributed to this afternoon's debate, and let me add that it was a nice, short debate. I would like to address some of the issues that were raised. There were not too many, fortunately; nowhere near as many as in the previous debate.

First, Mrs Cameron, the Deputy Chair of the Committee, spoke of the Committee's disappointment at its late receipt of the regulations. I take personal responsibility for that, apologise for it and assure the Deputy Chairperson and other Committee members that I will do my best to ensure that there is no repeat of that situation.

I join Mr Milne in congratulating those who have been elected to the new councils. Mr Elliott admitted to being no great lover of the Bill, and he had a couple of queries about positions of responsibility and advice to chief executives. Draft guidance has already been issued to the new chief executives about the mechanisms for appointing councillors to positions of responsibility and about the model standing orders. They have been apprised of and kept abreast of that information and will continue to be so.

It is worth nothing that these regulations will allow my Department to provide for the existing and new councils' activities during the shadow period. This is a key step towards the reorganisation of local government, and I thank the Deputy Chair and other Members for their support.

**Mr Elliott:** I thank the Minister for giving way. On a point of clarification, he said that guidance on standing orders had already been issued to chief executives. Will that guidance also be made available to the Environment Committee?

**Mr Durkan:** I thank the Member for the intervention. I will ensure that that guidance is made available to the Committee at the earliest possible opportunity. I intend to build on and to maintain the good working relationship that my officials and I have with the Committee. We have been working pretty well up until this recent blip, for which I accept responsibility. Again, I thank Members for their support.

*Question put and agreed to.*

*Resolved:*

*That the draft Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014 be approved*

## Local Government Code of Conduct for Councillors

**Mr Durkan (The Minister of the Environment):** I beg to move

*That the draft Northern Ireland local government code of conduct for councillors be approved.*

Part 9 of the Local Government Act (Northern Ireland) 2014 establishes the new ethical standards framework for local government. The framework will consist of a mandatory code of conduct supported by mechanisms for investigation, adjudication and appeals. This is an important document, and it is therefore appropriate that, before the code of conduct can come into force, it must be laid before, and approved by resolution of, the Assembly.

The draft code is consistent with the seven Nolan principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership; and the five additional principles already adopted by the code of conduct for Members of the Assembly of public duty, equality, promoting good relations, respect and good working relationships.

I am aware that the code of conduct of the Northern Assembly is under review. I will consider whether any changes should subsequently be made to the principles set out in the councillors' code of conduct in light of any amendments made to the MLA code. If necessary, a revised code can be brought to the Assembly at a future date.

**Mr Ross:** I appreciate the Minister giving way. Given what he has just said, will he explain to the House why neither he nor any officials from his Department approached the Committee on Standards and Privileges to get an idea of the changes proposed and the rationale for why they would be made? That might have helped to guide the Department in putting together the code of conduct that we have before us today.

**Mr Durkan:** I thank the Member for his intervention. I have to plead ignorance. I was unaware that there had been no communication between the Committee on Standards and Privileges and my officials on the matter. However, we are working on a code of conduct for councillors. If any changes were proposed and then adopted in the MLA code of conduct, we may look at that in the future. I am not ruling that out. However, first, there would need to be proposals, and those would need to be accepted or adopted.

The draft code for councillors outlines the legislative basis for the code; identifies and provides clarification on the principles of conduct that will underpin the code; and outlines the rules of general conduct expected of councillors. The code also outlines the rules for the registration, disclosure and declaration of interests and for lobbying and decision-making. It also provides clarity on what is expected of councillors in planning matters.

To further support councillors, training on the code of conduct is being taken forward at a regional level and arranged primarily through the Local Government Training Group. The office of the Commissioner for Complaints will also be involved. Initial training is due to begin as soon as practicable and will be delivered in conjunction with councillors' induction.

I will briefly outline each part of the code. Part 1 is an introduction to the code and states when it comes into force. It identifies the legislative background to the introduction of the mandatory code and highlights the general expectations of the public of the conduct of their local government representatives. In addition, it provides councillors with information on relevant guidance that will help them to understand their obligations under the code.

Part 2 clarifies that the code will apply to all councillors: those elected to the 26 existing councils and those elected to the 11 new councils. It will also apply to a non-elected person who is appointed to a council committee. That part also clarifies when the code will apply and provides information on how it will be enforced.

### 5.00 pm

Part 3 sets out the principles that will apply, while part 4 sets out the rules of general conduct, covering such issues as the use of position and resources, disclosure of information, the rules relating to expenses and allowances and the registration of gifts and hospitality. Part 5 provides the rules relating to the registration of interests, while part 6 relates to rules on the disclosure and declaration of interests provided for in sections 28 to 31 of the Northern Ireland Act 1972.

Part 7 sets out the rules relating to lobbying and access to councillors. It encourages councillors to promote clarity, openness and transparency in any business with which they are connected. Part 8 sets out the rules when participating in meetings or reaching decisions. All decisions that have to be made in the course of council business should be based on the merits of the facts presented.

Part 9 of the code relates to planning matters. Recognising the importance of planning issues and the need to ensure that planning decisions are taken openly and fairly, it was agreed under the previous RPA arrangements that a section relating to planning would be incorporated into the code. However, it is important to stress that all the rules and behaviours in the code will also apply to planning.

Councillors are understandably nervous about those new powers, how and when they can speak to developers, what role they have to play for their communities and how they ensure that they do not bring themselves or the council into disrepute. I recognise that taking on planning functions is one of the key challenges facing the new councils and that ensuring the necessary culture change will not be easy. In addition to the training that I have previously outlined on the code, councillors will be supported through capacity building and training, and through guidance on planning matters brought forward by my Department. That planning guidance will be issued for consultation after the summer recess, and it will be important that we take the time to get it right.

I strongly encourage councils to ensure that all councillors do their best to attend those training sessions on planning, particularly councillors who will sit on planning committees. Attendance after every training session will be recorded and sent to respective councils. Those who are unable to attend their local event will be encouraged to register for the same session in another venue. Capacity building and training will be undertaken through role play scenarios as well as formal training sessions. We will



make use of the experience of our colleagues across the water and from the Republic to make the training as realistic as possible.

It is important for councillors to recognise that their role in planning has changed fundamentally. No longer will they just be consultees on planning applications and, if they are members of a planning committee, no longer will they be able to lobby freely on behalf of their constituents as they wish. Those are significant changes, and we must get the right messages across. There is a risk that members will choose not to sit on a planning committee as they fear that it will hinder their ability to lobby on behalf of their constituents. However, in my opinion it would be a mistake for councillors not to grasp the opportunity that they now have to make decisions for their areas and to influence how those areas grow and change.

Councillors should not be afraid of those new powers. On the contrary, they should grasp them with both hands. For the first time in decades, councils will be responsible for drawing up their own local development plans and making local decisions that affect local people. Being on a planning committee does not mean that you cannot talk to developers or communities. It just means that you must approach any meeting with an open mind and not make a decision or declare how you would make a decision until you have heard all the evidence and arguments at the committee meeting.

Alternatively, if a committee member feels that he or she cannot remain impartial over a particular application, they are free to lobby on behalf of their constituents as long as they take no further part in the decision-making process.

I encourage all concerned to look closely at the draft guidance when it issues for consultation and make their comments known to the Department. It is important that we take the opportunity to get this right.

Parts 1 to 8 of the code will apply immediately after it has been approved by the Assembly, while part 9 will apply from 1 April 2015, when planning functions will be transferred to the councils. That will enable the current set-up for the approval of planning applications to continue unchanged until that time.

In approving the draft mandatory Northern Ireland local government code of conduct for councillors, the Assembly will establish a key element of the new ethical standards framework for local government that will encourage openness, transparency and public trust in our councillors, who, in a new era for local government, will deliver improved outcomes for all our communities. I ask the Assembly to approve the draft Northern Ireland local government code of conduct for councillors.

**Mrs Cameron (The Deputy Chairperson of the Committee for the Environment):** The Committee was briefed on the draft code of conduct for councillors at its meeting on 19 May. That was an additional meeting, held at the request of the permanent secretary, specifically to consider the code. It would be remiss of me not to highlight, once again, that members were extremely unhappy to receive the documentation at such a late stage. We felt that the Committee was not being afforded its opportunity for full and proper scrutiny. Reluctantly and in recognition of the imminent council elections, the Committee agreed to hold an additional meeting to scrutinise the code.

Departmental officials advised the Committee that, as a result of the consultation on the code, the requirement for councillors to report breaches of the code was removed from the final version. Officials also explained that the term "spouse", which is used in the disclosure of interest, is to be updated by a declaration of any pecuniary interest, direct or indirect. On behalf of the Committee, I welcome those changes. The removal of the requirement for councillors to report breaches of the code is a sensible change, as it would have been difficult to monitor. It would have placed an unreasonable burden on councillors. The second change, relating to the term "spouse", is also sensible, as it is an outdated term in modern society.

The Committee welcomes the Department's commitment to delivering guidance and training on the code in conjunction with the local government training group and the Commissioner for Complaints. Members also welcomed the clarification that provisions are being made in the regulations that existing councillors and those on the new councils will be subject to the code. Members expressed concerns about the appeals process. There is still uncertainty about whether another Bill is needed to introduce an adjudication panel. Officials told the Committee that, in the interim, the Commissioner for Complaints would investigate and adjudicate until such time as the alternative process was set up. The Department has indicated that it is in the process of seeking legal advice on exactly what is required, and, on behalf of the Committee, I ask that that situation is resolved as quickly as possible.

Members also questioned officials on the planning aspects of the code and were pleased to hear that the guidance was well developed. Responsibility for planning decisions is obviously a major change for councillors, and guidance on it will be essential to ensure that the change is handled well. Members will be keen to scrutinise the guidance in further detail when it is finalised.

**Mr Boylan:** Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an díospóireacht seo agus ba mhaith liom cúpla focal a rá. I welcome the debate and want to say a few words. Before I welcome the code, I must say that I am a bit disappointed that we missed an opportunity. I am sorry that I missed the Minister's answer to Mr Ross's question. The Committee on Standards and Privileges is reviewing the code for MLAs. Lessons could be learned from that, and there may be some things that will be included in this code of conduct. That was an opportunity for us. I recognise that we are under a wee bit of pressure on this matter, and we are moving things forward, but we should have taken the opportunity to work together to include some issues in relation to this code and the review of our own code.

That said, the Committee has come under pressure on the time frame, especially these last two debates. We find ourselves debating two issues today that have to be moved forward, and we recognise that. I want to raise a couple of issues that come out of the code. When I sat on council, I remember clearly some of the older councillors complaining when the Planning Service was making decisions. It is one of those issues where you should be careful of what you wish for, because it is now their opportunity. Having said that, I want councillors to embrace it, but I also want them to have

the best opportunity to make decisions on behalf of their communities.

Members of the Committee have talked about capacity building for many a long day. The Minister has been back and forward to the Committee and has given assurances that it will be done. I welcome some of his comments today about capacity building. The reality is that the general public feel that the people they have elected at council level are getting planning powers and will be able to deliver on planning. Although they will be under pressure, we have to ensure that we give the councils the proper recognition and protections so that they can make decisions. The Minister mentioned some of those issues, but I want to get clarity on when the statutory guidance will be there for that and when the training will start. The Minister mentioned some issues on training. I welcome that, and I certainly support councillors and recognise their role and the pressures they will be under now and in the future. There is no doubt that it will be a challenge for them.

Will the Minister clarify the point about capacity building for councillors and staff? I know that staff will transfer from the Planning Service, but there will also be a certain number of administrative staff in councils. During the process of the elections, I spoke to many staff who have some concerns about the transfer of all these powers. I know that is maybe not the right time, but perhaps the Minister could talk a wee bit about training for staff on some of those matters, particularly planning.

Another issue that has come to my attention is that, under the code of conduct, the requirement to attend meetings would probably be only for statutory meetings. Issues are being raised because, with the new powers, we will have new committees with a role to deliver for their communities. Will the code impact on the requirement to attend meetings of the other committees, or will councillors have to attend only statutory meetings? I think that the regulation states that, if you miss a certain number of meetings, it will call into question whether you are carrying out your duties. Will that also apply to the transfer of the new powers and the committees that are set up under them? Will you clarify that point for me, please?

I welcome the code. I know that the councils and councillors will have a difficult job, but I wish them well. I would like to see the statutory guidance on planning matters as quickly as possible because it is one of the major elements that most of the new councillors are concerned about.

**Mr A Maginness:** I will make a few brief comments on the code of conduct for councillors. There is a great challenge for the new councils and councillors in administering the new local government units. It is a very exciting challenge and one that everybody should welcome. However, with enhanced powers comes increased responsibility. Therefore, it is right and proper that a statutory code of conduct be put in place and that councillors be aware of those responsibilities and the need, in carrying them out, to be sensitive to the code. They should see the code not simply as a big stick that central government or society at large is using in relation to councillors' conduct but rather as a helpful guide to the conduct of councillors as they carry out their duties. So, I see it as support for councillors as well as, to some extent, a warning not to indulge in inappropriate behaviour as councillors and to conform to a

code of conduct that gives them the necessary support in carrying out their duties.

#### 5.15 pm

There is one aspect that, I think, is unfortunate, and it is a result of the amendment to the Local Government Bill in relation to the appeals process. The amendment made to the Bill by the House has created a difficulty, in my view, for the Commissioner for Complaints, the ombudsman. During the sessions in which we considered this aspect of the Bill, it was indicated to the Committee that the Commissioner for Complaints was unhappy about the idea of his decisions in adjudication being appealable to a court of law. He saw that his position was established under the constitution and he had a position of strength under the constitution where his decisions could not effectively be second-guessed and that only by way of judicial review could a decision of his be overturned. He was concerned about his constitutional position being eroded, and that has led to difficulties in relation to the implementation of any appeals system in relation to misconduct by councillors. Yes, the Commissioner for Complaints can investigate and is very happy to investigate, but, by virtue of the inclusion of an appeal process, the Commissioner for Complaints feels inhibited from participating, at least on a permanent basis, in an adjudication process. This is a problem for all of us, and it has led to the Department taking further legal advice. It may well be that a further Bill will have to be introduced on foot of the situation that has arisen and which we will have to address at a later stage, I assume. This is an unfortunate situation, and I believe that we have created it ourselves and must address it in some way to remedy it. It is important that we are cognisant of this and look at the situation to see whether we can, in fact, remedy it. It is unfortunate, and I believe that we have created the situation. It is a difficulty that seems to me to be difficult to resolve.

I will conclude there, but I want to say that the opportunity for the new local government areas are great. I hope that the newly elected councillors will avail themselves of the new powers and the new opportunities that are there and will do so on the basis of partnership and consensual government at local level to enhance all the interests of the community across the board, so that we can create a vibrant new local government that will enrich all our communities politically and economically.

**Mr Elliott:** Obviously, I feel that the code of conduct is required for councillors, not only to protect the wider public but to protect the name of the councillor. I hope that it works to better effect than a code of conduct for some other elected representatives, which seems to have been allowed to pass through or does not have the weight attached that it should have at times. However, that will come about when we see the outworkings of the code.

The code of conduct got quite a bit of debate in Committee for various reasons. We needed to be certain that complaints could not be made against a sitting councillor in the run-up to an election that perhaps put that councillor at a serious disadvantage. There was a genuine thought process around that.

I want to deal with specific areas of the code of conduct, and those are paragraphs 2.7, 2.8 and 2.9. Paragraphs 2.7 and 2.8 are very specific and quite clear as to what applies to councillors. However, paragraph 2.9 gives a much wider

remit. I am not objecting to that or disagreeing with it, but I am concerned that paragraph 2.9 could leave paragraphs 2.7 and 2.9 in conflict. It states:

*“conduct which could reasonably be regarded as bringing your position as councillor or your council into disrepute”.*

That has a much wider remit than paragraphs 2.7 or 2.8, and I am concerned that it may leave the code more open to challenge. I am not disagreeing with the concept, the theory or the ethos, but I would like confirmation from the Minister that he believes that those paragraphs can sit quite well together and that there will be no conflict around them. A councillor may be charged under one paragraph, yet there may be a get-out clause under another, and I do not want that to happen. I wanted to read that into the record and would like a response from the Minister.

**Mr McCarthy:** I thank the Minister for tabling the motion. The Alliance Party is pleased that a regional local government code of conduct will be in place for the new councils come April 2015.

The Alliance Party has long supported the introduction of a regional code of conduct. We have too often felt that a council's own standards are too varied and that the enforcement of poor conduct is inadequate. The draft code of conduct is an acceptable code for the immediate future. The Alliance Party submitted additional proposals to the Minister, but the code of conduct is more or less in line with the party's views on the high standard of conduct that the public has a right to expect from elected local government representatives. That has particular relevance in Northern Ireland, as we still occasionally and unfortunately see and hear some councillors making overtly sectarian and inciting remarks or otherwise wholly unacceptable and, at times, illegal remarks and comments. Hopefully, we will soon see an end to such nasty remarks.

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

**Mr McCarthy:** Sure.

**Mr Ross:** I listened carefully to what the Member said about inciting or illegal comments. Of course, the Member will want to acknowledge that, irrespective of any code of conduct that exists, either in the House or for councillors, if somebody makes illegal comments, the courts will deal with that individual.

**Mr McCarthy:** Absolutely. I agree with the Member. Hopefully, given the new code of conduct, we will see an end to any such comments and remarks.

The Alliance Party believes that the code of conduct should be reviewed after a period, especially as it relates to planning. There has been considerable concern about the role that the new councillors will play in planning. Indeed, the Minister referred to that in his remarks and to the fact that party donations still remain secret in Northern Ireland. For Alliance, that does not negate the need to devolve planning to local authorities, but it demonstrates the need to explain to councillors what their precise role is. I would prefer that that be backed up in the code of conduct.

At this point, I congratulate all our new councillors who were elected last week and wish them every success for the future. I also thank those who were unsuccessful for their contribution to their communities over the years and for their service. Alliance has always aspired to have its

councillors — in fact, all councillors — act in everyone's best interests, regardless of the part of the community they feel that they draw their support from. Their actions should reflect that. This, of course, is especially important now that councils will be acquiring these new, additional powers. New councillors must exercise power to the highest standard of conduct. With that, and on behalf of the Alliance Party, I support the Minister and his motion.

**Mr Ross (The Chairperson of the Committee on Standards and Privileges):** I welcome the opportunity to make some comments, or observations, on behalf of the Committee on Standards and Privileges. I welcome that there are a few other members of the Committee in the House this evening who, I am quite sure, will have similar observations or will support what I say.

I think that it is important to say that it is part of the narrative now in all political chambers that we need a robust code of conduct. We hear it all the time. Perhaps what that means is something more difficult. I suspect that the Minister will find implementing the code of conduct that he has in front of us today quite challenging at times as well. Indeed, Mr Elliott talked of his dissatisfaction about the code of conduct that relates to Members of this House. Perhaps that highlights the tensions that exist between getting a code of conduct that protects Members' rights to freedom of speech while ensuring that Members treat each other with respect. Those sorts of tensions that exist in the code of conduct that we have for this House will also, I am quite sure, be felt at local government level.

We also have to ensure that we have a code of conduct in place that deals with the realities, as opposed to the perceptions. To satisfy all those is, again, quite difficult. Foremost in all the considerations needs to be a code of conduct that is enforceable, and the Committee on Standards and Privileges has certainly concluded that. We do not want a code of conduct that is not enforceable, because that leads only to frustration amongst the public and, perhaps, other Members.

**Mr Elliott:** I thank the Member for giving way. While it is important that members are protected, whether they are councillors or Assembly Members, it is much more important to ensure that the wider public are protected in any code of conduct and that they get the best possible value out of their elected representatives. There must be no discrepancies in that.

**Mr Ross:** I absolutely agree with the Member. That is the challenge that we have.

I will make some observations about the process that we are involved in and the code for councillors that is in front of us today. The Northern Ireland local government code of conduct for councillors lays down 12 principles of conduct that must be observed. They comprise the original seven principles that were formulated by the Committee on Standards in Public Life and the five additional principles that are in the Assembly's own current code of conduct. However, as the Minister acknowledged and as I have said previously, the Committee on Standards and Privileges is involved in reviewing the existing Assembly code of conduct. As part of that review, we are considering the status, the definition and the number of principles that there are. Indeed, those are the same principles that the Department of Environment just adopted for its own code.

Our initial thinking on these principles and other aspects of the code have been set out in our issues paper, which was sent to all Members and put out for consultation in the usual way. I take this opportunity to thank all those who responded to that consultation paper. We look forward to considering the comments that were made.

One of our review's key objectives is to ensure that the structure of the new code makes clear the difference between any aspirational sections and those sections that are mandatory and enforceable. That is a key consideration of the Committee on Standards and Privileges. Although our current code has separate sections on principles and rules, this separation does not reflect a consistently applied distinction.

#### 5.30 pm

While some of our current principles are abstract and more easily understood as aspirational, others impose a definite obligation in the manner of a rule. We have, therefore, proposed that the new code of conduct provide for aspirational principles and enforceable rules. The principles will be taken into account when investigating an alleged breach of the rules but would not, in themselves, form the basis of an admissible complaint.

This changed approach is already embodied in codes in the House of Commons, the House of Lords and the Scottish Parliament. However, it is not an approach recommended by everyone. Our former interim Commissioner, who in his role as Northern Ireland Ombudsman will investigate alleged breaches of the councillors' code, has made the case for enforceable principles. He believes that complainants should be able to rely on an alleged breach of a principle even when there is no alleged breach of a rule. I do not think that that is necessarily what members of the Committee on Standards and Privileges think. We take a different view. In light of these different views, it might be helpful if the Minister clarified for the House this evening the exact status of the principles in the code of conduct for councillors and whether he believes that they are enforceable rules or separate from the rules. That is an important distinction.

The Assembly's current code was agreed in 2009, and, since then, things have moved on. The seven principles of public life, which were lifted from the current Assembly code of conduct by the authors of the new code for councillors, have since been redefined by the Committee on Standards in Public Life, the body with statutory responsibility for advising on standards across the United Kingdom. In its report, 'Standards Matter', which was published in January 2013, the guardian of the seven principles recommended new definitions to bring them into line with best practice and changing public perceptions.

This means that the new code of conduct for councillors will incorporate the seven principles of public life along with the outdated definitions. Tomorrow, the Committee on Standards and Privileges will meet Lord Bew from the Committee on Standards in Public Life and discuss with him the revised seven principles. Perhaps the Minister will set out why he did not want to use the updated descriptions and, indeed, whether he has given consideration to any of the other conclusions in the 'Standards Matter' report.

In addition to the seven Nolan principles, the code for councillors includes the Assembly's five additional principles. Our concern with those is set out in the issues paper that was published and distributed to Members. We think, for example, that the public duty principle of upholding the law should be reclassified as an enforceable rule. We also noted that we do not have any enforceable rules for the principles of equality and good working relations, although, of course, much of what is covered by these principles is addressed in statute, to which Members are subject in the same way as any other person. That is the point that I made to Mr McCarthy when he commented on councillors potentially using illegal language. Mr McCarthy is the former Deputy Chair of the Standards and Privileges Committee, so he will know that, irrespective of any code, if Members go outside the law in making illegal comments, the courts will deal with that.

As a Committee, we do not necessarily see the case for imposing additional obligations on Members under these headings. However, we are open to looking at it again and at what their inclusion in the code of conduct for councillors is meant to achieve. The Minister may wish to acquaint himself with our thinking on all five principles for the purpose of determining their practical significance, if any, for councillors exercising their functions.

Although the code of conduct for councillors cites the Assembly's current principles, the Department did not first approach us to ask whether doing so was prudent. Had it done so, we would have been happy to share our concerns and experience of trying to adjudicate on whether a Member had breached a code of conduct. I find it surprising and concerning that the Department did not think to write to the Committee on Standards and Privileges in this House, given that it was lifting many parts of our existing code of conduct. Doing so would have helped the Department to get a better and more up-to-date code of conduct for councillors and, perhaps, to avoid some of the difficulties that it will inevitably find itself in.

An argument was made to the Committee that, where appropriate and meaningful, there should be some consistency between the Assembly's code of conduct and the Department's code of conduct for councillors. If this is the case, surely it would apply only to sections of our respective codes that we are mutually happy to recommend. The Committee is still considering what should go into our new code of conduct. In doing so, we are, of course, open to representations from the Department on any point that it wishes to make to us.

In conclusion, I ask the Minister to instruct his officials to liaise with the Committee on Standards and Privileges so that we can share some of the information and findings that we have had, which will help him to make sure that in future the code of conduct for councillors is more enforceable and more satisfactory for councillors and members of the public.

**Mr Weir:** Along with others, I want to indicate my broad support for the code of conduct which, in that broad sense, is helpful. That support comes with certain caveats, as was mentioned by Mr Ross. To that extent, I see this code of conduct as being, perhaps, the best guess at this particular point. However, perhaps within a year's time or whatever — one of the problems has been that it has been a slightly rushed job, and I think the Committee found that. We were left in a position where, effectively, because



the code needed to be in place before the establishment of the new councils, we had to rubber-stamp elements of it without the level of scrutiny that, ideally, we would have liked to give it. From that point of view, changes will ultimately be needed, and it is important that there is a bit of reflection on those.

As the Chair of the Committee on Standards and Privileges indicated, there are things that, on a bit more examination, may well need to be changed. That means that at some later stage we may have to have another set of regulations in that regard. That is particularly true of section 9, which deals with planning. There is a window of opportunity there, which is perhaps where both these issues could be covered.

The transfer of planning is roughly a year away, and it is important that that section is got right. I understand that, at least to get things up and running, there was significance in getting a code of conduct delivered, but where there is a little bit more opportunity to examine it and ensure that it is right, we need to take that. The window of opportunity that has opened up to ensure that we get the planning side right can also be used to review all the detailed operation of other elements of the code of conduct.

I want to touch on a couple of areas that are contained within. I agree with Mr Elliott's comments earlier. It is important to have the greatest level of clarity that we can provide, because that is for the better. The role of councillors has been mentioned in particular, and if there is any inherent contradiction in paragraphs 2.7 to 2.9 of the code we need to get that out in the open and clear it up, by way of guidance or whatever. I would not want to see councillors inadvertently stumbling into a situation without realising that they have breached the code. It is important that we get a degree of clarity there.

There are two aspects of the code that I wanted to touch on, both of which have been mentioned already. Mr Maginness talked about the unfortunate situation of adjudication. We may be left with an unfortunate situation, but I have to say that the House took the right course of action, which is to say that if someone is potentially being penalised in a way that could effectively wreck their career, to have no real route of appeal seemed to be perverse in the extreme, so it was right that the House put that in place. There are one or two solutions to that. I still do not take fully at face value the objections from the Commissioner for Complaints, whose attitude has ultimately, to be perfectly honest, been somewhat precious. The idea that Mr Frawley or any successor is like the mighty Caesar, whose word becomes law and should be utterly unchallengeable and unappealable, seems to me to go a little bit too far. However, there is another alternative solution.

Again, I am a little bit disappointed. To be fair, it may not be the Department's fault; it may be a fault in getting information back. This issue was flagged up quite some time ago, even before the amendments were put in. It was clear that it was flagged up, for example, by the Northern Ireland Local Government Association (NILGA) and others and it was very clear that the vast majority of the Committee and, indeed, the House, were in favour of some form of appeal mechanism. There seems to have been a little bit of slowness in formulating that, or at least a lack of acceptance that an appeal mechanism was going to be put in the legislation.

If it is the case that the approach of the Commissioner for Complaints is to simply say that, whatever the interim position is, in the long run, we are saying no to this, and if it takes another piece of legislation to find another mechanism by which to put in place that appeals mechanism, then so be it. If it requires us to have an additional piece of legislation to ensure that it is got right, surely that is a much better position than simply saying that, actually, because it would be a little bit unfortunate, we should not go down the route of appeal. The House has spoken on that.

**Mr A Maginness:** Will the Member give way?

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

**Mr A Maginness:** I have listened very carefully to what the Member has said. I did not want to intervene. However, he seems to suggest that the Commissioner for Complaints is, in some way, personally aggrieved and is being precious about the situation that he finds himself in, where, in fact, his adjudications could be appealed. That is not the position. He has made it plain that he sought and received legal advice in relation to appeals of any adjudication that he would give. He was advised very strongly that it would be contrary to the constitutional position of an ombudsman to permit that type of appeal. That is a uniform position throughout these islands. I venture to suggest that it is the position throughout Europe. Therefore, it is a very important consideration for us to take note of and not to describe as simply the commissioner's "being precious". That undermines the Member's own argument as well as the position of the Commissioner for Complaints.

**Mr Weir:** I thank the Member for his intervention. However, to quote Shakespeare:

*"that which we call a rose*

*By any other name would smell as sweet".*

I have to say that, in my view, the commissioner is being precious on the subject. To believe that their position should be utterly unappealable does not hold water. Indeed, if we were to draw an analogy, the previous speaker mentioned the Committee on Standards and Privileges and our trying to ensure that we have codes that are fairly compatible between MLAs and councillors.

Even on the Floor of the Assembly, we have appeals mechanisms for any sanction in the Assembly. Quite frankly, whether the commissioner is being precious or it is simply a matter of finding a different mechanism by way of legislation, whichever route it is, so be it. As has already been cited in the Bill, we cannot have a situation in which someone can face a sanction without any form of appeal. That is just a perverse obstruction of the law. So, it is not something that I regard as unfortunate. It is something that we are trying to get right.

I welcomed that officials from the Department indicated that the hollowing out, if you like, of the issue of the appeals mechanism was linked in with the sanctions issue. We cannot have a situation in which there is a sanctions mechanism without an appeals mechanism alongside it. That would go very much against the spirit of what the House has passed. Indeed, if we had some sort of mañana attitude towards an appeals mechanism while instituting a sanctions regime against councillors, that would be the wrong approach.

Another issue that I just want to touch on, maybe from a slightly different perspective, is section 9 on planning applications. Here is where it is certainly the case that good training will be needed. I think that that is acknowledged by everyone because of the change of position of councillors with regard to planning. I think that Mr Boylan said, "Be careful what you wish for." There may well be councillors who will take that view.

When planning is devolved, although there will be a clear-cut right for councillors, operating through councils, to take those decisions, that will also, rightly, create a set of responsibilities that will be placed upon them. It will mean that there is a level of restriction. As the Minister indicated, there is no question that you cannot ever meet someone who is either an objector or a developer, but there is, if you like, a clear line that people have to take and indeed a point at which, because of that, they may simply have to hold their hands up and say, "No; I cannot take part in this planning decision". That is fair enough.

The culture shift for many councillors who have been there for many years will be dramatic, but it can be dealt with by way of training.

#### 5.45 pm

I should mention one concern that I have about paragraph 9.9 on decisions contrary to officer recommendation, and that is that I believe that councils could fall into one of two traps. People have to approach any decision on the basis of a genuine commitment to making a proper planning decision. The first danger is that a council or councillors could be very cavalier, completely ignore officer recommendations and make a decision not based on proper planning grounds. That would be clearly wrong. However, my suspicion is that the concern will be at the opposite end of the scale, because many councillors, particularly initially, will feel so bound by an officer decision that they will not dare challenge it at all, even if they have legitimate grounds to do so, and will not be robust enough about the recommendations. If there are genuine and good reasons for a decision to be overturned, it should be overturned.

**Mr Elliott:** I thank the Member for giving way. I fully accept his point, which we talked about in Committee and which the Member raised in Committee. Does he agree that, because there is still the possibility of surcharge against councillors in Northern Ireland, they fear that as well? Councillors will not want a council to get a huge fine, which may then be levied against them through surcharge?

**Mr Weir:** That is undoubtedly right, and that issue needs to be dealt with. In the past, I have seen, not so much with planning issues, council officers sometimes use the ghost of surcharge or the threat of surcharge simply as a device to get councillors to back down on an issue when perhaps there is no particular threat of that. They will say, "If you do this, there is always a danger of surcharge", and then councillors will simply back off on whatever the issue is.

It is right that the right relationship is there. In the wider context of the code of conduct, councillors need to have an appropriate questioning attitude so that they do not simply ignore advice and are, on the other hand, prepared to query it when needs be. It is also right that there is a right and proper professional relationship between councillors and officers so that, on the one hand, councillors do

not simply ride roughshod over officers and, on the flip side, that officers are not given so much deference that councillors feel almost afraid to say no to whatever an officer says. It is about striking the appropriate balance. That will be one of the key challenges for councils and councillors. That already exists in a range of areas, but it will be there in the issue of planning in particular. Consequently, I think that the key paragraphs of 9.9 and 9.10 are right in what they say about potential decisions. It is important that a balance be struck and we move in a practical way so that councillors can make genuinely good decisions on behalf of constituents.

That said, I suspect that we will come back to the planning issue and, indeed, some of the other issues that Mr Ross raised. However, I believe that what is here is a good best guess at what will be there and that it allows councils to move ahead. It is a significant piece of the jigsaw. Indeed, having a code of conduct that applies across the board to all councillors is a right step. I commend the code to the House.

**Mr Agnew:** I speak on behalf of the Green Party in Northern Ireland but also very much informed by my experience on the Standards and Privileges Committee.

My first point is about the transparency of political donations, which I, as a party representative, have made consistently. On page 15, under the rules relating to the disclosure and declaration of interests, it refers to pecuniary interests, direct or indirect. It needs to be more explicit that that should include donations to a councillor's campaign and donations to a local group. While much of this will be based on codes in other jurisdictions, we have to look at the specific jurisdiction of Northern Ireland, which is unique in not having transparency on donations to political parties. That raises concerns for many about planning issues. The Minister referred to openness and transparency, and this is one area in which that is being denied to the electorate, so it is absolutely key that we ensure probity in decision-making on planning and other matters. It needs to be explicit and go beyond the reference to direct financial interests and make it clear that it includes financial interests in a councillor's campaign, which may not be directly to a councillor, or, indeed, in a local group. This could certainly be a way of indirectly influencing decision-making. Although we cannot, through the code of conduct, change the regulations set by the UK Government on the declaration of political donations, we have to recognise that we are in an unfortunate situation in which we do not have that level of transparency. We must introduce it where we can, through the code of conduct, by requiring members to declare what is not required by their party, which is donations to their campaign or local party group.

Mr Ross mentioned the Standards and Privileges Committee review of the code of conduct that governs Members in this House, and I echo his comments that we need to work in tandem on the development of the two codes. We know the mistakes that we have made with our own code and what we need to put right. Some of that, of course, will be a matter of opinion, and there will be consensus on other points, but there are certainly pitfalls. Mr Ross referred specifically to the principles, and I concur that careful consideration needs to be given to what is a principle and what is a rule and to what is enforceable and what is aspirational. We do and should

expect high standards of our elected representatives, but, equally, in trying to present the highest ethical and moral standards to the public, we must not disillusion them by setting the bar in such a vague way and so high that nobody could reasonably be expected to meet the level of expectation or, indeed, that there is never any enforceability. If somebody is found to breach a code of conduct, sanctions of some sort will be expected, and we may not even be able to adjudicate because the principles are vague or contradictory. The tension between the right to freedom of political expression and the need to abide by the principle of respect was mentioned. There has been tension — we have witnessed it in Committee — between those two aspects of our current code, and it is important to set out clearly in any code where the lines are and what is acceptable and what is not.

I would welcome the principle of not using bullying behaviour being in the code, but, again, there will be a tension in applying that. I believe that I have witnessed bullying behaviour in this House, but what I perceive to be bullying behaviour others might perceive as robust debate and the cut and thrust of political life. It is important that consideration be given to where the line is drawn and the point at which challenge and the cut and thrust of debate become bullying. For me, it is bullying when it becomes personal rather than being about political opinion and when it is persistent and sometimes to do with force. I welcome the fact that it is in paragraph 4.13, but clarity is needed on what we mean by bullying.

Another issue that I get particularly vexed about has come up with our own code of conduct. When is a Member not a Member? When is a Member acting in a capacity as an MLA and when is a Member acting as a private individual? I have consistently argued that, if there are overtly political actions, the Member should be reasonably assumed to be acting as an elected politician.

It is right that we have protections for private life. There are times when we should be able to take our political hat off and have time with our families and friends. There should be a time when we can rightly say to constituents, "I am not acting as a politician here. I am here in a private capacity. This is my private time". If somebody wants your services, I can say, "I can meet you at another time". Equally, I believe that the code of conduct for this House is too narrow in saying that you are an MLA and a politician only when you are performing duties within or of this House. There are some very overtly political acts. For example, I refer to rallies or demonstrations. It is hard to divorce yourself from your political and elected role when you are making clear political statements or are involved in clear political acts.

I welcome the code as laid out. The scope goes further than the Assembly code. I welcome that, but I add a word of caution that clarity is required. We do not want to see councillors being judged to have acted in breach of the code in a situation where it is unclear and they thought that their actions were outside its scope. So, clarity is required.

One of the issues that I would like the Minister's guidance on relates to parts 7 and 8, which deal with lobbying and decision-making. It is right that we are very careful of the power and nature of lobbying and that we put protections in place to protect the public trust in councillors to act on behalf of the community rather than a vested interest. However, some of the rules seem odd given that,

regardless of our role as councillor or, in our case, MLA, we are elected on a political mandate. The rules include not organising support for or opposition to a particular recommendation on a matter being considered. It says that you must not lobby other councillors on the matter being considered and that you must not comply with political group decisions on the matter being considered where those differ from your own views.

I will take the last point first. If you went to your electorate on a manifesto that you had signed up to and were elected on and you disagree with something that is in it personally but were elected on the basis of that manifesto, I do not think that it is unreasonable for the party and, indeed, the electorate to expect you to adhere to that manifesto. I worry about that.

6.00 pm

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

As I declared, I whip myself. Whilst the political whip system makes people concerned about the restrictions it can place on personal moral views — and I think that those can and should be facilitated in some cases — the electorate should know that when they elect you on a manifesto, that is what they get. You may happen to disagree with something in it, but I am wary of putting in a rule that says you must act according to your own conscience and not according to what you promised your electorate. That is one I have concern for.

I move now to not lobbying other councillors. Again, how far do we go with that? Is it saying that if you are sitting in a party group meeting, you should not persuade your party colleague of your opinion? What do we mean by lobbying in that regard?

The draft code of conduct states that you must not organise support for or opposition against a particular recommendation on the matter being considered. Again, I wonder how far that goes. My councillors will certainly have been involved in standing shoulder to shoulder with constituents in protests that have taken place before a council meeting. I would be worried that we are asking our councillors to be too detached from their constituents.

Certainly in planning issues it is important that the planning committee members are one step removed from the lobbying that goes around on planning decisions in particular, but there is also general decision-making. Councils will take a lot of decisions that will have great levels of public interest, and I do not see harm in a councillor standing shoulder to shoulder with their constituents on an issue, which, perhaps, again, was in the party manifesto on which they were elected. I may be misinterpreting these, but it seems that it could be restrictive as regards a councillor engaging in political activity outside the council. As I said, I am, perhaps, misinterpreting or being overly sensitive about this, but I look for the Minister's guidance.

Overall, I welcome the fact that there is a comprehensive code of conduct. Other Members have indicated that it needs to be kept under review, because whilst these things are always written with good intentions, practical application can, sometimes, show unintended consequences.

Certainly, I cannot fail to mention the new Green councillors who have been elected in the past week. They

stood on a manifesto of working for the common good, and I think the local government code of conduct for councillors will give guidance for all councillors to act in such a manner.

**Mr Durkan:** I thank all those who contributed to this evening's debate. A couple of issues have been raised, and, in summing up, I will do my best to address them. Should I fail to do so, do not worry; I will check Hansard and get back to the Members who raised them.

The Deputy Chair of the Committee, Mrs Cameron, again raised the issue of the late receipt of papers by the Committee. Again, I apologise for that. Consultation on the code effectively ended on 2 May. A departmental response and synopsis of responses was sent to the Committee on 13 May. I put on record my appreciation to the Committee for arranging a special meeting on 19 May to consider the departmental response, the synopsis and, indeed, revised draft of the code.

Though the situation was far from ideal, it was important to have the code in place as soon as possible after the election. I assure the Deputy Chair, Members here and members of the Committee that the situation arose because of a particular set of circumstances — the closing date of the consultation; giving proper consideration to the responses; revising the code as a result; and referring the code to the Committee for its consideration — all within a very condensed timescale, given the date of the election.

Mrs Cameron and others thereafter spoke of the need for the situation around the appeals process to be sorted out. I am pressing to get the necessary legal advice on the issue in the near future to clarify whether a new adjudication model should be applied. Under the Local Government Act, the commissioner will carry out investigation and adjudication, but I will address the issue of whether an alternative adjudication process is required when I have received the necessary legal advice.

Mr Boylan and, later, Mr Ross raised the issue of the MLA code of conduct. They asked whether I would consider making amendments to the councillors' code of conduct in the light of any amendments that may be made to the MLA code. I assure Mr Ross that my officials will keep me informed of any developments on the MLA code and that they will engage with the Committee on Standards and Privileges better in the future so that I can consider bringing forward any changes to the councillor code. The draft code reflects the principles that currently apply to MLAs. I will consider whether any changes should be made to the councillors' code should any changes be made to the MLA code. The opportunity will exist to do so, and I will come to that in a wee minute.

Mr Boylan asked about the status of the guidance for the code and when it will come into effect. The guidance is supplementary to the code. It is there to expand on and explain planning issues to councillors. Members should always refer to the code of conduct in the first instance when considering what their behaviour should be. Guidance will be issued for consultation after the summer recess, and it will be subject to Committee scrutiny. It will come into effect at the same time as the planning section of the code, which is from 1 April next year.

Mr Boylan also asked about capacity-building. The capacity-building and training programme will include planning staff as well as councillors and council officers.

Training has already commenced for elected members, although, technically, they were not elected members when it started. Training for staff will commence as soon as is practical following the recent election. Events will run through the summer and continue until the transfer of planning powers on 1 April next year. If necessary, they will continue thereafter.

Mr Elliott and Mr Ross queried the relationship between paragraphs 2.7 and 2.9 of the code, which are about bringing the position of a councillor or council into disrepute. The code applies when a councillor conducts the business of a councillor and when acting, claiming to act or giving the impression of acting as a councillor. It also applies when conduct could reasonably be regarded as bringing the position of a councillor or council into disrepute. Councillors are entitled to a private life, as, one hopes, are MLAs, but it is important to recognise that —

**Mr Ross:** Will the Minister give way?

**Mr Durkan:** Certainly.

**Mr Ross:** Before he moves away from the issue of bringing a council into disrepute, I want to say that this very much highlights the issue that I raised about a difficulty that we have. Will the Minister outline to the House what his understanding is of "bringing a council into disrepute"? Is he of the view that some of the principles contained in the councillors' code of conduct are enforceable rules as opposed to aspirational elements? The issue is with what disrepute looks like.

**Mr Durkan:** I thank the Member for the intervention. The question is this: what is disrepute? Is what I believe to be bringing the position of a council into disrepute the same as what you might believe? We will have to work with the new councils on that through their own standing orders.

In my opinion, any action that would damage the good name, reputation or image of a council or councillor or that would bring into question their integrity would bring that council or councillor into disrepute. Again, those are very subjective terms. So, it could go on, but I believe that it is vital that we make that code enforceable and that it is not left full of loopholes that serial offenders, shall we say, can escape through.

**Mr Ross:** I thank the Minister for giving way. I think that it would be useful to the House if he could clarify this point. Is it his view that the principles in the code of conduct should be enforceable rules, as opposed to being aspirational? That is the point that I was making.

**Mr Durkan:** That is my view.

As I said, councillors are entitled to a private life, but it is important to recognise that there are circumstances in which private behaviour can affect the reputation and integrity of the elected politician or, indeed, the council on which they serve. That requires an appropriate response, but there should be a clear public interest to do that. Councillors require the public that they serve to place their trust in them, and the code attempts to provide the transparency to meet that aim.

To return to a review of the code of conduct, the code reflects the principles that currently refer to MLAs. I will consider whether it should be revised as a result of any changes to the MLAs' code, and I will ask my officials to liaise with the Committee on Standards and Privileges and



to report to me on the outcome. I apologise that they have not done so prior to this.

I alluded to the fact that an opportunity may exist for me to review the current code before 1 April 2015 to ascertain whether any changes should be made, taking account of any lessons that are learned during the 10-month shadow period, as well as the review of the MLA code of conduct. That would also give the Environment Committee an opportunity to consider in detail the planning aspects of the code before it becomes operational on 1 April 2015 and to take account of planning guidance. It could also prove to be an opportunity to add the greater transparency that Mr Agnew spoke of and that the public demand.

Mr Agnew would also like to see bullying behaviour better dealt with in the code. I think that that is a fair point, and if he has any more criticism of it, I will see him outside. *[Laughter.]* In response to a point that Mr Agnew made, there is no harm in councillors standing shoulder to shoulder with opponents or proposers of a scheme, and there is nothing in the code to prevent them from doing so. These are questions that I have also been asking for some time. However, if they are members of a planning committee and decide to do that, they should subsequently remove themselves from the quasi-judicial decision-making process.

In conclusion —

**Mr Ross:** Will the Minister give way?

**Mr Durkan:** Yes.

**Mr Ross:** Just before the Minister finishes, let me say that I asked him a further question about some of the principles that he included in the code of conduct for councillors, which was based on the original principles set out by the Committee on Standards in Public Life. However, in January 2013, that Committee published the 'Standards Matter' document, which updated those principles.

Will he advise the House why his code is based on the original principles as opposed to the updated ones of last year, given that they come from the Committee on Standards in Public Life?

6.15 pm

**Mr Durkan:** I thank the Member for his intervention — sort of. *[Laughter.]* I see nothing wrong with the principles in the code. I do not think that anyone could argue very much with them or see a need to change them at this time. We will see how it works. As I said, I will look at how the review of the MLA code of conduct goes. I am willing to look at this in '10 months' time to see whether it needs updated. If it does, I will have no problem doing so.

**Mr Agnew:** I thank the Minister for giving way. He referred to my remarks on concerns about standing shoulder to shoulder with constituents. I acknowledge that section 7 refers largely to quasi-judicial decisions. However, section 8 comes before the section on application of the code of conduct to planning matters and seems to refer only to general decision-making. "Rules relating to decision-making" is the title, and it refers to:

*"participating in meetings or reaching decisions regarding the business of your council".*

I am concerned that section 8 seems to refer to any decision of the council. It seems odd to me that a politician could not organise support for or against a particular recommendation on a matter being considered. I completely agree with it for quasi-judicial decisions or planning decisions where a member is on the planning committee, but that general comment could relate to any decision.

**Mr Durkan:** I thank the Member for his intervention and appeal to Mr Ross to do anything that he can during the review of the MLA code of conduct to stop Members organising hundreds of people to send emails to other MLAs. *[Laughter.]* There is absolutely no desire to emasculate or depoliticise the role of councillors. I know that most elected representatives really enjoy that role, and some are better at it than others. The code goes some way to allaying concerns that I had about the transfer of the planning function to councils. My initial concern was that the very councillors who are probably best equipped to deal with the new function are those who will be most reluctant to accept a position on the new planning committees, given the many years' experience of planning decisions that they have built up on the lobbying side. However, this code has allayed those concerns, and I hope that it can do the same for you, Mr Agnew.

This mandatory code of conduct will set high standards of behaviour that will be expected of all councillors and persons involved in council business. It will support the manner in which they conduct themselves in undertaking their official duties, and in maintaining working relationships with fellow councillors and others, when they carry out their functions. I thank the Chair of the Committee and other Members for their support for the motion.

*Question put and agreed to.*

*Resolved:*

*That the draft Northern Ireland local government code of conduct for councillors be approved.*

## Finance (No. 2) Bill: Legislative Consent Motion

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

*That this Assembly agrees that the provisions in the Finance (No. 2) Bill dealing with air passenger duty should be considered by the UK Parliament.*

The Chancellor, as part of his Budget statement 2014, announced a reform to air passenger duty (APD) that will result in a reduction in APD destination bands from four to two, effective from 1 April 2015.

That will come about as a result of a merging of the long-haul bands B, C and D. The Government's intention was that a reduction in the rate of APD levied on the current band C and D routes to the band B rate should help contribute to the UK's growth opportunities by cutting APD rates on flights to many emerging market destinations, such as China, India and Brazil.

That reform in effect brings the overall UK banding structure more into line with the approach taken in Northern Ireland, where the same rate is applied to the current bands B, C and D, although, as Members will be aware, we reduced the rate we apply to those direct long-haul routes to zero. Therefore, with the 2012 Finance Act having already devolved the rate-setting powers for direct long-haul flights to the Assembly and with the current rate set at zero, this reform does not really impact Northern Ireland. There are not expected to be any direct financial consequences. Legally, however, these reforms have changed the legislative competence of the Assembly by amending the banding structure to which it can set the rates of APD.

One issue that was raised by the Finance and Personnel Committee concerned whether agreement to this motion would potentially restrict the powers of the Assembly. There will be a slight limiting of the Northern Ireland Assembly's ability to set different long-haul rates, given that there will now only be one rate to set. However, we currently do not have any flights from Northern Ireland to destinations associated with bands C and D. Also, the main objective of the Executive in obtaining devolved powers in that regard was to eliminate APD to maintain the Belfast to Newark route and to improve the attractiveness of the region's airlines so that we could perhaps improve our connectivity. Therefore, it is not a concern.

Returning to the motion, given that the Assembly currently has no powers to legislate in relation to the APD banding structure, consent of the Assembly is therefore required to allow Westminster to legislate for the reform of APD as described in the Finance (No. 2) Bill.

Before turning to the debate, I would like to take this opportunity to thank the Finance and Personnel Committee for its consideration of the evidence supplied relating to the legislative consent motion (LCM) and for the publication of its report on the matter. Having got the support of the Executive and Committee, I would now welcome support from Members on the motion.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a LeasCheann Comhairle. I support the legislative consent motion before the House. There is no doubt that air

passenger duty has a negative impact. It is something that the Committee has looked at for some time now. The Committee produced a report in regard to the issue of APD. It has a negative impact in terms of tourism, economic growth and competitiveness, given that we are living on an island and there are particular circumstances here in comparison to across the water and, indeed, the European mainland.

In the South, of course, the tax is not paid as it is in the North. That puts Belfast and Derry airports at an immediate disadvantage. We all know of cases where friends and family fly from Dublin as opposed to a more local airport because of cost, and also because of choice. Dublin has a greater choice because airlines are more likely to open routes there given that there is not that particular disincentive.

PricewaterhouseCoopers has also looked at the issue in great detail and has said that air passenger duty has a greater impact on the North than elsewhere for three reasons: geographical separation; threat to route connectivity; and, of course, the threat to tourism. So it is an issue that is quite important to those working within tourism here in the North, and also an issue in terms of business development and economic growth.

The Minister wrote to the Committee on 25 March to give advance notice that, due to the Finance (No. 2) Bill being introduced at Westminster, he intended to lay an LCM in respect of the proposed changes to long-haul flights by abolishing APD bands C and D from 1 April next year. As has been pointed out, the Finance Act 2012 devolved to the Assembly powers to set APD rates on direct long-haul flights for destinations in bands B, C and D. Following the devolution of that power, the Assembly introduced the Air Passenger Duty (Setting of Rate) Bill to set the APD of such flights to zero from 1 January 2013. So, while there is no direct financial or economic impact of the reform, the Finance (No. 2) Bill will legislate to reform the bands to which the rates set by the Assembly will apply.

That has a bearing on the legislative competence of the Assembly.

At its meeting on 9 April 2014, the Committee received a briefing from the Department on the proposed LCM. The Committee queried whether approval of the motion could have the potential to restrict any future scope for the Executive to increase APD on some long-haul flights, including flights of private jets or those of a certain distance. In response, the Department advised that approval of the motion would not restrict setting the APD rate for private jets, but pointed out that there would be a "slight limiting" of the Assembly's power in setting the rate for long-haul flights, since it would be limited to only being able to set one long-haul rate. However, the Committee noted that that would not present an issue in practical terms, as the long-haul rate is already set at zero here, with the aim of boosting the local economy through increased tourism and business investment.

Looking at the bigger picture, the Committee has, over recent months, taken a keen interest in a study, undertaken jointly by the Department of Finance and Personnel and the Department of Enterprise, Trade and Investment, that aims to identify opportunities to improve air connectivity in the North for tourism and key business markets. That work, which has been influenced by the Committee's

previous examination of air passenger duty, presents an opportunity to confirm the further steps necessary to improve air access to the North, and thereby unpin its position as a tourist destination and suitable region for business investment. However, the message from the key stakeholders, in particular the main local airports — the Committee actually went to Belfast International Airport to listen to stakeholders at one of its meetings — has been clear for some time: in order to remove the competitive disadvantage that they experience in comparison with their counterparts throughout the rest of the island, measures need to be taken to address the air tax differentials and also on structural Government support for establishing and maintaining key international air channels into the North.

At its meeting on 9 April, when the Committee was briefed on the latest phase of the joint DFP/DETI air connectivity study, officials advised that:

*“Essentially, the terms of reference and the objectives of this report are to look at factors that influence passenger route-making decisions and what we could potentially do to improve our connectivity. The report does not take the next step to see what the implementation issues would be, should we be directed in any way towards APD.”*

It would seem, therefore, that the ongoing study will not establish the costs of addressing the air tax differential, but perhaps the Minister can clarify that point. In any event, there is a need for the competitiveness and connectivity issues to be prioritised as matters for urgent and coordinated action by the Executive and the Ministers responsible.

At its last meeting, the Committee for Finance and Personnel agreed its report supporting the proposal, and it was circulated to all MLAs in advance of the debate. Therefore, on behalf of the Committee, I support the motion.

**Mr D Bradley:** Go raibh maith agat, a LeasCheann Comhairle. I support the motion. Members will recall the time when the flight from Belfast International Airport to Newark was under threat and the Executive acted promptly to remedy that situation and to have the power devolved to set APD at zero for long-haul flights, and that is the case here.

As has been said by the Minister and the Chair, the LCM to some extent affects the legislative competence of the Assembly, but only in a very limited way and not sufficiently to require the SDLP to oppose the legislative consent motion. Indeed, one of our manifesto commitments is to ensure the devolution of air passenger duty powers to Northern Ireland to allow our airports to be price-competitive and to draw more of the island's tourists directly here.

If we are to grow our tourist industry — Tourism Ireland and the Northern Ireland Tourist Board are doing a very good job in that regard as we have seen from recent events — we must do everything possible to assist the industry in any way we can. It is imperative that our tourist industry can compete on an even basis across the island, and the imbalance in air passenger duties outside of long-haul flights puts our tourist industry at a disadvantage.

### 6.30 pm

The price differential between flights to Dublin and flights to Belfast and Derry means that the natural choice for travellers is to fly to an airport in the South, as it is the cheaper option. However, that is only half the battle and, speaking previously in the House, I have outlined the need for the Assembly and the Executive to pursue, through devolution, a significant deepening of the economic and fiscal powers at their disposal. I will not go into that in detail again, as I am sure that there will be opportunities in the next week or so to pursue those matters further. Suffice to say that I can support the legislative consent motion.

**Mr Cree:** I also support the motion on behalf of the Ulster Unionist Party. I have to say that the whole essence of air passenger duty is flawed. It began life as an environmental tax, was subsequently replaced by other taxes, and is now purely a fundraising exercise for the Government. It affects passengers leaving from here. It is much cheaper to leave from Dublin — I think that the tax there was €3 and it is going to zero — so it is actually a punitive tax as far as we are concerned. We do not have direct rail links like the rest of the United Kingdom.

However, the Chancellor has made the reforms. Of course, the number of bands that we are talking about has gone from four to two; the provisions in the Bill have changed the situation and we have to follow it. It is very straightforward: we should approve the legislative consent motion. I certainly support it.

**Mr Hamilton:** Mr Deputy Speaker, through you, I thank Members for contributing to the debate on the provisions in the Finance (No. 2) Bill that deal with air passenger duty and for the range of views that have been aired across the House.

Mr Cree put it quite succinctly and summed up the essence of the legislative consent motion much more easily and quickly than I. A decision has been taken at Westminster that affects our legal position — it is quite a technical LCM in that sense — and we have to follow suit. I thank him, the Chair of the Committee, Mr Bradley, and the entire Committee for its support and the support that has been expressed in the House.

Although it is a very technical debate that has been brought about by a technical change, it has at least allowed us to air some views about APD. I think that there is unanimity around the Chamber that air passenger duty is having a detrimental impact on Northern Ireland — more so than on other regions of the UK. I echo my call on the Westminster Government to recognise the negative impact that it is having on Northern Ireland and to take appropriate steps to do away with the duty entirely. We would then not have LCMs like this to worry about.

I would caution against throwing all our eggs into one basket and saying, as the Chair did, that, because we have APD and it is zero in the Irish Republic, that is the only reason why new flights go from Dublin. There is, of course, a range of reasons. Dublin is Dublin. It is a much bigger city and is a national as opposed to a regional capital. There is a range of other reasons why airlines will want flights to go in and out of that airport.

It is not just because of the absence of APD, although I accept that that is a factor, particularly because flights are attractive and airlines can manipulate prices.

Mr McKay mentioned the air connectivity study. It is the aim of my Department and DETI to publish that this summer. The Member mentioned cost, which is a critical factor in the discussions, and I have expressed concerns about it. Given that it is a Westminster tax, they should recognise the negative impact it has on the Northern Ireland economy in particular, and the cost implications of doing away with it should rest with them. We will have to consider costs carefully, and they are being considered, not perhaps as part of the study but as part of other work that the Department is doing. An air connectivity study will be a more high-level document that will look at a range of issues, not just APD, that affect our connectedness as a region.

With all that said, I thank Members for their constructive comments and their support today, and I now invite them to support the motion.

*Question put and agreed to.*

*Resolved:*

*That this Assembly agrees that the provisions in the Finance (No. 2) Bill dealing with air passenger duty should be considered by the UK Parliament.*

## Committee Business

### Review of the Northern Ireland Assembly Business Week

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

**Mr G Kelly (The Chairperson of the Committee on Procedures):** I beg to move

*That this Assembly approves the Committee on Procedures' report on its review of the current organisation of the business week of the Northern Ireland Assembly.*

Go raibh maith agat, a LeasCheann Comhairle. On behalf of the Committee on Procedures, I am pleased to bring to the House today the Committee's report on its review of the current organisation of the business week of the Assembly.

It may be useful to begin by reminding Members of the origins of the review. In 2012, the Assembly and Executive Review Committee (AERC) carried out a review of the number of Members in the Assembly. Among other findings, the AERC report noted that, from the evidence gathered, it was apparent that there was some variety of practice in the scheduling of parliamentarians' business in other legislatures. The AERC concluded, therefore, that there may be opportunities to enhance Assembly effectiveness in this regard. Consequently, in September 2013, the Committee on Procedures agreed to undertake a review of the current structure of the business week. The review was timely, given that the current arrangements for the Assembly of two plenary days, two Committee days and one constituency day is an established routine.

The aim of the review was to establish whether any opportunity existed to enhance Assembly effectiveness and further its family-friendly aspirations through better use of time during the normal business week. An important aspect of the review was the comparison of models of the organisation of the business week in other legislatures at Westminster and in Scotland, Wales and the Dáil. The Committee found that each legislature had its own unique structure, suited to its particular needs. Having examined each of the models in the other legislatures, the Committee concluded that the structure of the business week in this Assembly would not be enhanced by adopting any aspects of the models used elsewhere.

As part of the review, the Committee also sought the views of the Executive Committee, parties represented in the Assembly, the Business Committee and the Speaker. Views were sought about the strengths and constraining factors of the current arrangements for the business week. The Executive's response highlighted a consensus that the current organisation of the business week is effective and provides an appropriate balance for Ministers and Members of plenary, Committee, departmental and constituency business.

The Committee also considered views on family-friendly aspirations to ascertain whether current arrangements were inclusive. There was consensus among respondents that family-friendly considerations were important



and should be taken into account when possible. The Executive expressed the view that the current structure of the business week is already broadly in accordance with family-friendly aspirations and went as far as to suggest that changes were more likely to impact negatively on such practices rather than to add to them. It was clear from other responses received that there was no compelling case for a change to the current arrangements.

The Committee considered the times within which the Assembly operates and concluded that the current times, as set out under Standing Orders, adhered to family-friendly aspirations. The Committee reflected that there was sufficient flexibility within the current system to facilitate late plenary sittings for the passage of business if required and that that had been necessary only on a few occasions. Therefore, the Committee concluded that the current organisation of the business week is fit for purpose and recommends that no changes be made to the current organisation of the business week of the Assembly.

Other issues were identified throughout the review, and I will mention them briefly. A number of respondents suggested that there may be value in varying the structure of the business week over the course of a mandate to make it more responsive to the peaks and troughs in plenary business. However, an alternative view suggested that it was better to ensure sufficient flexibility in standard arrangements to facilitate fluctuations in business over the course of a mandate than to try to predict peaks and troughs. The Committee considered the proposals and agreed that trying to predict when and how the business week should be amended to meet plenary sitting variations was undesirable and therefore recommended that a standard business week be set for the duration of a mandate with no attempt to predict fluctuations.

Another issue raised was the practice of scheduling Committee meetings during plenary time, specifically during Question Time. One respondent suggested that the practice should be stopped entirely. The Committee examined the extent to which this occurs at present and noted that such scheduling affected only three Committees. Of those, only one meets weekly, namely the Committee for Agriculture and Rural Development. The Assembly and Executive Review Committee normally meets every two weeks and not during Question Time, and the Audit Committee meets only around four times a year. Therefore, the Committee concluded that, although the scheduling of Committee meetings during a plenary time is not ideal and should be discouraged, changing the structure of the business week to accommodate extra time for Committee meetings would not be desirable.

Other suggestions were made during the evidence-gathering stage, such as deferred voting, but those were outside the scope of the review, which was to simply review the structure of the Assembly week in relation to the balance of plenary, Committee, party and constituency business.

I thank members of the Committee for their considered deliberations during the review and all those who made a contribution. I commend the report to the House.

**Mr G Robinson:** As a member of the Committee on Procedures, I wish to thank all those who informed the Committee's deliberations on this topic. It is greatly appreciated that so many did a sterling job on our behalf.

I also pay tribute to the staff of the Committee who helped to draw up the review of the current organisation of the business week.

It was important for the Committee to examine the way in which Assembly business is conducted to see whether there were areas that could be improved on. Looking at other legislatures ensured that we had the possibility of sensible comparisons. Although some areas of the business week were given specific mention by consultees, it was decided that things should continue as they are at present. That does not rule out the possibility of changes in the future if and when they are required. I feel satisfied that the examination of the Assembly business week has been constructive. However, at present, I agree that no changes to the current arrangements are required. From a personal point of view, the only small change that I would have made would have been to adjust Tuesday's lunchtime break from 12.30 pm to 2.00 pm to 12.30 pm to 1.15 pm. Again, however, that could be an issue for another day.

The Speaker advised the Committee against making changes to plenary sittings based on the pattern of sittings at one particular point in the mandate. In my opinion, that is wise advice from the Speaker, because private Members' business or Executive business may be more common at one particular point in the session for various reasons, but both types of business are dealt with.

Although it is interesting to learn about the business model used by other legislatures, my interest is the Northern Ireland Assembly, and I feel that no change is necessary at present. That is based on my belief that there is a balance to the current arrangements, and I do not believe that change is required at present. I therefore ask all Members to approve the report from the Committee on Procedures.

#### 6.45 pm

**Mr McCarthy:** On behalf of the Alliance Party, I support the Committee's recommendation in relation to the review of how our business is carried out in the Northern Ireland Assembly. Like other Members, I take the opportunity to thank all who took part in the review, which led us to the conclusion that our business week is fit for purpose and we should carry on fulfilling our duties in the Assembly to our constituents, as we have been doing since its inception.

I also put on record my thanks to the staff of the Committee, the Assembly and the Business Committee for the excellent and efficient manner in which they carry out their duties. As a former member of the Business Committee, I know that their work prior to meetings is extremely useful. With the cooperation of the Business Committee members, Order Papers are agreed and delivered without delay to all Assembly Members.

The Committee invited evidence from all interested parties and received 12 submissions in total, for which we were extremely grateful, particularly to our local parties. A number of suggestions and alternatives were submitted. However, having gone through the submissions, which we very much appreciated, the Committee decided that we should continue with no change. However, now that the Committee has carried out the review and recorded people's thoughts, there may come a time when change is necessary. We will then be able to revert to the evidence gathered in the review and take action, if required.

The review and the report before us have been a useful exercise, with good ideas and suggestions being produced. Indeed, seeing the arrangements in other Assemblies was also very useful. I support the Chair of the Committee in his contribution this afternoon, and I support the motion.

**Mr Clarke:** I welcome the opportunity to conclude today's debate on the Committee report on the review of the current organisation of the Assembly's business week. I thank the Committee Chairperson for opening the debate and the Members who contributed to the debate.

As the Chairman mentioned, the purpose of the review was to establish whether any opportunity existed to enhance Assembly effectiveness and its family-friendly aspirations through better use of time during the normal business week. As you have heard, the Committee, to inform itself, sought the views of the Executive Committee, parties represented in the Assembly, the Speaker and the Business Committee. The Committee also looked at the practices of other legislatures to see whether arrangements applied there could be transferred to the Northern Ireland Assembly with a view to improving its overall effectiveness.

The review was solely focused on the current organisation of the business week and not the scheduling of business, as that is a matter for the Business Committee. Other issues were raised throughout the review that fell outside its remit. One such issue was deferred voting. The Committee agreed that it would be more appropriate to consider that issue separately, as it did not affect the structure of the business week.

I thank the two Members who contributed to the debate. I suppose that it is timely that we are talking about the business week and its effectiveness, but we have very few Members in the Chamber this afternoon. However, I thank the Members who did stay. My colleague George Robinson referred to his personal opinion, and I think he raised it today again in Committee, but there has been a good debate about the way forward, and that is the report's conclusion. I thank George for his contribution.

I also thank Kieran for his contribution. Like George, he referred to the fact that we can make changes in the future if we believe that they are necessary. However, as things stand, the Committee is content with business as it is. There were no major disagreements on how we take that forward. Wearing another hat, Kieran mentioned that he was a former member of the Business Committee, so he understands the complexities faced by members of that Committee and how important that time is for them to organise the business and the other stuff that happens in the Assembly.

On the basis of the evidence presented, the Committee concluded that the discharge of core tasks and the effectiveness of plenary meetings and Committee work are challenged by the time and the capacity of Members and the support of resources available to them. Evidence provided by parties and other stakeholders recognised this, but the overwhelming indication was that the current organisation of the business week was fit for purpose. That is why the Committee has recommended that no changes be made to the current organisation of the business week.

The Committee noted that the current arrangements indicated equal importance to plenary and Committee

business, with two days being set aside weekly for each. The Committee also considered the hours within which the plenary sitting takes place, as set out in Standing Orders, including the later start on Mondays and the break for lunch on Tuesdays. The Committee concluded that family-friendly aspirations were realised and allowed for other business to be conducted in Parliament Buildings, such as party meetings, all-party group meetings and engagement events.

The Committee gave consideration to varying the business week over a mandate and to the prevention of the concurrent scheduling of Committee and plenary business. The Committee concluded, however, that changing the structure of the business week to accommodate extra meetings was undesirable and that the standard business week be set for the duration of the mandate, given the difficulties in trying to predict fluctuations. Therefore, I commend the report to the House.

*Notice taken that 10 Members were not present.*

*House counted, and, there being fewer than 10 Members present, the Deputy Speaker ordered the Division Bells to be rung.*

*Upon 10 Members being present —*

*Question put and agreed to.*

*Resolved:*

*That this Assembly approves the Committee on Procedures' report on its review of the current organisation of the business week of the Northern Ireland Assembly.*

*The sitting was adjourned at 6.55 pm.*

# Northern Ireland Assembly

Monday 2 June 2014

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

*Members observed two minutes' silence.*

## Speaker's Business

### The Late Sir John Gorman

**Mr Speaker:** I was sorry to learn of the passing of Sir John Gorman. The constant theme running through Sir John's life was one of public service and dedication to the community in a variety of significant roles, from military service through to being elected in 1998, like me, as a Member of this House. Sir John was an affable and thoughtful person, and, as Deputy Speaker, he attracted the same huge respect across the entire Chamber as he did in the wider community. I express my sincere condolences, on behalf of the whole Assembly, to his family and many friends and, of course, to the Ulster Unionist Party.

As we have done in the past on these occasions, I will call a representative of each of the parties to pay tribute to our late friend and colleague Sir John Gorman.

**Mr Nesbitt:** Indeed, we gather to pay tribute not only to a former Member of this House but to a public servant of the highest calibre, a business leader of true stature and a soldier whose feats of derring-do were simply legendary. To say that Sir John lived a full life hardly cuts it. He was a war hero at 21 years of age, decorated with a Military Cross for his actions at Normandy as a tank commander with the Irish Guards. After the war, he was a district inspector in the RUC before going into the private sector and pursuing a career with the British Overseas Airways Corporation (BOAC). He then returned home to continue service, heading up the Northern Ireland Housing Executive and the Institute of Directors (IOD).

As if that was not enough, in 1996, he was elected to the Northern Ireland Forum and served as chairman. In 1998, he was elected to this Chamber as an MLA for North Down and went on to become a Deputy Speaker. He had a full and varied life of service, a life woven from threads throughout the island of Ireland.

John Gorman was born in Omagh on 1 February 1923, but his family roots were in Tipperary on his father's side and County Cork on his mother's. Both parents were unionists and Catholic, a faith to which he remained true all his days. His father served in the Irish Guards during the First World War. On his return, he joined the Royal Irish Constabulary (RIC). He was present for the handover of Phoenix Park barracks to no less a person than Michael Collins before he transferred to the Royal Ulster Constabulary.

John was a boarder at Portora Royal School in Enniskillen but soon found himself in the Irish Guards armoured division and in the thick of the action in Normandy, where

he famously used his Sherman tank to ram a German Royal Tiger tank, an action for which he received the Military Cross and the French Croix de Guerre, as well as appearing on the cover of 'The Victor' boys' magazine. He went on to participate in the liberation of Belgium and Holland through Arnhem, northern Germany and on to Denmark.

In 1998, every Member of the first Assembly was invited to Brussels for a familiarisation trip on the European Union. Those on the coach from the airport will never forget the moment when the city came into view and Sir John uttered the simple, factual words:

*"Last time I was here, I was liberating the city from Nazi Germany."*

Over the weekend, I came across a photo of Sir John posing with another military hero Captain Doug Beattie — another holder of the Military Cross — at an event in Killyleagh to mark the ninetieth anniversary of the poppy appeal. Sir John was one of a number of speakers who recounted their war exploits. Of course, he stole the show.

After the war, in 1946, Sir John's next stop was Enniskillen and the RUC. While training, I believe that he and some colleagues managed to build a poteen still and indeed to present a bottle to Princess Elizabeth at their passing out parade. When asked about it and the aftermath, he used the famous phrase, "There was a frightful row."

After passing out, he served in north Antrim. It was during that period that he met his wife, Heather. In 1979, he became deputy chairman and chief executive of the Housing Executive. Indeed, he was so successful in that role that one politician — now the First Minister of this House — referred to him as the "acceptable face" of the Housing Executive.

In the mid-1980s, he became director of the Institute of Directors. I had the privilege of working with him and the IOD's then chairman, Sir George Quigley. Sir John and Sir George commanded the respect of the business community north and south of the border. Together, they promoted a focus on cross-border trade with the novel concept of an eastern economic corridor from Belfast to Dublin and beyond. After all that, he decided to enter politics.

The last time that I saw him was at a branch meeting of the Ulster Unionist Party in Killyleagh. He was 90 years of age and barely mobile. He said that he was there simply to support me. I was humbled by that gesture. In his death, I am more determined to deliver better politics in his memory. He was truly one of a kind.



John Gorman: Ulsterman, Irishman, soldier, businessman, politician, public servant and the public's friend, husband, father and grandfather. What a man. What a life.

**Mr Weir:** It was with sadness that I learnt of the death last week of my friend and former colleague Sir John Gorman. I had the great honour and privilege of serving alongside Sir John, first in the Northern Ireland Forum and latterly in the first term of the Northern Ireland Assembly, to which Sir John was elected for the constituency of North Down. As the only representative from North Down who has been here since 1998, I welcome the valuable contribution that he made to the life of the constituency.

Sir John came late to politics. Mention has been made that he took his first elected office in the Northern Ireland Forum at the age of 73. In many ways, that was typical of the man. Mention has been made that he packed several lifetimes into one life.

Mention has been made of Sir John's service throughout the post-war period, in BOAC, the Institute of Directors and the Housing Executive before he entered politics. If there are two words that sum up John Gorman, they are "service" and "duty": he gave service to his country, and he did his duty for his fellow citizens throughout Northern Ireland. He did his best, without fear or favour, to represent them all.

Sir John Gorman was a decorated war hero. Mention has been made of the Military Cross and, later, the Croix de Guerre that he received for his actions in France and, later, Belgium. Indeed, the incident that led to the military honours that he received typified the man. Even when faced with a probably technically superior German tank, he had the courage to ram the tank and, indeed, do his duty for his country. Above all, the incident showed that, before he took any other action, he made sure that the men under him were safe. That was very much the spirit of the man.

When he came to the Northern Ireland Forum, he was, in many ways, pitched into the deep end with the Speaker's role, which was very difficult to perform, but he embraced it with aplomb. I do not think that anyone from any side of the House would say that he did not treat his roles, whether as Speaker at that stage or as Deputy Speaker later, with impartiality and good humour. Indeed, he was a friend to everyone.

Sir John Gorman was a man of great principle and strong convictions. As one who had a chequered relationship with the Ulster Unionist Party around that period, there were many occasions on which Sir John Gorman and I found ourselves on different sides of the coin in discussions or arguments. However, even when Sir John disagreed with you, he treated everyone with the utmost respect and courtesy. Above all, he was a gentleman. He gave service and devotion to his country and to his people throughout his life. He will be sadly missed. From this side of the House, I add my condolences and my thoughts and prayers to his family. We have lost a great man in the past week, and we all mourn his passing.

**Mr Mitchel McLaughlin:** I want to add my condolences and regrets on the passing of John Gorman to his family, family circle and friends.

I got to know the man, in the first instance, at the Forum and, subsequently, in the first mandate of the Assembly. Previously, when I was an elected representative in Derry

City Council, I exchanged correspondence with him, but I never had the opportunity or the pleasure of meeting the man because I normally worked through the local district office. However, in all our remote and personal exchanges, I found him to be someone who was prepared to listen and to engage.

I thought that John Gorman was the epitome of the type of person needed during the dramatically changing situation in the period from 1996 to 1998 and the establishment of the Assembly. There were tremendous challenges and difficulties, and, quite often, that resulted in considerable acrimony and perhaps more heat than light, not unlike today's circumstances. However, he always managed to keep his cool and to keep the lines of communication open. I think that he embraced, completely and absolutely, the changes that had to come. He recognised that that might be more difficult for some than it was for him, and he was prepared to give example and leadership. For that, I will always fondly remember him. I took a lot of sustenance from it. At times, it was very easy to get depressed and concerned about whether we could eventually bridge our differences, but John Gorman showed that it could be done. I think that that is the lasting testimony to his vision, commitment and strength of character.

**Dr McDonnell:** With a sense of loss, I, too, pay tribute to Sir John Gorman and offer my condolences to his family and friends. I also pay tribute to the massive contribution that he made to society and to his total commitment to public service.

#### 12.15 pm

As others have said, he was larger than life — much, much larger. He had a glowing military career, and many of his exploits are still renowned. Indeed, the Brussels story is legendary, and I can vouch for it because I was on the bus when he made that statement. There are very few of us left — the founders of the House. He was there with us and very matter-of-factly made his statement and said, "The last time I was here, I came to lead the liberation." Some were very nonplussed at that, but the rest of us were all very plussed.

Subsequently, he was an exceptionally professional policeman and district inspector, and provided total commitment to public service in that role. When he went into business, he was involved with BOAC and the whole airline business. He then moved to the Housing Executive and, later, to the IOD.

John came late to politics. He came to the House when we were elected in 1998 and, for a time, was a distinguished Member. He acted as Deputy Speaker and was outstanding in that role. I consider it a privilege to have known him and to have shared his company on many occasions. Sir John reached a ripe age; I will not say "old age" because he was always young. He had a great life, and I think all of us are unlikely to see his like again. We thank him for the memories and pray to God in all his mercy to look kindly on Sir John's immortal soul. May God bless you, John. You will be missed.

**Dr Farry:** I rise as a successor to Sir John as an MLA for the North Down constituency. However, he was clearly much more than a Member for North Down. He was very much a servant to all of Northern Ireland, and it is clear from the comments that have been made today, and,

indeed, more widely outside the Chamber, that he provided that service in a range of different ways throughout his life. His life was characterised by service, whether it was what he did during the Second World War, in the police, in business, in our public bodies and, ultimately, in politics.

It is worth reflecting on some of the challenges that characterised the context in which he operated. It is noteworthy that he was serving in the Housing Executive at a time when we were moving from a situation where housing was seen as very politicised to one where the importance of integrity around housing was paramount. To have a man with such integrity heading up the Housing Executive clearly provided confidence right across the community.

He tried to make Northern Ireland an economic success at a time when there were major challenges on the security and violence front that were operating in a different direction. It was important that people tried their best to maintain Northern Ireland as a functioning economic area at those times of challenge. The actions of people such as Sir John allowed us the platform on which we can build today and, if it were not for his actions, we would be in a much worse place.

He was also, in some ways, a midwife to our political developments. As people have said, he entered politics at a late age but was sprung into some very important and sensitive roles as our peace process and political process were unfurling and we were beginning to see the way forward in the new structures. In particular, his chairing of the Forum for Political Dialogue was a critical intervention. Someone with integrity had to come forward to make that new start for us all.

In conclusion, it is also worth remarking on the fact that we are now losing more and more people from the wartime generation. The perspective that they brought to our politics and to wider society from their experiences of that war was of huge value. It points out to us the cost when things go wrong and the importance of standing up for our values and being prepared to go the full way with bravery and commitment to ensure that our values ultimately triumph over the forces of evil in this world. Ultimately, his actions when he was a very young man most characterise his legacy.

In closing, I think that it is appropriate that we pass on our condolences to his immediate family and his wider family circle.

**Mr B McCrea:** I rise to offer my condolences to the family and to pay my respects to Sir John Gorman. At this stage in the proceedings, a lot has already been said about the formal side of Sir John's life. People have recounted his heroism and the other contributions that he made. My reflections are of a rather more personal nature. Sir John was a district inspector in the RUC, as was my grandfather. They arrived at those posts by different means. When Sir John came out of the army, there was a fast-track process where people could be demobilised into the police, but my grandfather rose through the ranks from constable right the way up to become a district inspector. There was great debate, when those changes were going on, about what the new man was like. Those people were coming in from different places, so it caused quite a lot of discussion. When I last spoke to Sir John — I have had the privilege of talking to him on quite a number of occasions — he was quite

taken about that because he had never really understood that there might be some consternation about how things would go, but he was very generous and very likeable, and we talked about a lot of things. My family was also in the services during the war, so we had a lot to talk about.

It is worth reflecting that when people pass away, the things that you are left with are the memories, and Sir John certainly left us with a lot of good memories and made a huge contribution to our society.

**Mr Allister:** I did not have the opportunity to become acquainted with Sir John Gorman, but from everything that I have read about him and heard about him, it is quite clear that the glowing tributes paid in the House today are deserved in respect of the very full contribution that he made to public life, right through from his very notable military career and acknowledgement of his role in Normandy and the award of the Military Cross to his service for 17 years in the RUC through the border campaign of the IRA in the 1950s, and then his public service in a public role, followed by his political service. Few people, I suspect, will pack as much into their lives and leave as many glowing tributes as there have been today, so I am very happy to join in expressing my acknowledgement of him as a man and to convey to his family the respect and condolences of this House.

**Mr Agnew:** I offer my condolences and the condolences of the Green Party in Northern Ireland to the family of Sir John Gorman and the wide circle of friends and well-wishers who knew and respected the man. Personally, as an MLA, I did not know Sir John Gorman myself, but having read the achievements of his life and the many varied roles that he played, in all cases as a public servant to some degree or other, I cannot help but be humbled to occupy one of the positions that he occupied, which was that of MLA for North Down. He certainly set the bar high for the calibre of man who undertook that role. It is a standard that few of us will achieve but, certainly in representing North Down, all of us should aspire to.

As we reflect at the end of Sir John's life, I cannot help thinking that, at my stage of life, I am already somewhat behind where he would have been at a similar age, such were his achievements. Again, going forward, I hope I can pack in even a small proportion of the roles and service that he did. Having read about him and learned about him today and through the many tributes that have come, I can see what can be done with a life. We should not waste it; we are here but once. He certainly led the way in how we can serve our community and act as individuals as part of a greater effort to serve the wider society. I pay tribute to him and pass on my condolences to his family. Today, we can certainly celebrate a life well lived.

**Mr Speaker:** That concludes the tributes to Sir John Gorman. Before we move to the ministerial statement, I wish to inform the House that I will be absent from the House tomorrow on official Assembly business.

## Ministerial Statement

### North/South Ministerial Council: Health and Food Safety

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I wish to make the following statement on the seventeenth North/South Ministerial Council (NSMC) meeting in the health and food safety sectoral format, which was held in the NSMC joint secretariat offices in Armagh on Wednesday, 30 April 2014. Minister Michelle O'Neill MLA and I represented the Northern Ireland Executive at the meeting. The Irish Government were represented by Dr James Reilly, Minister for Health. I chaired the meeting on this occasion. This statement has been agreed with Minister O'Neill, and I am making it on behalf of us both.

We had a discussion on various priorities and noted that they will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review into sectoral priorities. We received an update on a range of health promotion work that is ongoing across the island of Ireland. Ministers noted that the EU tobacco products directive will come into force in May 2014 and that the all-island tobacco conference, which was held in Belfast in November 2013, had allowed for the sharing of innovative ideas to benefit the health of people from both jurisdictions.

The ongoing collaborative work between the Food Standards Agency Northern Ireland and the Food Safety Authority of Ireland on the voluntary display of calorie information on menus in the catering business was discussed. It was noted that an online calorie calculator had been launched in Ireland on 9 April 2014 and that it will be made available in Northern Ireland.

Ministers also considered the issue of suicide and noted that all-island media guidelines for the reporting of suicide and self-harm have now been issued. We also noted that a joint conference, hosted by the Irish Association of Suicidology and Contact NI, had taken place in October 2013. It showcased global and local best practice in tackling suicide.

The Council welcomed the initiatives being taken forward in both jurisdictions to support mothers breastfeeding their children.

We also welcomed a presentation, "Reducing alcohol-related harm by addressing availability — Maximising the benefits from North South co-operation", by the Institute of Public Health in Ireland. Ministers noted the key findings and recommendations from a report into that issue and agreed that officials from both jurisdictions should consider the relevant findings and take them forward as appropriate in line with their respective alcohol strategies. Ministers requested that an update on progress be provided at a future meeting.

The Council received an update on the radiotherapy centre at Altnagelvin and noted that the business case process for the development of the unit continues to be progressed. Ministers were advised that officials from both jurisdictions are working to finalise a memorandum of understanding and service level agreement for the operation of the unit. That work is almost complete.

We welcomed the continued progress of the Ireland-Northern Ireland-National Cancer Institute Cancer Consortium and noted that the fifth of its series of international conferences will take place in Belfast during May 2015.

Ministers also noted the continued success of the US/Ireland R&D partnership and welcomed the approval of a further project, which aims to develop a novel test for prostate cancer.

Ministers noted that the child protection work programme, which was agreed at a previous meeting, continues to be progressed and that updates will be reported to future meetings. We welcomed the development of an app to allow access to the North/South child protection hub.

The Council noted a progress report provided by the chief executive of Safefood. Ministers were briefed on the continued development of the awareness campaign targeting childhood overweight issues and obesity and noted the success of the international food safety conference, which was held in Queen's University Belfast. We also noted a range of reports and surveys completed by Safefood in recent months.

Ministers took the opportunity to thank the outgoing chief executive of Safefood, Martin Higgins, for his work in the Food Safety Promotion Board over the years and wished him well for his retirement.

#### 12.30 pm

The Council was advised that Safefood had prepared a draft 2014-16 corporate plan and 2014 business plan. Those plans are progressing through the approval process, and they will be submitted to the NSMC for final approval in due course. The Council considered a report on nutrition surveillance on the island of Ireland prepared by the Safefood scientific advisory committee. Ministers noted the recommendations from the report on an all-island approach to nutritional surveillance. We noted the progress to date in recruiting a new chief executive for the Food Safety Promotion Board and approved the proposal to install an acting chief executive, if required. Ministers also approved the proposal to reduce the salary of the CEO, subject to the agreement of the Finance Ministers.

Finally, we agreed that the next NSMC health and food safety meeting will be held in autumn 2014.

**Mr Wells (The Deputy Chairperson of the Committee for Health, Social Services and Public Safety):** I apologise on behalf of the Chair, who has been delayed. I am sure that, had she been here, she would have raised the issue of the radiotherapy centre in Altnagelvin in Londonderry. I welcome that the Minister has discussed it with Dr Reilly in the Irish Republic. Will he put a bit more flesh on the bones? It is an incredibly important project that will bring considerable benefits to cancer sufferers throughout the north-west of Northern Ireland and counties Donegal and Sligo. It would be very helpful if he would bring us up to date with the progress with the scheme. Can he give us a definite date of when it will be open and used by the people of the north-west?

**Mr Poots:** I thank the Member for raising what is a very important issue. We recognised that it had to be dealt with at the outset. Therefore, we were delighted to give the go-ahead for the facility. It remains on target to become

operational in 2016. Key things are happening on that front. Various pieces of work need to be carried out at the Altnagelvin site, including the removal and replacement of some existing buildings. That preparation work has to be done. The business case and memorandum of understanding are nearing completion, which will allow a lot of progress to be made. Obviously, a training programme will have to be put in place for radiotherapists to carry out that important work.

The satellite facility that will be available at Altnagelvin hospital, which will cover Donegal as well, will be of significant benefit to people not just in the north-west of the Province but right across Northern Ireland. Anybody who knows people who visit the radiotherapy centre at the City Hospital will recognise that that service is very heavily used. Consequently, had we not taken the decision to open the facility in Altnagelvin, it would have led to a circumstance in which we would not have had the capacity in Belfast to deal with cancer. There was only one logical conclusion to the recommendation, and that was approval. I am glad to say that things are working apace.

**Mr Brady:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his statement. Minister, you said that Ministers considered the issue of suicide and noted that all-island media guidelines for the reporting of suicide and self-harm have been issued. As you are aware, suicide is one of the major issues in our society, North and South. Are there plans to continue to provide an effective suicide awareness and prevention strategy on an all-island basis?

**Mr Poots:** Suicide is clearly something that causes major problems in both jurisdictions and right across the British Isles. However, we have different elements of suicide in that regard: in England, for example, suicide tends to be among the older population, whereas, here in Northern Ireland, it tends to be among the younger population. It is important that we identify what is specific to our area for the purposes of targeting.

As for the all-island action plan on suicide prevention, there continues to be a rolling programme of cost-effective and mutually beneficial actions to tackle suicide. Those will be public awareness campaigns; the production of guidelines for media reporting of suicide; the evaluation of assist training; the publication of the report on the all-Ireland Young Men and Suicide Project to identify a range of possible means to promote positive mental health among young men; the extension of the deliberate self-harm registry to all trust areas in Northern Ireland; and the establishment of formal arrangements for monitoring media reporting of suicide and self-harm.

**Mr McKinney:** I welcome the news that the NCI Cancer Consortium conference will take place in Belfast next year. I also welcome the fact that the memorandum of understanding that underpins its work has been extended twice since it was first signed in 1999. Let us hope that it can be extended again.

Dominating the conference will be the nature of the consortium's work, which is around scientific collaboration, policy analysis, treatment and diagnosis. Would the Minister care to contrast that with the lack of information available here around progressive drugs and the fact that 39 cancer drugs that are available in the UK, which have been developed as a result of some of those discussions, are not available here?

**Mr Poots:** We in Northern Ireland desire to have the widest range of drugs available to cover a range of clinical conditions. We have made considerable progress on that, and there are many drugs available in Northern Ireland that are not available in England. If we wish to make the provision of cancer drugs a priority, I am happy to give consideration to that. I have indicated that we may have to look at other means of raising funding for doing that, because if that were to be done purely through a cut in services, I am not aware of the Member having suggested which service he believes should be cut. Those are the difficult decisions that we have to make. If we are not to cut services elsewhere, we must look at how we can bring in funding to do that.

On a positive note, considerable research work is being carried out on cancer through the collaboration that we have at the City Hospital with Queen's University Belfast. Over 1,000 people are availing themselves of drugs that would not otherwise be available because of the close collaboration that exists through that research. Northern Ireland people are at an advantage in many circumstances when it comes to cancer treatments because of the collaboration that is taking place on cancer research between Queen's University Belfast and the Belfast Trust.

**Mr Beggs:** I thank the Minister for his statement, in which he mentioned the ongoing collaborative work between the Food Standards Agency in Northern Ireland and the Food Safety Authority of Ireland. Can the Minister provide us with any additional detail of discussions that may have occurred regarding illegal milk movements across the border or illegal meat movements, perhaps linked to the illegal slaughterhouse in south Armagh, both of which can endanger the public and are a threat to our high-quality food processing industry?

**Mr Poots:** Safefood has a scientific advisory committee, which has convened a working group of members and co-opted experts to review nutrition and surveillance activities. It has been looking at carrying out a gap analysis in that area. My Department remains in contact with the Department of Health in the Republic of Ireland to see how we can ensure that food is and continues to be safe.

The transportation of milk is a fairly significant issue because milk needs to be kept in chilled conditions. If it is being transported in vehicles that are not suited to that, it causes a risk to human health. Considerable work is being done to ensure that these illegal activities are not allowed to continue. I think that the issue around the transportation of milk will disappear very soon with the removal of quotas, but that does not mean that we should take our eye off the ball in general. When it comes to food, it is important that high standards are maintained.

**Mr McCarthy:** I thank the Minister for his statement. Ministers noted the recommendations of the report on nutritional surveillance on the island of Ireland, but we do not know what those recommendations are. Could the Minister tell us whether any means have been identified to deal with those recommendations that are not being adhered to?

**Mr Poots:** We have been looking at any gaps that there might be to ensure that all the recommendations are applied. We have a vision for the future of nutrition surveillance. My Department will continue to work with the



Department in the Republic of Ireland to implement the recommendations of the Safer food report.

**Mrs Cameron:** I thank the Minister for his statement this afternoon. On the theme of nutrition, I noted that in your statement you talked about the voluntary display of calorie information on menus in catering businesses. I welcome that, as it is very useful. What more is being done to address obesity in Northern Ireland?

**Mr Poots:** There is obviously quite a bit going on. Obesity remains a major problem, and it is a problem that very often starts when people are young. Therefore, cooperation with education is particularly important. In March 2012, we launched the framework for preventing and addressing obesity and overweight in Northern Ireland. That recognises the complex nature of obesity and addresses these issues through a coordinated, integrated, cross-departmental and cross-sectoral approach that contains a range of outcomes that are designed to create an environment that will support and promote a physically active lifestyle and healthy diet and that will benefit longer-term health. One of the key challenges in overweight and obesity prevention is bringing about a behaviour change in individuals throughout all life courses, stages and settings. This framework aims to empower the population to adopt a healthier lifestyle. So, that is a course of work that continues.

As regards prevalence, 25% of children aged between 2 and 10 were classified as either overweight or obese, one fifth were classified as overweight, and 6% were classified as obese. There is no significant difference between boys and girls, by the way. So, it is very important that we get the message out to young people in particular, because, very often, young people who are overweight carry that throughout their lives. It is very important to get the messages out there, to engage in communities where obesity is a problem to ensure that there is better nutrition and diet, and to ensure that, in education circles, the right health promotion messages are going out to young people to encourage them to look after themselves.

**Mr McCartney:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas agus a chuid freagraí. Thank you very much, Mr Speaker, and I thank the Minister for his statement and his answers. In the statement and his answer to Mr Wells, he referred to the north-west radiotherapy centre and the fact that it is now on course for delivery in 2016. He mentioned the training programme in his answer to Mr Wells. Is the Minister confident that the training places will all be filled with appropriate staff in 2016?

**Mr Poots:** That is certainly our aim, and a course of work will be carried out to ensure that that is the case. We are doing more and more on radiotherapy in Northern Ireland, and the standards are rising all the time. I remember being questioned about stereotactic radiotherapy, for example. Those sorts of things used to have to go to England, but a lot of them are coming back to Northern Ireland. So, the quality of radiotherapy that we are able to provide continues to improve. Therefore, it is important that we have the appropriate training in place. I believe that it is a very attractive career option for individuals. It is certainly a career option that will provide great rewards, because, in later years, they will meet many people who have had some role in saving their lives.

**Mr Dunne:** I also thank the Minister for his statement. What potential is there for a cross-border air ambulance between Northern Ireland and the Republic? I think that we all recognise and have no doubt that such a service would have potential, especially in the aftermath of accidents or major incidents.

**12.45 pm**

**Mr Poots:** Yes, and speaking of air ambulances and major incidents, I think that it would be good to remember the loss of many people from this country on the Mull of Kintyre 20 years ago today. Some 25 people lost their life in that incident. They were people who served their country faithfully and well, and they were an immense loss to it.

Both Minister Reilly and I have a major desire to progress this and get to the point at which an air ambulance is available. The conditions have changed considerably since I first took office. In the first instance, running an air ambulance that crosses into the Republic of Ireland would help to reduce the cost burden to us. Also, the fact that Altnagelvin hospital will have a 24/7 cath lab available later this year is critical. It is important for people in, for example, west Fermanagh, to be able to travel to that unit and have the work carried out as quickly as possible. An air ambulance would be greatly beneficial in that respect.

The air ambulance would be available right across Ireland, but the fact that we will have the 24/7 cath labs in place increases the quality of the business case for bringing one to Northern Ireland. It is a matter of ongoing discussions, and we are working closely with officials on the matter, but it is believed that there would be significant benefits in having an air ambulance available to the population here in Northern Ireland.

**Mr P Ramsey:** I welcome the statement to the House. I want to follow on from a question by Mickey Brady. The relationship between self-harm/suicide, and alcohol/ substance abuse is relevant across all of our constituencies, as are the emotions raised, particularly among families who have lost loved ones. I am reminded that the North/South Parliamentary Forum had a plenary meeting recently, and those two matters were subject to debate by politicians on both sides of the border. Will the Minister outline to the House what action plan there will be to look at best practice on the alcohol and substance abuse related to self-harm and suicide in order to try to address the issue?

**Mr Poots:** Alcohol abuse continues to be a major issue for us. We continue to have considerable numbers of people drinking excessively. It is not a case of being killjoys and wanting to stop moderate drinkers from carrying out their activities, but there seems to be a prevalence across these islands of people who drink until they are incapable of standing up and think that that is something that should be aspired to. We need to continue to work on this on the basis of educating and giving people qualitative advice about the sensible use of alcohol.

On a North/South basis, we share many problems, and it therefore makes sense to us to explore benefits from working in partnership. A conference was held in Armagh on 26 January 2012, and the Institute of Public Health in Ireland has now established a North/South alcohol policy advisory group, which has been looking

at a number of issues and presented a paper on alcohol availability to the meeting on 30 April this year. The paper will be disseminated widely, and I will ensure that the Assembly and the Committee are given copies for their consideration.

We are also looking at minimum unit pricing for alcohol. Sometimes, alcohol is sold at a cheaper price than bottled water, for example, or soft drinks. I believe that minimum unit pricing may be a means of targeting the stronger alcohol products in particular and ensuring that they are sold at a sensible price.

On a UK basis, I recently met the Ministers in Scotland and Wales, and they, too, are very keen to proceed with minimum unit pricing and to do more to tackle the scourge of alcohol abuse. So there is certainly a focus right across Northern Ireland, the Republic of Ireland and, indeed, Great Britain. We cannot afford to ignore it; we need to do more. We know that alcohol is a depressant, and many people who take their own lives are found to have a high level of alcohol in the blood when pathology testing is carried out.

**Mr D McIlveen:** I, too, welcome the Minister's statement. He will be aware that some concerns have been raised recently over the provision of foster care services in Northern Ireland. When the Minister was speaking to his counterpart in another European jurisdiction, such as the Republic of Ireland, were there any lessons to be learned for this part of the United Kingdom?

**Mr Poots:** Certainly, child protection and foster care services go hand in hand. We want to promote more kinship care placements in Northern Ireland. The numbers on the child protection register have been rising. I consider that to be a sign of success rather than failure, because it is better to identify a problem than pretend it does not exist. You cannot deal with problems if you do not know that they exist. Therefore, better identification of children who are at risk is very important.

In terms of placing those children in places of safety where they can have a good-quality home life, residential care homes are not the ideal solution; we much prefer people to go into family settings but there will always be a role for residential care for children, particularly in very difficult cases. In May 2012, my Department published minimum kinship care standards, which recognise the importance of the unique role played by family and friends who are carers in the lives of children separated from their parents. We have recently completed a public consultation on fostering agency regulations and it is hoped that these new regulations will commence in the late autumn.

Other initiatives in foster care include the Fostering Achievement scheme, which was established under the children and young people's funding package in 2006 and is delivered by the Health and Social Care Board. We continue to support the Going the Extra Mile scheme, which seeks to promote continuity of living arrangements in post-care life for young people aged 18 to 21. For young people who are currently residing with foster carers or kinship carers, the scheme ensures that appropriate and agreed levels of financial support are available to assist carers to continue to meet the care, accommodation and support needs of those young people.

**Mr Campbell:** The Minister mentioned the continuing progress in the Ireland-Northern Ireland-National Cancer

Institute Cancer Consortium. In a previous answer, he mentioned the conference forthcoming this time next year. Can he give a brief outline of progress to date?

**Mr Poots:** The consortium is a collaborative framework that has been in place for almost 15 years with the aim of reducing the burden of cancer. Current work focuses on five work streams which were identified in the most recent memorandum of understanding. They are: capacity building for clinical research; public health and well-being/prevention/health promotion, including population health research; nursing; palliative and end-of-life care; and survivorship. The conference we are organising in Belfast will highlight progress through research relevant to all of those work streams and their benefits for patients and the public, for policy and for healthcare service providers.

**Mr Allister:** I will take the Minister back to the radiotherapy centre for Londonderry. He told us in his statement that work is ongoing on the memorandum of understanding and the service level agreement, which, presumably, will touch on how the Republic of Ireland will pay for the services. That work seems to have been ongoing now for a very long time. On the Northern Ireland side, is the decision on that only for his Department or is it an Executive decision, requiring the Executive's approval? If so, is it in danger of being caught by the logjam in the malfunctioning Executive?

**Mr Poots:** The decision will remain with my Department unless it is called into the Executive. Therefore, I do not expect or anticipate that there will be a logjam. I am not particularly interested in establishing straw men when we are dealing with cancer issues. I do not think that there will be a problem or an issue in taking forward this very important initiative, which will ensure that everyone in Northern Ireland will receive quality cancer care and will be of assistance to people who live on the border with Northern Ireland.

## Committee Business

### Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133): Prayer of Annulment

**Mr Speaker:** As is normal with debates on legislation, there will be no time limit for this debate. As a valid petition of concern was presented on Friday 30 May in relation to the motion, the vote will be on a cross-community basis.

**Mr Maskey (The Chairperson of the Committee for Social Development):** I beg to move

*That the Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133) be annulled.*

Go raibh maith agat, a Cheann Comhairle. The Committee for Social Development first considered the Department's proposal to make the Social Security (Habitual Residence) (Amendment) Regulations at its meeting on 6 March. At that stage, the Committee was not content for the regulations to proceed and deferred consideration until the Department was able to brief it and provide further clarification.

Departmental officials briefed the Committee at its meeting on 20 March, but, if anything, certainly in the minds of a number of members, that briefing raised more questions than answers. The Committee was advised that most applicants will have to satisfy a habitual residency test for income-related benefits. That test has two strands: proving that applicants have a right to reside — a legal right to live here and claim certain benefits; and proving that they intend to settle here for the time being and secure habitual residence.

Members noted that a three-month residency rule was introduced on 1 January 2014, which applies to European Economic Area (EEA) jobseekers and nationals returning from abroad. That requires evidence of how long applicants have been living in the UK or common travel area and will require them to have lived here for at least three months before they can make a jobseeker's allowance (JSA) claim. The Committee was particularly concerned about the impact of the regulations on returning nationals and the need for them to satisfy habitual residence requirements.

At its meeting of 20 March, the Committee divided and indicated that it was not content for the regulations to be made at that time. Subsequently, at its meeting of 15 May, the Committee received the statutory rule relating to the regulations. Some members were still not convinced by the Department's explanation of the restrictions that could apply to returning nationals and the lack of clarity on the habitual residency test. For example, some members were of the opinion that the new regulations would mean that people who, for instance, had been doing Church or missionary work overseas, had been involved in voluntary service overseas or had emigrated as a result of the economic conditions of the past few years will no longer be treated as satisfying the habitual residency requirements immediately, or very soon after, their return to the North. Indeed, it is the view of the Law Centre that the three-month rule is much more likely to affect returning UK or Irish nationals than EEA nationals, given that EEA

nationals rarely make successful claims for JSA within the first three months of arriving here.

Departmental officials have advised the Committee that the regulations are intended to make changes to a number of income-related benefit regulations and to provide clarity and consistency in the way that an EEA national's right of residency is determined for benefit purposes. In short, we are told, the aim is to prevent so-called benefit tourism, although no evidence has been produced to substantiate the extent of that or, indeed, to show whether it exists at all. Indeed, in an extensive report by a consultancy on behalf of the European Commission, it was clear that employment is the key driver for intra-EU migration and that the budgetary impact of benefit claims on national welfare budgets is indeed very low. The greater effect of the regulations, therefore, will be felt by returning nationals.

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

I do not believe that any members of the Committee want anything but a fair benefits system. That has been quite clear throughout all the discussions over the past couple of years. They want a fair benefits system that is transparent and that has clear criteria for applicants to meet. I do not believe for one second that anybody wants a system that is open to abuse. However, in creating a fair system, our approach should not be reactive to the almost hysterical projections of the number of immigrants who we are told are intending to come here to settle on the back of what is described as a generous welfare system, or the idea that immigrants are somehow treated better by the welfare system than our local nationals and that, therefore, we need a more stringent regime to prevent this. This is a false notion, and it is wrong. We need to be reflective, not reactive, when it comes to this complex area.

In conclusion, in attempting to address the unsubstantiated claims about EEA nationals and their impact on the welfare system, the regulations are, paradoxically, far more likely to impact on returning nationals.

#### 1.00 pm

Departing from my comments as the Chairperson of the Committee to speak as a party representative, I think that Members should reflect on this prayer of annulment. I ask Members to reflect on how they would like to try to explain to their constituents why they were prepared to support regulations that are more likely to impact on their returning relatives than any notional EEA immigrants. I think that I would have a hard time explaining that one. I therefore ask the House to support the Committee motion to annul this regulation.

**Ms P Bradley:** I rise to speak against this prayer of annulment. As the Chair of the Committee stated, when the proposed statutory rule was brought before the Committee on 6 March 2014, all members, including me and my party colleagues, were in agreement that this should be brought back to the Committee for a full explanation in order to satisfy members before the rule would be made. On 20 March, we received a briefing from the Department, and what appeared to be the main concern highlighted by the majority of members was that of persons from the United Kingdom returning home to Northern Ireland after working or living abroad, and how this statutory rule would affect them. The DSD officials explained that all persons entering Northern Ireland

would be subject to the same tests in relation to income-related benefits, albeit that it might be easier for someone originally from the United Kingdom to satisfy the habitual residency test.

However, the statutory rule is in no way to be aligned to issues concerning immigration but is quite simply to determine whether someone is habitually resident in order to receive income-related benefits. As part of the Government's economic plan from Westminster, we want to ensure that those with the right to be in Northern Ireland and who plan to contribute to the economy can make a claim on this benefits system.

**Mrs D Kelly:** I rise on behalf of the SDLP to support the prayer of annulment. As a member of the Social Development Committee, I was immediately concerned about the adverse impact that this would have on people returning to Northern Ireland, whether they were young people who had left these shores to seek work elsewhere or people who had worked in churches or, indeed, gap year students. I believe that the British Government, without great consideration, rushed these regulations through in Westminster in advance of the deluge of people who were anticipated to be coming to these shores from Bulgaria and Romania. As we all know, that never materialised.

These regulations are supposed to target any people who would want to abuse the system and who would be called benefit tourists. There are no examples or rationale. The evidence has not stacked up in relation to that. I think that we should all be very mindful, in particular, of the young people who have left these shores and who will be adversely impacted by these regulations, should they remain on our statute books. I support the prayer of annulment and oppose the introduction of these regulations.

**Mr Copeland:** I welcome the opportunity to make a few brief comments on this prayer. First, however, I want to wish the Minister well after his recent fall on the campaign trail. To paraphrase, I suppose that he did experience the rough and tumble of politics. I wish him a speedy and successful recovery.

On today's statutory rule, let me say that, on the whole, I and my party understand why it would be preferable if the IRB regulations were to refer to the immigration EEA regulations rather than the directive, as at present. I voted against this rule on 20 March and will vote for the prayer of annulment today because, in my opinion, there are still too many questions remaining unanswered on the wider issue of how the habitual residency test will look in the future.

Everyone in the Chamber will understand, I hope, why such a test is necessary: whether it is to cut down on so-called benefit tourism or ensure that only people genuinely in the country receive support. The test, I think, must be fit for purpose. Whilst the changes to the test will apply to all EEA nationals, people from Northern Ireland, who may have worked or lived abroad up to a certain point, will, or may be, impacted by these changes. We need to understand that people sometimes leave the country for a whole range of reasons: they may have been offered short-term employment; they may take a few months out to do voluntary work — and the latter, in particular, can occur quite often across the church sector; and, sadly, people can leave and return hastily following the breakdown

of family or business relationships. Essentially, there is a whole range of circumstances to be considered. The changes to the residency test have removed the flexibility to treat claimants within a reasonable time of returning to Northern Ireland.

I will cite the example of an individual in my constituency who went on holiday to Tenerife and stayed on for just over six months. When he returned, he found that he was excluded from any support from the system to which he had financially contributed for almost all of his working life, despite the fact that he maintained his home, which he is purchasing in Northern Ireland, and had returned twice during the six-month period. We need more clarity from the Department, and that, in my opinion, was not totally forthcoming from the meetings on 6 and 20 March.

On a wider issue, I must express concern at the repeated use of the petition of concern mechanism in matters of this type. My party and I will be supporting the Committee motion.

**Mr Dickson:** I also support the prayer of annulment, and I do so because of the real concerns that have emerged, particularly, as others have remarked, on the effect on UK and Irish citizens returning to Northern Ireland from working, studying or volunteering abroad.

The regulations may seem quite innocuous, but they have the potential to have a detrimental effect on many citizens. I believe very strongly in parity between Northern Ireland and the United Kingdom, but we should not just parrot regulations, and we have the opportunity ourselves to scope out the reality of regulations. Therefore, that is why I believe that it is not appropriate to introduce the regulations at this stage. They are being put forward to combat what has been termed as benefit tourism, yet, when you examine the issue, there is very little evidence to suggest that this is a problem in Northern Ireland, let alone throughout the rest of the United Kingdom. Indeed, last year, an EU Commission report found that mobile EU citizens are less likely to receive disability and unemployment benefits in most countries studied, including the United Kingdom. The regulations, therefore, are designed to tackle a problem that is not a problem, but they will have a significant impact, as others have said, on UK and Irish citizens.

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

**Mr Dickson:** Sure.

**Mr Wilson:** I take the point that the Member makes that this may not be a huge issue in Northern Ireland at present. However, it is an issue for other parts of the United Kingdom. Does he accept that if the regulation here is different to other parts of the United Kingdom, the problem could shift from other parts of the United Kingdom to Northern Ireland, hence the reason for uniformity?

**Mr Dickson:** Mr Speaker, on many issues, I would not disagree with the comments from Mr Wilson with regard to the matter. However, as I have just said, the reality is that not only is it not a problem, with respect to benefit tourism, in Northern Ireland, the statistics show that it is not a problem in the rest of the United Kingdom. While there may be circumstances where it is important to take the comments into account, the reality, with respect to this particular regulation, does not fit with the comment that has been made.



We have heard reference to how those working abroad for short periods could be affected. For example, many people from Northern Ireland go and work in marine security or the oil industry, which puts them in a similar situation when they return to Northern Ireland or any other part of the United Kingdom.

Many people who have attempted to find work in the United Kingdom go abroad to find alternative employment in other countries. As an example, I can quote a teacher who went to South Korea to teach English. They continued to pay their income tax in the United Kingdom but would be denied benefits on their return. We have already heard of the difficult and distressing circumstances of family breakdown, and in those circumstances a speedy return to the United Kingdom is required for the family member. To add additional pressures in relation to benefits is unfair and unreasonable.

As I have said, this prayer of annulment would break parity; but, under devolution, it sometimes feels appropriate to do so in these matters. In this limited context, I believe that that is the right course of action. It is important to note that we could implement similar measures at any time, were it deemed necessary, to take up Mr Wilson's point. Given the serious concerns raised, we should pass this prayer of annulment and make sure that we give the appropriate scrutiny and consideration that is deserved.

**Mr McCausland (The Minister for Social Development):** I have listened with interest to all the Members who spoke in the debate, and I thank them all for their input.

As Minister with responsibility for social security matters, I will take a few minutes to provide a brief background and to outline the purpose of the regulations we are discussing here today. Perhaps, when I have finished speaking, it will be evident to everyone why voting to annul the regulations would not be the right thing to do.

Firstly, I will explain what is meant by habitual residence. Most people who apply for welfare benefits have to satisfy what is known as the habitual residence test in order to claim income-related benefits. The requirements for satisfying this test are set out in each of the income-related benefit regulations. To meet the conditions of the test, persons must prove, firstly, that they have a right to reside in the United Kingdom in accordance with immigration legislation and, secondly, that they intend to settle in the United Kingdom, Isle of Man, Channel Islands or Irish Republic, and make it home for the time being. That is known as habitual residence.

A person has the right to reside if, for example, they are looking for work, are self-employed, a jobseeker or a student or have sufficient resources for them and their family members not to become a burden on the social-assistance system. The right to reside element of the test ensures that economically inactive migrants have no entitlement to income-related, social assistance-type benefits.

A British citizen who has recently returned to the United Kingdom after a period living outside of the common travel area may also have to show that they satisfy the habitual residence test in order to claim certain benefits. They would be subject to the test if they had broken their links to the United Kingdom by, for example, having been on a very extended holiday or a gap year or, indeed, if they had

spent many years away and no longer have property or any close family in the United Kingdom.

Prior to the introduction of the Social Security (Habitual Residence) (Amendment) Regulations, the EEA legal right of residence — ie the right of citizens of the European Union and their family members to move and reside freely within the territory of the member states — was defined, for income-related benefit legislation, with reference to European directive 2004/38/EC. However, the Home Office transposed this directive into the Immigration (European Economic Area) Regulations and subsequently amended the regulations to create a new statutory presumption that, from 1 January 2014, an EEA national's right to reside as a jobseeker or retained worker in the United Kingdom will cease after six months, unless they can prove that they are actively seeking work and can demonstrate that they have a genuine prospect of getting a job.

It is intended that only those with a legal right to be in the United Kingdom and who plan to contribute to the economy, as demonstrated by their intention to secure employment, can make a claim for benefit. Therefore, the purpose of the regulations that we are debating here today is to ensure consistency in defining the EEA national's legal right of residence for benefit purposes.

It is crucial that our legislation makes reference to the UK's Immigration (European Economic Area) Regulations rather than the directive because, as you will know, the Home Office is ultimately responsible for immigration issues.

#### 1.15 pm

While the regulations are consequential in nature, I hope you will now understand the importance of ensuring that our income-related benefit legislation reflects the immigration law as it stands. I recognise that some who spoke during the debate have real concerns regarding the overall immigration issue and the impact it could have on our benefit system. I would caution, however, that concerns around immigration policy are not relevant in this debate.

While social security is a transferred matter, Assembly colleagues will be only too well aware that immigration and issues regarding UK residency are in themselves considered excepted matters and remain the exclusive competence of the Westminster Parliament. Therefore, irrespective of whether we vote to annul these regulations today, the wider policy regarding the rules that are applied to EEA nationals' entitlement to reside will remain and be applied on a UK-wide basis and within the same time frames.

I, therefore, hope that Members will be persuaded that these regulations merely ensure consistency in defining an EEA national's legal right of residence for benefit purposes in our income-related legislation. I advise Members also to take account of the point that was well made by Sammy Wilson about the dangers and possible implications of getting in some way out of step with the rest of the United Kingdom. Therefore, I urge Members to reject this prayer of annulment.

**Mr Brady:** Go raibh maith agat, a LeasCheann Comhairle. I support the prayer of annulment. I will put into context the issue of habitual residence. The habitual residence test was introduced in 1995 by Tory Minister Peter Lilley. A lot

of people at that time regarded it as a form of xenophobia. I am convinced that there was an element of that in it.

When it was introduced, there was flexibility in the test. We have been talking about people from here returning after working or living abroad, and there was a lot of flexibility in the sense that, because of commissioners' decisions at that time, there was no set time for how long a person had to be here. Commissioners' decisions at that time stated that, the longer you were here, the more habitually resident you became, so a person could be here for a week, a fortnight or month and be considered as being habitually resident and benefit could be paid.

This legislation has now put in a three-month rule, so it does not matter whether you are habitually resident or not — you will not get benefit for three months. It is a fairly extreme measure. Michael Copeland mentioned the petition of concern. Sammy Wilson is saying that we should be led by the nose all the time and fall into line with what is happening in the rest of Britain, even if people from here who are coming back are affected by this test.

**Mr Wilson:** I thank the Member for giving way. The point I was making, and I would like to hear his response to it, was that, if we have a different arrangement here from what pertains in the rest of the United Kingdom, in other words, there is no uniformity, those who wish to escape the habitually resident definition in the rest of the United Kingdom will naturally gravitate towards Northern Ireland, so we become the repository of those who want to avoid the security regulations here in Northern Ireland, with all the other problems that that causes: demand for housing, schools, jobs etc.

**Mr Brady:** I —

**Mrs D Kelly:** I thank the Member for giving way. I am sure the Member will agree that, given the latest increase in racist abuse and attacks, it would be more likely that people from other EU states will want to leave these shores rather than return to pick up a few benefits that will keep them on or below the poverty line.

**Mr Brady:** I thank both Members for their interventions. In response to Mr Wilson, I will say that he need not be that worried that we will be flooded with "benefits tourists", because, as was pointed out, that is not necessarily a problem. When the Pensions Act was coming through, the Department told us that we would be in danger of being flooded by people from Wales coming to live here because they might get better pensions terms. It is a ridiculous proposition, and I think that it needs to be put in its intended context. Obviously, we will not be flooded, either now or in the near future. Given recent events, I imagine that people will think long and hard about coming to live here, particularly those from abroad.

Paula Bradley acknowledged —

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

**Mr Brady:** Yes.

**Mr Maskey:** Following on from the suggestion from one Member that departing in any way from parity would result in a flood of people coming here, why did that Member consider supporting the notion that we would seek split payments under universal credit and other deviations from what is supposed to be happening in Britain? If the Member can support split payments and not see that as

something that would open the floodgates, why can he not see the logic of rejecting this particular SR? There is no evidence that doing so will lead to an opening of the floodgates. I am just following his logic.

**Mr Brady:** I thank the Member for his intervention. He is quite right.

Going back to what Paula Bradley said, and I will get there eventually, because I am sure that she just cannot wait to hear what I am going to say. Paula Bradley acknowledged that all Members were not originally content with the regulations. She said that these are not directly related to more general immigration issues; rather, they are based on habitual residency.

We talked about habitual residency, and it is the rigid application of the three-month rule that is the issue. My view is that it is purely a technical way for the Department to make it easier to do claims. It would be a much fairer system to take each claim as it came in, as used to happen. For instance, if somebody was coming back from America, they had to show their passport, a one-way ticket, they had to be registered with the Housing Executive for a house and they had to show that their children were registered with schools. So, each case was taken on its merits, which, to me, seemed a much fairer way of doing it. Paula Bradley was opposed to the prayer of annulment.

Dolores Kelly is concerned about the impact on those who have gone to work overseas or who are on a gap year etc. She stated that there is no benefit tourism and supported the prayer of annulment.

Michael Copeland raised a number of issues and said that there were outstanding matters that needed to be clarified. He referred to the habitual residency test and its applicability in particular to residents from here who are coming back from abroad. He said that flexibility has been removed from the test and that there are significant issues to be resolved. He was concerned about the petition of concern.

Stewart Dickson said that, although this legislation may be seen as innocuous, it could have a negative effect on citizens from here who are returning. He said that there was little evidence of benefit tourism and that the test was designed to tackle a problem that does not currently exist. He said that citizens from here who were working abroad could be affected when they return home, and he said that there could be an impact when there is a family breakdown. He supports the prayer of annulment.

The Minister explained the habitual residency test and the concept of the right to reside. He also explained that returning residents, including UK and Irish citizens, would be subject to habitual residency tests. He described the importance of the regulations in the context of immigration law to some Members but cautioned that they were not relevant to the debate.

We covered habitual residence, and I think that it is accepted that benefit tourism is a phrase that has been coined to reinforce the imposition of this kind of draconian legislation. I support the prayer of annulment. Go raibh míle maith agat.

**Mr Deputy Speaker:** I remind Members that the vote on the motion will be on a cross-community basis.

Question put.

The Assembly divided: Ayes 56; Noes 37.

## AYES

### Nationalist

Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Ms Fearon, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

### Unionist

Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.

### Other

Mr Agnew, Mrs Cochrane, Mr Dickson, Ms Lo, Mr Lyttle, Mr McCarthy.

Tellers for the Ayes: Mr Brady and Mr F McCann.

## NOES

### Unionist

Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.

Tellers for the Noes: Ms P Bradley and Mr Clarke.

Total Votes	93	Total Ayes	56	[60.2%]
Nationalist Votes	38	Nationalist Ayes	38	[100.0%]
Unionist Votes	49	Unionist Ayes	12	[24.5%]
Other Votes	6	Other Ayes	6	[100.0%]

Question accordingly negatived (cross-community vote).

## Private Members' Business

### Education: Area Planning Process

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

**Mr Kinahan:** I beg to move

*That this Assembly expresses serious concern regarding the ongoing area planning process in the education sector; notes the critical comments made in the Justice Treacy judgement on area planning and integrated education; further notes that the current process places no formal recognition or promotion of greater sharing between schools and sectors; believes that decisions made now will determine the shape of the education system for many years to come; and calls on the Minister of Education, in the absence of either an Education and Skills Authority or the reconstitution of education and library boards, to suspend the current area planning process until there is clarity on the future strategic management of schools, and a long-term vision for education in Northern Ireland is agreed.*

I welcome this timely opportunity to debate the effects that Judge Treacy's decision on Drumragh Integrated College will have on the Minister's area planning policy. As the motion states, we call for the suspension of the current area planning process until there is clarity on the future of the strategic management of schools and an agreed long-term vision for education in Northern Ireland.

It seems that we have a mess in the education system, whether it is the Education and Skills Authority (ESA), assessment, common funding, and even the lack of improvement in examination results as announced last week, as well as many other fields. Most of that failure comes down to the Minister's continual failure to understand the idea of consensus or, indeed, the whole basis of the Belfast Agreement, which relies so forthrightly on consensus and agreement between all parties.

Only last week, we saw the new ESA being publicised before it has even reached the Executive. There does not seem to be any sign of hope that consensus or agreement is the way forward. However, I hope that all that has changed and that the Minister changes that in the future. The Ulster Unionist Party will keep trying to do what it is right for Northern Ireland.

Today, we highlight the need for clarity on what Justice Treacy's judgement means for the present area planning policy. As usual, it is hard to interpret exactly what the judgement means. When considering the article 64 duty, he seems to clarify that the type of integrated education that is to be supported is integration between Protestant and Roman Catholic pupils, as opposed to integration in school of any set of pupils:

*“the provision plainly envisages education together at the same school ... and not education that is delivered by a partisan Board ... Using an analytical tool to plan for an area is of course acceptable and necessary, however the inflexibility of the projections used will have the effect of making it difficult to accommodate the Article 64 duty in future day to day decisions. The Department needs to be alive to the Article 64 duty at all levels, including the strategic level.”*

That court ruling seems to blow the Minister's plans out of the water, and we need to go back to square one.

**Mr Wilson:** I thank the Member for giving way. I totally agree with a lot of what he said, but does he not see there being one danger, in that the longer we delay proper area planning, the greater the danger that Justice Treacy's ruling will be used to expand one particular sector at the expense of all other sectors and, indeed, make area planning even more difficult?

**Mr Kinahan:** Thank you. I partially agree with what has been said: it will certainly make it more difficult, and we must avoid trying to prefer one sector over the other. At the same time, I think that it is important to make it absolutely clear that these decisions will affect the long term. When we talk about the long term, we are talking of 30, 40 or 50 years, so we have to get it right. It is better to go through the battles now to get it right, and then we will take it from there.

To go back to the judgement, any decision that ignores the wish for increasing the number of pupils integrating, or any decision that takes an action that makes it more difficult for schools to integrate their pupils, is contrary to Judge Treacy's interpretation of article 64. The Committee awaits the legal advice.

It seems clear to me that, if you accept the Programme for Government's aim to promote shared education, any challenge to Judge Treacy's judgement is contrary to that Programme for Government aim.

We have already debated shared education on numerous occasions and learnt that it seems that neither of the two main parties wants anything more than just a handful of shared campuses. In a statement from earlier this year, the Minister quoted, I think, 18 examples of sharing. We have 1,200 schools and just 18 examples of sharing. That is a miniscule proportion. Of course, there are many great examples of ongoing sharing, many of which are unquantified. These stretch from sharing occasional sporting or cultural events to much more full-blown collaboration between teachers, principals and governors. Of course, there is the excellent work of all the area learning communities, which we seem to be ignoring more and more.

Indeed, in so many cases, our schools do share, but we must not be conned by those who tell us that we already have shared education. Schools under the Council for Catholic Maintained Schools (CCMS) remit have but a few Protestant pupils, and most controlled schools are mixed. However, no one can argue against there being a desperate need for a much deeper basis of sharing and integrated education. That is why the UUP's long-term policy is for a single shared education system.

## 1.45 pm

We also must not forget that the survey of the integrated education sector showed that over 80% of parents wanted more integration, and if you overlay that example of parental choice for integrating education on Judge Treacy's judgement, all area planning decisions should favour only closures, mergers and amalgamations that lead to the maximum integration possible for that area. If that is so, nearly all the decisions to date that do not do that are flawed and open to challenge. With no known overall area plan for Northern Ireland, little interrelation or intersectoral area planning between boards and, in most cases, very little intersectoral planning within board areas, I once again say that the whole policy is flawed.

However the judgement is interpreted, it opens up the possibility of legal challenge to area planning throughout the whole education system, and I believe it means that all area planning must be suspended. There are some examples. In the borough of Larne, CCMS closed St Comgall's College and was allowed to amalgamate post-primary provision in a joint grammar/non-grammar campus at Garron Tower in Carnlough. That means spending £166,000 a year moving pupils 20 miles in seven buses every day when they could have built upon the excellent area learning community and involved all the post-primary schools in Larne, such as St MacNissi's, St Comgall's, Larne High, Larne Grammar and Roddensvale. That would have been sharing and integrating. That could have been a shared campus and, despite the North Eastern Education and Library Board being against it, CCMS was allowed to go ahead.

There are other examples, such as the two CCMS schools pulling out of the proposed Armagh shared campus, Immaculate Conception College in Londonderry being refused a chance to go integrated, and closures of numerous other small schools, especially CCMS schools, without integration being considered.

In Crumlin, if rumours are true, we are about to see a complete travesty, with the closure of an integrated school when over 1,000 parents in a petition said that they wanted a shared school to remain in Crumlin. When the Minister has indicated that he is for shared schools, when CCMS and the transferors have indicated that they are happy with a shared school and, indeed, when previous studies of all stakeholders two years ago showed the same, it seems extraordinary that we are about to close a school for the reason that it has lost half a million pounds due to lack of numbers, yet some 1,100 are leaving Crumlin daily to go to other schools, costing three quarters of a million pounds to the taxpayer. If we close the school, that will add another 200 pupils to the daily exodus and cost even more. In fact, we could have built the new school in the next 15 years on the same money.

There seems to be a lack of will to ensure that the school remains in Crumlin. Even if you take voluntary grammar pupils out of the equation, surely it is cheaper to keep a school in Crumlin and build on it and expand for future success rather than for ever and a day have no post-primary education in Crumlin. Hopefully the Treacy judgement, if you take into account the petition of 1,000 parents and the need for a proper survey before any decision is made, will mean that we will still have a school in Crumlin.



Many other debates have shown how the area planning policy is flawed. The terms of reference for area planning included the following two objectives:

*"identify realistic, innovative and creative solutions to address need, including opportunities for shared schooling on a cross sectoral basis;*

*maximise the use and sharing of the existing schools estate".*

We do not even seem to be following those guidelines.

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

**Mr Kinahan:** Today, the Ulster Unionists call for area planning to be suspended, and we oppose the amendment.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I beg to move the following amendment:

*Leave out all after "Assembly" and insert:*

*"recognises the need to rationalise the schools estate in a planned and managed way in the promotion of educational equality for all and that the ideal vehicle to manage area planning is the establishment of the Education and Skills Authority; further recognises that area planning can, and must, be progressed in the absence of the Education and Skills Authority for the educational well-being of children; notes that the current process allows for the promotion of sharing between sectors; and calls on all sectors to redouble their efforts to bring forward proposals for greater sharing."*

I call upon all those who seek a world-class and equitable schools estate here to support our amendment this afternoon. The need to rationalise and structure our schools estate in a manner fit for the 21st century has been debated countless times inside and outside the Chamber. However, some voices remain incorrigible to the direction of travel that we have embarked upon. I doubt that it is the virtue of the arguments that is lost on them but rather that they belligerently refuse to acknowledge the need for change. Indeed, in a similar debate in the House not so long ago, the Ulster Unionist Danny Kinahan called on the DUP to block everything that the Education Minister brings forward. I have yet to see any rationale for that call other than brute-force belligerence, which will do nothing other than to harm the educational opportunities afforded to our children and our schools. Sinn Féin representatives have repeatedly called on those opposite to bring forward proposals on a number of different educational issues if they are so opposed to the direction of travel. Today is another opportunity for alternative ideas and propositions to be outlined for all to digest. However, what we are served up is nothing but rhetoric of the finest unionist vintage. Every policy is portrayed as a Trojan Horse and every announcement greeted with sneers that should have been resigned to the history text books long ago. It should go without saying that such posturing will achieve nothing for our system. I call on those opposite to embrace the need for change and help shape a fit-for-purpose system in the interests of our young people, not the narrow political agendas of a few.

For the best part of a generation, the need to strategically manage our system and schools estate has been viewed by many as mission impossible. In an area

where multiplicity rules the roost, planning a cohesive and strategic schools estate has proved a difficult task. Nonetheless, it is a challenge that successive Ministers have taken head-on in the interests of our young people.

It is also worth bearing in mind that the area planning process is continuing throughout the most difficult Budget period ever faced by this Assembly. Never before has the need to invest been balanced so finely with the need to protect the public purse. In no way is that to suggest that area planning or, indeed, the establishment of a single education authority is about making savings for savings sake; rather, this is a process of change, enabling us to maximise the value of public money and make best use of the limited resources available for the funding of our schools, so that we are able to fund a world-class system for generations to come.

Area planning allows for unprecedented investment in the schools estate, while simultaneously ensuring that we are sustaining and investing our resources in the best possible way and in the right places. The various boards, CCMS and the Minister have very difficult decisions to make, which will not always prove popular, but if we are serious about raising standards and opening up educational opportunities for our children, we must accept that we are on a journey of change.

The Minister has repeated to the House on several occasions that the central consideration in any and all proposals will be the educational benefit to the pupil of today and tomorrow. In light of that, I welcome recent assurances from the Minister that area plans will be reviewed regularly to ensure that they remain fit for purpose and reflect local circumstances for years to come.

We all accept the need to raise standards and tackle underachievement and inequality in our system. We all consider the gaps in achievement as unacceptable, but some still appear unwilling to address the issues at hand. Few could argue with the fact that, at the heart of addressing such issues, we must 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 they so rightly deserve. Without a determination to deliver change, we set those schools an impossible task in the delivery of our curriculum. Faced with a highly competitive and globalised workplace, our young students deserve the best possible opportunity to succeed. It is simply no longer acceptable or affordable to do nothing. An education system that stands still only serves to limit the opportunities for our young people and to dissipate our scarce resources.

The absence of ESA should not be a barrier to area planning. Undoubtedly, the task of strategically planning the school estate would be a hell of a lot easier under the stewardship of a single education authority such as ESA, but we cannot delay as those opposite might suggest. How could we possibly continue to drive up standards and tackle underachievement without an effectively planned and sustainable pattern of schools?

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

**Mr Hazzard:** Yes.

**Mr Swann:** The Member keeps referring to area plans and how vital they are. I declare that I am a member of the

board of governors at Ballee school. When the Minister announced the closure of that school at 2.00 pm on the Thursday of the election, there was no area plan in place and no development plan in place as to where those 200 pupils were to go. That showed a failure in area planning and the number of development proposals that were put in place so that, when the area plan comes forward for Ballymena, it is a fait accompli.

**Mr Hazzard:** I thank the Member for his intervention. I am sure that it is a specific point that the Minister —

**Mr O'Dowd (The Minister of Education):** Will the Member take a point?

**Mr Hazzard:** Yes.

**Mr O'Dowd:** For the record, it is very important to say that the Minister did not announce at 2.00 pm on the day of the elections the closure of Ballee.

**Mr Hazzard:** I thank the Minister for that moment of clarity.

The Ulster Unionists tell us today that we should postpone the process of change until there is widespread agreement on how to move forward, yet we have been furnished with no alternative vision. We have heard no different ideas on how to keep driving up standards in our schools. It is the same "no, nay, never" attitude that does nothing for our schools or for our young people.

The hype about an agreed way forward has been a misnomer from the start, because, after years of negotiating and horse-trading, we had, in recent months, widespread support among educationalists for the ESA structures, yet the Ulster Unionists and the DUP still objected to the revised proposals. So, let us not pretend that this is anything to do with seeking an agreed vision. It is purely political obstructionism, and it is hurting our young people each and every day that it persists.

**Mr Wilson:** I thank the Member for giving way. Does he not see the point that the concerns relate to the lack of consistency that there is from the Minister? On one hand, a controlled school can be closed at a stroke; on the other hand, the maintained sector can go forward with plans, regardless of what the impact will be on the local area; and, on the other hand, because there are now three hands on this, the integrated sector is allowed to expand, even at the expense of some viable controlled sector schools. It is that inconsistency that has caused the concern about the whole planning process.

**Mr Hazzard:** I thank the Member for his intervention, but, again, we have the exact same thing: it is all rhetoric. You have absolutely no examples of where you are talking about; this is all political rhetoric.

It is time that we engaged in constructive educational engagements inside and outside of the Assembly. We must move beyond the politics of obstruction and belligerence. If we are to send a clear signal to our schools and our community that the Assembly can deliver a world-class system, we must work together in the interests of those we claim to serve. Suspending a process of change is not an option. We must continue to build a system that we can all be proud of — a system that delivers for each and every one of our young people.

I call on Members to support the amended motion.

**Mr Deputy Speaker:** As Question Time begins at 2:00 pm, I suggest that the House takes its ease until then. This debate will continue after Question Time, when the next Member to speak will be Mervyn Storey.

*The debate stood suspended.*

(Mr Speaker in the Chair)

2.00 pm

## Oral Answers to Questions

### Education

#### All Saints' Nursery, Annaclone

1. **Mr Rogers** asked the Minister of Education what steps is he taking to ensure that a temporary variation in the number of nursery places at the All Saints' Nursery Unit, Annaclone is achieved to allow for a local parish solution. (AQO 6216/11-15)

**Mr O'Dowd (The Minister of Education):** The purpose of the temporary flexibility is to address a shortage of preschool places in an area and, therefore, to help to meet the Programme for Government commitment. It is not intended to be used to meet parental preferences for a particular setting. The education and library board preschool education advisory groups are responsible for managing requests for temporary flexibility. Based on their knowledge of demand and alternative provision in each area, they can make a recommendation to DE on whether temporary flexibility would provide increased capacity to help to address a shortage of preschool places in an area.

At the conclusion of stage 2 of the preschool admissions process, the Southern Board preschool education advisory group considered the need for temporary flexibility in All Saints' Nursery Unit and recommended the approval of two additional places. The Department has approved those, and the school has been informed.

**Mr Rogers:** I thank the Minister for his answer. The parents will be very glad to hear that. In future, Minister, can that process be expedited so that we do not have such stressful situations?

**Mr O'Dowd:** We have continually reviewed our operation of preschool placements over the past number of years. Indeed, just after I came into office, my Department carried out a review of preschool education. Where there are areas in which we can improve that, I am all for it. I accept that it can be a very stressful time for parents. We are placing somewhere in the region of 23,500 children at this stage, so quite a considerable piece of work and administration is being carried out in a very tight time frame. We are certainly continually trying to improve the administration of the preschool programme.

#### Elective Home Education

2. **Mr Attwood** asked the Minister of Education to outline the reasons for the draft policy on elective home education giving greater power to education and library boards than is currently the case under section 13 of the Education and Libraries (Northern Ireland) Order 1986. (AQO 6217/11-15)

**Mr O'Dowd:** Legislation places specific responsibilities in the education of children other than at school on parents and the five education and library boards. That includes those who are educated at home. The boards have directly

prepared guidance that reflects the existing legislative requirements, and they are consulting on it.

I consider that the consultation process provides an important opportunity for views and ideas to be provided to the boards on how they best strike the balance between ensuring that the rights and needs of the children concerned are appropriately protected and facilitating parental preference for home education. As Minister of Education, my focus is on ensuring that the needs of children and young people are met. Therefore, I have indicated that I expect the boards to ensure engagement with as wide a range of stakeholders as possible, including young people and their families, as part of that consultation and to ensure that the feedback that they receive is considered very carefully in reviewing the draft guidance. I have also made it clear that I will wish to review their guidance once it has been subject to consultation and reviewed and refined in response to that engagement once it has taken place.

**Mr Attwood:** I thank the Minister for his answer. He stressed that there was a legal requirement to do what he is proposing. Will you confirm that it is your view that, under the 1986 Order, there is a legal requirement, and will you explain why your predecessor said in answer to a question that there was no legal requirement for home educators to register with the library boards? In any case, do the requirements that you are laying down not go too far by having to register children, inspect homes and approve the curriculum etc? That goes far beyond what happens in England and other jurisdictions.

**Mr O'Dowd:** With respect to the Member, it is clear that he did not listen to my response. I am not proposing anything. The education and library boards are currently in a consultation process on issuing best practice for homeschool education. There are balances of rights in that. There are the balances of the parent and the parental home, and there are the balances of the right of the child to receive a good education. There is also the legal requirement on the education and library boards and my Department to ensure that children have access to education. All those things are being consulted on.

I am not consulting on anything. My Department is not consulting on any matter in that regard. However, I have made it clear to the library boards that I want the consultation process to be open and transparent for everyone to be able to make their views known. I expect the new guidance to be presented to me before it is finally signed off.

**Mr Storey:** If the Minister did not initiate the process, who did, given that I understand that his Department sits on a regional strategy unit with the education and library boards? Following Mr Attwood's comments, we would like clarity on where this came from. Will the Minister give an assurance that this is not an attempt by some to require registration and make it more difficult for parents, particularly those from an evangelical Christian perspective, who take a personal view of ensuring that their children are educated at home in an environment that is conducive to their learning, to do what they have always done in a way that is honourable and within the law?

**Mr O'Dowd:** I understand that the process came about as a result of legal advice given to the North Eastern Education and Library Board, which then proposed

consultation on guidance. The other boards, which now seek to work in greater cooperation with one another, also believed that it was the right time to consult on the matter.

As I said in response to Mr Attwood, there is a balance of individual legal rights in this debate, but I urge Members not simply to follow those who shout the loudest. At the very heart and centre of the consultation process is the children's right to education, whether in the home or in school. I assure the Member opposite that I am not aware of any agenda to stymie the rights of anyone, including evangelical Christians, to educate their children at home, if that is their wish.

My understanding of the process is that it is to ensure that the rights and entitlements of children to education and the rights of all others involved are being upheld. I will ensure that that is the case before signing off or approving any guidance at the end of the consultation. Mr Attwood suggested that the boards overstepped the mark in relation to the Education Order 1986. I will satisfy myself whether that is the case before any final guidance is issued.

**Mrs Dobson:** Minister, you will be aware that I raised this issue with you recently. You know that this has caused anger among parents who choose to educate their children at home, especially the idea of people entering their home. When will the Assembly and the Committee be given the opportunity to debate and shape the future of elective home education?

**Mr O'Dowd:** It is for the Assembly's Business Committee to decide which topics are debated in the Assembly, and it is for the Education Committee to decide what is discussed there. I have no say in either.

**Mr Allister:** The Minister is anxious to point out that the guidance is not his. Does he accept that the guidance issued for consultation gold-plates what section 13 of the Order requires? Surely even he can see that.

**Mr O'Dowd:** No, I do not accept that; nor do I deny it. There would not be much point in the education and library boards having a consultation process if I, as Minister, were to stand here in the middle of it and say, "This is how things are". The consultation process is ongoing. Members of the House, political parties and individuals are perfectly entitled to respond. When the outcome of that arrives on my desk, I will satisfy myself that all the questions raised here today and others that I am aware of have been answered. I will also seek legal advice on whether the boards have gold-plated section 13 of the Order or whether, as Mr Attwood suggests, they have overstepped it. All those things will be satisfied before any final decisions are made.

#### Drumragh Integrated College

3. **Mr Milne** asked the Minister of Education for his assessment of the impact of the recent court ruling regarding the development proposal by Drumragh Integrated College. (AQO 6218/11-15)

10. **Lord Morrow** asked the Minister of Education what impact Mr Justice Treacy's recent ruling in relation to Drumragh Integrated College, Omagh, will have on his Department's approach to long-term planning. (AQO 6225/11-15)

**Mr O'Dowd:** With your permission, Mr Speaker, I will answer questions 3 and 10 together.

I have noted the court's judgement. Some of the recent press coverage is, in my opinion, ill-informed. I will decide what action, if any, is required after I receive the detailed assessment by senior counsel of the judge's decision and its implications for the work of my Department. I will give careful consideration to that assessment when I receive it.

**Mr Milne:** Go raibh maith agat, a Cheann Comhairle. Mo bhuíochas leis an Aire go dtí seo. I thank the Minister for his answer. Can the Minister give us an update on the shared education campus programme, le do thoil?

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as an cheist. We have received 15 or 16 expressions of interest in relation to shared education campuses, which are part of the Together: Building a United Community (T:BUC) scheme that was launched by the Executive late last year. My Department is working through those expressions of interest and matching them against the terms of reference. I hope to be in a position before the summer recess to make an announcement on those projects that are successful in moving forward.

**Lord Morrow:** The Minister, in answer to Mr Attwood, talked about "balances of rights".

Yet, in his statement of 19 February 2013, he said:

*"until I ensure that those schools that wish to move onto the Lisanelly site are completed, I do not envisage moving forward with any other capital project in Omagh."* — [Official Report, Bound Volume 82, p204, col 1].

Judge Treacy then said:

*"This would mean that any development proposal requiring capital investment by any school not allied to the Lisanelly project would be refused without proper consideration."*

Does the Minister accept that, if he were to proceed down that road, there will be a big degree of discrimination?

**Mr O'Dowd:** With respect to all assembled, the judgement has been made, but there are still legal papers from the judgement to be issued by the court, there is still a full analysis of the judgement to be carried out by my own senior counsel, and I have no doubt that the party to the case is also having its senior counsel look at it. I know that there are barristers and legal professionals in the Chamber, but let us not all set ourselves up as legal professionals with regard to these matters. Let us not all pull lines out of the judgement that suit our argument. I could pull lines out of the judgement that suit my argument as well. That is not the way forward for this case.

I believe that my decisions on area planning in Omagh were correct, and I believe that the Lisanelly project, which is a Programme for Government commitment, is the correct way forward. However, Judge Treacy has asked several questions that require an answer, and I will answer them in due course.

**Mr Kinahan:** I guess that we will hear more of an answer in the debate later. Does the Minister agree that there needs to be a fundamental rethink on the area planning process, especially in light of the court judgement? When



you look at the agreed overall vision for shared education, you see that, to paraphrase George Orwell, all sectors are equal but some are more equal than others. Does he agree that that is the case?

**Mr O'Dowd:** I will have a chance to respond to the debate following Question Time. In your opening remarks in that debate, you said yourself that the judge's judgement was not clear. I hope that the Hansard report will be available before I respond, but you are on record as saying that it is not clear. I think that it is wise that we wait on senior counsel's advice on that matter.

You throw out the line that some are treated more equally than others. Which sector is being treated more equally than others? Name the sector or the school where I have acted inappropriately. Name where I have been involved in discrimination against a school; name them. Those broad-stroke statements do not stack up. I can tell you of one case where I have acted differently and contrary to the advice, statistics and figures that were given to me.

**Mr Campbell:** One?

**Mr O'Dowd:** Yes, one. In relation to schooling in east Belfast, I could have closed — the name slips my mind at the moment. Dundonald; apologies. I could have closed Dundonald and defended that decision in any court in the land. I made a different decision on Dundonald. If I am accused of treating one sector differently, I have treated the controlled sector differently, in a positive way. I believe that that intervention was correct. If any Member wishes to present, either in the Chamber or outside, where I have treated another school in a discriminatory manner, I ask them to name it.

#### 2.15 pm

**Mr Byrne:** I thank the Minister for his answers. Does he accept that the judgement has caused some anxiety to parents of all secondary-school pupils in the Omagh area? What reassurance can the Minister give to the parents of children at Drumragh College, as well as parents of pupils at other schools who want to see the area planning process working? When do you think that can be delivered in order to end the uncertainty?

**Mr O'Dowd:** The Member is on the ground in Omagh. I wonder how many parents have stopped him on the street in relation to the recent court ruling on Drumragh. I would say that it is a few if any, because I do not believe that the matter ever needed to end up in court in the first place. I had already indicated that I would review and retake the decision on the expansion of numbers at Drumragh Integrated College before it ended up in court.

The scenario that the Member may want to explore is this: what if I had approved an increase in numbers at Drumragh? Where would those pupils have come from? They would have come from schools in and around the Omagh area. They would not have come from anywhere else. The Member would then have been coming to me and saying, "Minister, why have you approved increased numbers at that school in Drumragh? Do you not realise those pupils are coming out of school A, B and C? What is going to happen to those schools now?" Members cannot have it both ways. You have to make decisions based on the information in front of you, not simply on the needs of an individual school but on the needs of education in an area. That is what area planning is about. We no longer

make decisions on the individual needs of one school but on the needs of education in an area.

#### Schools: Capital Builds

4. **Mr F McCann** asked the Minister of Education when he will announce his next capital builds list. (AQO 6219/11-15)

**Mr O'Dowd:** Gabhaim buíochas leis an Chomhalta as an cheist. It is my intention to make a statement to the Assembly before the end of June 2014 to set out my plans for future capital investment in schools across the North of Ireland. One of the biggest challenges that I face when considering proposals for large-scale capital investment in our schools is the need to balance the capital resources available to me with the investment needed across the estate. Therefore, it is critical that I ensure that any major capital investment is shaped by the outworking of area plans and is targeted at ensuring the delivery of modern, fit-for-purpose schools that will be sustainable into the future.

Accordingly, my officials have been working to develop a protocol that will ensure that potential capital projects are assessed and prioritised in a consistent and equitable manner. I can assure the House that I am mindful of the need for significant capital investment across the schools estate. My focus remains on the provision of a first-class educational experience for all our young people that will help them to fulfil their potential.

**Mr F McCann:** Go raibh maith agat. I thank the Minister for his answer. Can he provide an update on the projects that were announced in his previous capital build lists in June 2012 and January 2013?

**Mr O'Dowd:** In June 2012, I announced 18 newbuild school projects. Four of those projects are currently on site: Victoria Park in Belfast, St Teresa's in Lurgan, St Joseph's in Newry, and Dromore Central Primary School. A further three projects are targeted to be on site by the end of June 2014: Tannaghmore in Lurgan, Eglinton Primary School and Bunscoil Bheann Mhadagáin in Belfast. In addition, advanced enabling works have commenced on projects at St Clare's Abbey in Newry and Arvalee Special School in Omagh.

In January 2013, I announced a further 22 newbuild projects. The majority of those projects are at an early stage in planning, principally the economic appraisal stage. My officials are actively engaging with the relevant school authorities on those projects. I also understand that my officials will brief the Education Committee either this week or next on the capital builds programme.

**Mr McGlone:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra chuimsitheach sin. I thank the Minister for his comprehensive answer. I speak as chair of the all-party group on construction. Of the projects announced in January this year, how many can the Minister guarantee will be on site with construction work commenced as soon as possible, and I mean within this year?

**Mr O'Dowd:** In fairness, the Member will realise — I said it when I made the announcement in January 2013 — that those projects were in the early stage of planning and they have to move forward through that process. Since I made my first announcement in June 2012, I have become an expert in everything from bats to hogweed and anything

else that can delay a planning application or a building. I have no doubt that we will continue to encounter problems as we move forward with the further building works, but I can assure the Member that every effort is being taken to move the projects forward as quickly as possible. Indeed, I have restructured branches even within my own Department to move the projects forward.

We are trying our best to resource and finance the boards to move those matters forward as well, and there is a significant learning process going on all the time as to how to move projects forward. However, there are certain elements that I cannot avoid and which, as I have said in the House before, take far too long to complete, such as business cases and economic appraisals, which we have to complete because of financial guidance and things that have been put in place by various Committees of the House which maybe were seen as a good idea at the time. I can assure you that the more complicated the processes and the more red tape that you have around a project, the longer it takes to deliver.

**Mr Campbell:** The Minister mentioned Arvalee school in east Belfast. Will he confirm whether it is a 14-classroom school, as opposed to a 12-classroom school?

**Mr O'Dowd:** I think that the Member may mean Victoria Park Primary School in east Belfast. I have recently had correspondence from the Belfast Education and Library Board. It is seeking to increase Victoria Primary School to a 14-classroom school. Again, we are currently working through the paperwork in regard to that matter, but I hope to be able to confirm that it will be a 14-classroom school in the future. A few i's remain to be dotted and t's remain to be crossed in relation to discussions with contractors, etc, but I do not see any major problems in the road of that scheme.

**Mr Agnew:** I declare an interest as director of the Northern Ireland Council for Integrated Education (NICIE). Will priority be given to schools such as St Colmabanus' College in Bangor, which are shovel-ready projects that had funding approved in the past until capital allowances were cut?

**Mr O'Dowd:** There are a significant number of schools which were committed to builds in the past. I have resisted the temptation to announce lengthy lists of schools that can move forward in the future. I have always said that I will only announce schools which I am confident can move forward within a reasonable period of time. Even in doing that, I have seen delays which were never envisaged to projects.

I am currently working my way through a capital announcement. We have asked the various managing authorities for their priority list. I need to match that against area planning and the needs and conditions of each of those buildings. However, I have to say, Members, that, following this Question Time, we will be discussing area planning. Members who vote to stop area planning are effectively voting to bring to a complete and utter end any capital builds programme for the foreseeable future.

#### Nursery Places: SEELB

5. **Mr Dunne** asked the Minister of Education what plans the South Eastern Education and Library Board

has to increase board-controlled nursery places within the Holywood, Bangor and Donaghadee areas. (AQO 6220/11-15)

**Mr O'Dowd:** The South Eastern Education and Library Board has advised that all children in the Holywood, Bangor and Donaghadee areas — postcodes BT18, BT19, BT20 and BT21 — whose parents engaged fully with the preschool admissions process to the end will have received the offer of a place, following the end of key stage 2, which was on 30 May. In the Donaghadee area, all children who applied were offered a preschool place in a setting of their choice at stage 1 of the process. I understand that 17 children in the Holywood area and 41 in the Bangor area did not receive the offer of a place at the end of stage 1 and that some 12 families decided not to submit further preferences at stage 2.

I have strongly encouraged the parents and guardians of children who did not receive the offer of a funded preschool place at the first stage of the process to consider the full range of preschool provision that remains available and provide a range of preferences at stage 2 to increase the chance of securing a place for their child. A number of funded places remain available in both areas, and parents are advised to engage directly with the providers.

**Mr Dunne:** I thank the Minister for his answer. Does he fully recognise the need for such board provision in the north Down area, taking on board the increase in population and demand and, of course, to ensure equality of opportunity for parents and children regardless of their background or ability?

**Mr O'Dowd:** I recognise all those matters. I also recognise that I am dealing with a Programme for Government commitment, and I hope that the Member recognises that, over the last number of years, preschool education and the number of placements for it have improved dramatically. We have provided a significant number of additional places across the North.

The information before me tells me that there are sufficient places in the Holywood, Bangor and Donaghadee areas to facilitate parental demand. However, it is up to the local preschool education advisory group, working along with the education and library board, to request additional places if need be.

If there are settings in the area that believe that they could and should facilitate more children, they are more than entitled to bring forward development proposals.

**Mr Sheehan:** Go raibh maith agat, a Cheann Comhairle. I am conscious that my question could be constituency-specific. It relates to the allocation of preschool places. If needs be, I can accept your reprimand or go ahead and ask the question.

**Mr Speaker:** I will not prejudge what the Member might ask, but he is right: it is a constituency-specific question. The Member might be inclined to widen the question out — that is maybe what his plan is — and I would prefer that he did not do so.

**Mr Sheehan:** I accept your advice on that.

**Mr Speaker:** It is unfair on the Minister as well.

**Mr Sheehan:** Go raibh maith agat.

## Entitlement Framework

6. **Mr P Ramsey** asked the Minister of Education how he will ensure that the benefits of the entitlement framework funding become a lasting legacy for all young people. (AQO 6221/11-15)

**Mr O'Dowd:** The entitlement framework is about broadening access to courses for all pupils in Key Stage 4 and post 16, courses that are relevant to young people, engaging and motivating for them and that have clear, relevant progression pathways for them to continue in education or move into training or employment.

In 2003, some of our young people could choose from only six GCSEs and, in the worst cases, one A-level course. Schools are now working well towards the full implementation of the entitlement framework on a phased basis. It will be important for them to focus on meeting the full statutory requirements of 24 and 27 courses from September 2015.

Schools are funded through their core delegated budget to deliver their statutory obligations, including the curriculum. The additional entitlement framework funding has been a transitional arrangement, a contribution to the costs associated with developing an expanded curricular offer at Key Stage 4 and post 16. Although you will be aware that I extended the additional funding to the end of this budget period, it has never been intended as a permanent funding stream. Rather, the delivery of the entitlement framework will have been mainstreamed in schools and across area learning communities. However, I will continue to explore funding in future years if it is available.

The legacy of entitlement framework support will be the delivery of a broad and varied curriculum on an area basis so that every child can follow the right pathway for him or her. It has helped us all to focus on what is important, which is meeting the needs of our young people and ensuring that they are supported and equipped with the knowledge, understanding and skills necessary to drive the economic future for us all.

**Mr P Ramsey:** I thank the Minister for his response. Along with me, he will acknowledge that many young people who struggled or could not cope in the normal school environment have taken advantage of that funding mechanism and obtained good qualifications in a college. As part of the wider NEETs strategy, is he not concerned that that will have a further detrimental impact on young people coming out of the system and becoming NEET?

**Mr O'Dowd:** The funding for the entitlement framework was never there to subsidise the role of the further and higher education sector. I accept that the sectors have worked well together and that it has been a good collaboration. Indeed, Minister Farry and I have discussed it on several occasions, and I have met representatives of the sector on several occasions to discuss how it has worked out. I have also brought a DEL representative on to my area planning steering group so that we can coordinate facilities much better in the future.

Concerns have been expressed about the costs associated with working with the colleges sector. That needs to be explored further and if those costs can be reduced or managed in a better way it will allow us to move forward in a greater way.

The entitlement framework covers a wide range of subjects, and it has allowed many of our young people to flourish in different ways and choose career paths that were once not open to them. It has certainly helped us to ensure that many more young people leave school with relevant qualifications and a career pathway set out for them.

## High School, Ballynahinch

7. **Mr Wells** asked the Minister of Education for an update on the progress of the rebuild for the High School, Ballynahinch. (AQO 6222/11-15)

**Mr O'Dowd:** There are no specific plans at present for a newbuild project for the High School, Ballynahinch. It has not been identified by the South Eastern Education and Library Board (SEELB) as one of its priorities for newbuild, nor has any application been received during the recent call for projects under the schools enhancement programme.

The draft SEELB post-primary area plan, dated October 2013, states that enrolment at the High School, Ballynahinch is below the sustainable schools policy threshold. The SEELB is currently considering options to secure the retention of a controlled, non-selective post-primary school in the Ballynahinch area.

### 2.30 pm

**Mr Speaker:** That concludes questions for oral answer to the Education Minister. We will now move to topical questions.

## Ballee Community High School

1. **Mr Kinahan** asked the Minister of Education who made the decision to close Ballee Community High School and why was the decision taken in the middle of the election period. (AQT 1181/11-15)

**Mr O'Dowd:** I made the decision. I made the decision on the basis of the information provided to me in the development proposal and from engagements and discussions that I had with interested parties and local elected representatives. I have said in the House a number of times, I believe, to Mr Swann that those who were supportive of Ballee high school were dedicated to the school and the young people in the school. There is no question about that. My concern was about whether they had arrived on the scene in time to turn the situation around. Enrolment at the school was in such a state, and the prospects for increasing that enrolment were practically zero. I had serious concerns about the educational well-being not only of current pupils at the school but of future pupils at the school if I were to continue with that school open. I decided to close it, and I believe that I made the right decision.

I was pressed on making a decision on 20/21 May because letters had to issue to parents by 23 May. I accept that that was not an ideal time to make it, and, if I had to do it again, I would maybe make the decision much earlier or after the election. I did not announce the decision to the media on election day: others announced it to the media on election day. The press release from the Department of Education did not go out until, I believe, 23 May.

**Mr Kinahan:** I thank the Minister for his answer. Can he guarantee that we will not have another Orangefield? What steps has he put in place to ensure that pupils all have places, that parents have choice and that schools are prepared and ready for September 2015?

**Mr O'Dowd:** I will not compare one school with another school or whatever it may be. The Member will be aware that my decision on the closure of Ballee Community High School from 1 October is also aligned with the increase of the enrolment of Dunclug College. Provision is being made in the area for pupils to move across to whichever school they wish, and I have certainly increased provision at at least one school in the area. I want to see provision being planned, and this goes to the crux of the debate that we are having before and after Question Time. I want to see area planning at the heart of all these decisions. Often, those decisions can be difficult and emotive for everyone involved, but I believe that the decision around Ballee was the correct decision. It in no way undermines those who campaigned for or who worked in the school. Clearly, they were dedicated to the young people they served, but, as I said to them at the meetings that I had with them and as I said to Mr Swann in this Chamber, I had to ask myself whether they had arrived on the scene on time — they had not. That is the sad thing about that.

## Area Planning: Shared Education

2. **Mr Maskey** asked the Minister of Education to outline how the area planning process facilitates increased sharing between schools. (AQT 1182/11-15)

**Mr O'Dowd:** This goes back to the entitlement framework. A number of factors are at play in relation to sharing in our schools estate. Area learning communities have been working away quietly with each other for several years on sharing across the curriculum, and, in many areas, that has broadened to the broader understanding of sharing between the communities and sectors and better understanding of each other. The very terms of reference of area planning refer to the need to increase sharing across sectors. Each time I meet the sectors at the steering group, I emphasise to them the need to introduce proposals on shared education and for them to challenge each other and to challenge communities, where we can, to think, at times, the impossible and take the next step towards sharing in the local community.

**Mr Maskey:** Go raibh maith agat, a Cheann Comhairle. I thank the Minister for that response. Given recent events, can he outline how, if at all, the area planning process has been affected by the recent developments regarding ESA?

**Mr O'Dowd:** Ideally, area planning should move forward under a single planning organisation, that being ESA, with representatives of all the sectors and all the major political parties around the table, it has to be said. It would be a very democratic and collective way of moving the process forward. The absence of ESA has hampered area planning, but it is certainly not necessary to stop area planning because of it. We have to work round the obstacle of not having ESA in place. Indeed, I am reviewing the area steering group and considering breaking it down into more localised steering groups to work in board areas, rather than an oversight committee. However, I think that the structures that we have in place are fit for purpose.

## Key Stage Assessments

3. **Mr Rogers** asked the Minister of Education what steps he is taking to address the concerns being expressed by the majority of primary schools about the educational appropriateness of end of key stage assessments. (AQT 1183/11-15)

**Mr O'Dowd:** The most significant step that I have taken was to bring in the OECD, and we brought the OECD in to look at our assessment procedure. Its report has been very valuable in the ongoing discussions between my officials and representatives of the teachers' side in regard to these matters. The OECD points out that our assessment processes are robust and necessary but we have failed to convince those who use them — the teaching staff — of the merits of them, and we have not, up to now, engaged with them properly in moving that forward. Over the past number of months, there have been detailed discussions between my officials, CCEA and the trade unions, and I hope very soon to be in a position to announce that there is agreement — it all depends on agreement — and that we have found a way forward on assessments. I believe that assessments are necessary, but I am not seeking to impose assessments on the teaching profession; I am looking to work with the teaching profession on how we carry out assessments.

**Mr Rogers:** Thank you for your answer. I welcome your statement that you will work with teachers, but teachers are not happy with this because it is not a good assessment for learning. Would you consider suspending the present system until you can make a more informed decision about good assessment for learning?

**Mr O'Dowd:** In fairness, the OECD tells us that it is a good assessment for learning, but we have to adapt it and work with those who are delivering it on the ground, so I am not going to suspend it. I believe that our discussions with the unions are bearing fruit, and, if we keep going forward with the discussions that we are having with the trade union side, I am confident that we can reach agreement on the matter.

## Education: Administrative Arrangements

4. **Mr Copeland** asked the Minister of Education when he intends to brief the Assembly on the future administrative arrangements for education in Northern Ireland. (AQT 1184/11-15)

**Mr O'Dowd:** I would be happy to brief the Assembly once the paper that I have submitted to the Executive hopefully reaches agreement. We are at a critical stage where we are heading towards April 2015, which will see the alignment of the new 11-council model. The boards or board, which is my preferred option moving forward, will have to be aligned to that model as well.

**Mr Copeland:** I thank the Minister for his response. He must surely be aware of the deep concerns prevalent in the teaching fraternity as the result of our inability to foster consensus in education and create a fit-for-purpose education and skills authority, expending on the project somewhere in the region of £17 million that could have been spent on improving literacy and numeracy. Will he outline what steps he will take to ensure that the creation of a single education and library board to replace the current five will avoid the pitfalls — if that is the right word — that the concept fell into?



**Mr O'Dowd:** The old saying is that charity begins at home. In this case, consensus will have to begin at home. I encourage the Member to ensure that his party is in the mood to seek consensus on the paper that will go before the Executive: as he is aware, he has a Minister at the Executive table. He will also be aware that some of the biggest opponents and those who carried out many manoeuvres against ESA were members of the Ulster Unionist Party. If £17 million has been wasted over the past nine years, all the parties in the Chamber will have to put up their hand, but those who will have to put their hand up highest will be the Ulster Unionist Party.

### Home-to-school Transport Review

5. **Mr McAleer** asked the Minister of Education for an update on the home-to-school transport review. (AQT 1185/11-15)

**Mr O'Dowd:** The review is moving forward. It has had significant engagement with young people and the education sector. I hope to have the report by the end of August, I believe, and then we will move forward from there with regard to the recommendations.

**Mr McAleer:** Go raibh maith agat, a Cheann Comhairle. Can the Minister outline how pupils with special educational needs will be protected moving forward?

**Mr O'Dowd:** Yes. I assure the Member that I am not planning any changes that would deny transport to children with special educational needs. Throughout my tenure and, indeed, that of my predecessor, we ring-fenced funding for special educational needs, and I have no intention of denying transport to children with special educational needs.

### Irish-medium Post-primary Advisory Group

6. **Mr McKay** asked the Minister of Education to update the House on the recent report from the Irish-medium post-primary advisory group, which should be commended on the significant work that it has carried out since last summer. (AQT 1186/11-15)

**Mr O'Dowd:** The group presented me with a report in mid-April. I am studying its recommendations, and I will make a statement on the way forward from that.

**Mr McKay:** Go raibh maith agat, a Cheann Comhairle. I welcome the focus that the Minister has brought to this area. Certainly, the Irish-medium post-primary sector is an area that needs urgent development. Can I ask the Minister what plans there are to action the report?

**Mr O'Dowd:** As I say, we brought Helen Ó Murchú and her group together to look at how we promote and facilitate Irish-medium post-primary education in particular in and around the County Derry area. I think that the lessons and recommendations that she has brought forward will facilitate our developing bunscoileanna across the North. It has been a valuable exercise, but, as I say, I received the report in mid-April, and I am still studying the recommendations. I hope to make an announcement on the way forward, but, given that we are heading towards summer recess, I suspect that it will be early autumn before I make a full announcement.

### Devenish College, Fermanagh

7. **Mr Elliott** asked the Minister of Education to outline whether any finance has been secured or ring-fenced for the proposed newbuild at Devenish College in Fermanagh. (AQT 1187/11-15)

**Mr O'Dowd:** I noted that, somewhere during the week, Mr Elliott told an audience that I had no funding to move Devenish forward and that he believed that it would never happen. That is the power of social media.

I made an announcement on Devenish in January 2013. It is part of the building programme, moving forward. As I develop my building programme, I am conscious of the announcements that I have made. Therefore, they are built in to my budget, moving forward.

**Mr Elliott:** I thank the Minister for that. Could he tell us whether there is any opportunity to separate progressing the Devenish project without it being dependent on the merger of Portora and the Collegiate?

**Mr O'Dowd:** I have not got the full details for the Member's question in front of me. I am also reluctant to comment on an ongoing development proposal for Portora and Collegiate. Standing here, I am not aware of any co-joining of the building programme and the other development proposal, but I will clarify that with the Member in writing after Question Time.

### School Admissions: Twins/Triplets

8. **Mrs Cochrane** asked the Minister of Education whether, for enrolment to secondary schools, there are provisions similar to those for primary schools, to deal with a situation in which only one of a pair of twins or a set of triplets has been awarded a post-primary place. (AQT 1188/11-15)

**Mr O'Dowd:** It depends on the admissions criteria for the secondary school. I am aware of one set of circumstances in a selective school where one twin did not get in because of the grading that the selective school was using. My suggestion there would be to not use selection; that would solve that problem. Those are the only circumstances that I am aware of where twins or triplets not getting into a post-primary school was raised as an issue with me.

**Mrs Cochrane:** I thank the Minister for his answer. Is there any advice at this stage that can be given to schools that have already chosen to use the selection procedure and are in that situation?

**Mr O'Dowd:** Stop using selection.

### Preschool Admissions

9. **Ms Boyle** asked the Minister of Education how many children received a preschool place in the school of their choice this year. (AQT 1189/11-15)

**Mr O'Dowd:** Currently, in or around 23,500 children have received a preschool placement this year.

**Ms Boyle:** I thank the Minister. Will he outline how those who did not receive a place in their school of choice will be accommodated?

**Mr O'Dowd:** The 34 children who have not received a placement are from families who stayed with the system through stage 1 and stage 2. I have asked my departmental officials for a breakdown of their location

and why each child has not been placed. On receipt of that information, I will have further discussions with them on how we move the matter forward.

2.45 pm

## Employment and Learning

### NEETS: Funding

1. **Miss M McIlveen** asked the Minister for Employment and Learning for an update on the funded initiatives under the young people not in education, employment or training strategy, that specifically support care-experienced young people. (AQO 6231/11-15)

**Dr Farry (The Minister for Employment and Learning):** The Executive's Pathways to Success strategy for young people not in employment, education or training introduced a number of initiatives to meet the wide-ranging needs of young people, including those in this category.

The collaboration and innovation fund supports five projects with a budget of almost £2 million that target care-experienced young people. DEL's local employment intermediary service (LEMIS) is also available on an outreach basis to individuals with a common employability barrier, including care leavers.

During the 2013-14 financial year, LEMIS providers received just over £2 million to deliver the service, and a similar budget is available this year. The European social fund is providing £2.2 million in 2014-15 for three projects that target care-experienced young participants but are not exclusive to them. The Member will be aware that the policy lead for work with looked-after children lies with the Department of Health, Social Services and Public Safety (DHSSPS).

My Department has a key role in promoting learning and skills, preparing people for work and supporting pathways to employment for looked-after and care-experienced young people. In this context, my Department has been involved closely with DHSSPS, the Health and Social Care Board and the trusts, and we are working to improve the education, training and employment outcomes for young people in or leaving care. In particular, the Careers Service has, for some considerable time, been working with the trusts and others in an attempt to ensure that these vulnerable young people have access to the right advice about their future.

**Mr Speaker:** Questions 6 and 10 have been withdrawn.

**Miss M McIlveen:** I thank the Minister for his comprehensive response, particularly on young people in the care system. How much funding is made available to Queen's University and the University of Ulster to broaden access? How much is spent on care-experienced young people?

**Dr Farry:** She raises an important point. It is worth stressing that increasing access and widening participation are key objectives of the Department, and that includes vulnerable young people. Those budgets amount to several million pounds a year for the institutions. I cannot give a precise breakdown of those that relate to care-experienced young people. In any event, they would be swept up in the general outreach and support that is made available to such young

people. Training for Success is also sensitive to the needs of care-experienced young people in that they are eligible to stay on such programmes longer.

**Mr P Ramsey:** I welcome the Minister's responses to date. The Committee for Employment and Learning has been engrossed in the whole NEETs area for some time. A key element is the tracking and retention of data. Through the funding mechanisms for young people not in education, employment or training, how many young people with learning or physical disabilities have been through the schemes?

**Dr Farry:** I am happy to come back to the Member with detailed figures on the headcount for the different strands. It is important to remember that a number of interventions across the Department work with vulnerable young people. Some are specific programmes under the Pathways to Success strategy, most notably the collaboration and innovation fund.

Young people also access some of our other programmes, including some under the European social fund, and mainstream training programmes, so there is a very broad reach. It is important that we do all that we can to maximise the potential for everyone to engage in society. Where appropriate, we will invest in resources to address barriers that prevent some people developing and engaging to their full potential.

**Mr Kinahan:** I thank the Minister for his answers so far. Will he clarify how the introduction of Together: Building a United Community will affect or has affected his Department's initiatives?

**Dr Farry:** The main impact will be on the United Youth programme, which will be an overarching framework that will cover a range of existing programmes on a revamped basis. It will also cover some new interventions. My Department is leading on behalf of the Executive and is working in close collaboration with other Departments on the design of that. We hope to be in a position to give some clarity in the near future on the way forward in that regard.

It is worth bearing in mind that it is a hybrid of volunteering, good relations, community relations and employability, and it is designed to engage with a wide range of young people from different backgrounds with different training needs.

### NEETS: North Belfast

2. **Mr Humphrey** asked the Minister for Employment and Learning how many young people aged 16-25 years in North Belfast are not currently in education, employment or training. (AQO 6232/11-15)

**Dr Farry:** That question has been transferred to DFP. That information should have been sent through.

### SEN Provision

3. **Mr McMullan** asked the Minister for Employment and Learning how his Department intends to work with the Committee for Employment and Learning's inquiry into post special educational need provision in education, employment and training for those with learning disabilities. (AQO 6233/11-15)

**Dr Farry:** I very much welcome the Committee's inquiry. As requested by the Committee for Employment and

Learning, I responded to its call for evidence by the original 21 March 2014 deadline, although the deadline was subsequently extended to 30 June.

The response provided information on issues raised under the inquiry's terms of reference. In addition, it included comprehensive information on the opportunities offered by my Department and its key delivery partners. I also offered to provide further updates to the Committee about any significant developments on issues that evolved during its inquiry in addition to any verbal updates that the Committee might seek from my Department.

**Mr McMullan:** Go raibh maith agat. I thank the Minister for his answer. Is he of the opinion that much more needs to be done to provide opportunities for this severely disadvantaged group of people?

**Dr Farry:** Yes. It is worthwhile, looking at the overall context, to see how different interventions will fit in. First, my Department is conducting a review of the Disability Employment Service, with a view to having in place a draft strategy by the end of this year. That looks at particular issues around access to employment. We have a range of existing interventions on a broader basis that my Department is also involved with, including access to further education and careers advice. Beyond that, there is a much wider, essentially cross-Executive issue about how we better manage transitions for young people from a special educational needs background who are leaving school at 19 to ensure that they have a range of adequate services available to them.

The Executive subcommittee that monitors the implementation of the Bamford report on mental health and learning disability issues has established a mechanism by which we are looking at the issue. Departments have stated what provision they have, and we are conducting a gap analysis in that regard to see what more can be done. In the near future, we will sit down across Departments to discuss what more can be done and whose responsibility it will be to address those issues.

**Mr Swann:** The Minister said that the Executive subcommittee was looking at the gaps shown in the Bamford review. Has he spoken to the Health Minister in regard to the change that is coming for day centres? It is proposed that they will only accept those with severe behavioural or medical needs, and there will be an entire cohort of individuals who will not be able to access day centres. Has he spoken to the Health Minister about that?

**Dr Farry:** I thank the Chair of the Committee for that question. That is very much part of the landscape that is before us. It is important that we seek to reconcile the policy direction in health with what can reasonably be done by a Department such as my own, which has a focus on skills and engaging people with the labour market. We need to work out how best to address the gap between those two responsibilities so that we can best service the needs of young people.

What annoys parents more than anything else is a situation in which Department A says, "These are our responsibilities", and Department B says, "These are our responsibilities", with parents almost stuck in the middle not knowing where to turn. It is important that we have a full spectrum of joined-up interventions. What the Minister of Health, Social Services and Public Safety is doing is very relevant to discussions that are happening in the

Executive subcommittee. We hope to bottom out what should be a comprehensive suite of interventions in the very near future.

**Mr Dallat:** Does the Minister agree that, 16 years into the new Assembly, it is time for Departments to stop arguing about who has responsibility for people with special needs? Will he become the voice of those people, who have not benefited from the equality that was enshrined in the Good Friday Agreement?

**Dr Farry:** I assure the Member that I am happy to be a voice, but we need multiple voices from other Departments and, indeed, Members to fully address the issue. I reassure him that the issue is being taken seriously and that Departments are seized of its importance. Like all Members, we are acutely aware of the deep concerns that parents have around that transition phase and the move from the relative certainty of a school setting to the uncertainty about what comes next. My Department has stepped forward to coordinate that discussion on behalf of the Executive subcommittee, but there are other Departments with responsibility, in particular OFMDFM, which has a cross-cutting responsibility for disability issues on behalf of the Executive. There is good communication between Departments as we seek to fully address the issue.

## Youth Training

4. **Mrs Cochrane** asked the Minister for Employment and Learning what lessons have been learned in relation to the review of youth training from his recent visit to Denmark. (AQO 6234/11-15)

**Dr Farry:** I strongly believe in the importance of evidence-based policymaking. In recognition of the importance of learning from international best practice for the ongoing review of youth training, I recently undertook a visit to Denmark, building on a previous visit to the Netherlands. The key lessons I brought back from the visit include that work-based learning with an employer is a key element of provision, with learning alternating regularly between college-based and workplace-based approaches. Importance is placed on numeracy and literacy, and funding arrangements are in place to reward colleges for performance and employers for engagement.

I was impressed with the role that Denmark's central trade council and sector-based trade committees play in determining their vocational curriculum, which is securing a much simpler qualifications system than we presently have in Northern Ireland. Such structures have ensured that industry leads the development of qualifications to match the required competencies for each occupation.

The visit provided useful insights into ways of re-engaging young people and promoting a positive image of vocational training. Amongst other things, the Danish approach includes taster courses for those currently not engaged in either work or training and the provision of dedicated mentors to assist young people with issues not directly connected to their studies. There is recognition in Denmark that its system is not perfect, and I was interested in the steps being taken to improve the image of vocational learning and give it parity of esteem with academic routes. I will make a statement to the Assembly later this month that will provide an update on the progress of the review. Those key findings will inform the review

of youth training interim report, which will be published in early autumn 2014 for public consultation.

**Mrs Cochrane:** I thank the Minister for his answer. Will he give us a little more of an indication of how those lessons are being applied to the current review of youth training here in Northern Ireland?

**Dr Farry:** The Member will appreciate that we are currently conducting that review of youth training. We are seeking to ensure that we have a fit-for-purpose offer for young people who leave school without the necessary qualifications to progress into work, an apprenticeship, further education or higher education. At present, we have a range of programmes that seek to address that particular cohort of young people. At this time, the level of performance and outcomes is not perhaps as strong as it could be. There is also a sense that it is not as relevant to the needs of employers and the economy as a whole as it could be.

There are very clear lessons from Denmark on how we can better engage employers to ensure that the needs of the economy are taken into consideration. There is a strong focus on literacy and numeracy, which are fundamental in ensuring that all young people have the essential skills that are absolutely vital in any aspect of the world of work that someone may want to consider. A strong role for the mentoring of young people is very important. We have to provide that rounded support for young people, almost, in a sense, so that some of the pastoral care and access to extra-curricular activities that young people who remain in school obtain are replicated in the wider youth training offer that we will hopefully have in Northern Ireland in the very near future.

## 3.00 pm

**Mr Campbell:** During his trips to the Netherlands and Denmark, did the Minister come across the issue of hard-to-reach communities, which is something that affects quite a number of communities in Northern Ireland? There are young people in working-class estates for whom outreach programmes and attempts to get them into other programmes are proving very difficult. Did he get any information there that he can apply to Northern Ireland?

**Dr Farry:** Yes. The Member has raised a valid point. The offers that we put in place have to be very inclusive, and we must seek to maximise participation, particularly among marginalised young people who have, maybe, motivational issues or are otherwise not encouraged to engage in the training opportunities that are out there for them. Particularly from the visit to the Netherlands, there is a very important lesson about the use of the community and voluntary sector and how it can work at a grass-roots level to encourage young people to come forward, and also about shaping the offer to meet the prevailing local circumstances.

It is about creating a culture where vocational training is seen as being as valid, in many respects, as more traditional academic routes so that we raise its status and, in turn, link it into people's aspirations. It is also worth stressing that, although we have a lot of young people who are currently not succeeding in a school-based environment, that does not mean that they do not have the aptitude to engage in the world of work. Indeed, many of those young people are very talented in many respects,

but maybe just have not been encouraged to bring their talents to bear.

It is important that we show the value of vocational training as a means by which we draw out those young people's talents and, in turn, that that creates a virtuous loop where they gain their own qualifications. Put in very simple terms, a young person who is interested in being a mechanic and who likes to tinker with cars or motorcycles may not necessarily initially see the value of sitting down and getting a maths qualification, but if they want to progress in doing that, they will need to achieve that maths qualification. The vocational training may encourage that young person to sit down and ensure that they get their basic qualifications.

**Mrs Overend:** How do the primary and post-primary education systems in Denmark compare with ours and how would our systems be impacted if a Danish-based model of youth training were to be used in Northern Ireland?

**Dr Farry:** In most of continental Europe, there are very clearly established academic and vocational routes. At times, they are more differentiated from each other in certain jurisdictions, and, in other jurisdictions, there is a much tighter relationship or an ability to change between the two. There is a much greater parity of esteem between those types of pathways, so there is not the same degree of hierarchy that we see in Northern Ireland society, where the academic pathway is seen as being the greater or more important one than the vocational pathway and where there is almost a stigma applied to those who are doing vocational training. Through our review of apprenticeships and youth training, we are trying to address some of those perceptions and to ensure that we can encourage people to pursue the most appropriate pathway for them so that they can play a full role in society and in our economy.

## Steps 2 Success

5. **Mr McKinney** asked the Minister for Employment and Learning for an update on the Steps 2 Success procurement exercise. (AQO 6235/11-15)

**Dr Farry:** Steps 2 Success is my Department's main programme for assisting unemployed and economically inactive people to find and keep work. Steps 2 Success builds on the success of Steps to Work and will increase the flexibility to develop an individually designed programme to prepare participants to find employment. The procurement of Steps 2 Success is being carried out by my Department in conjunction with the Central Procurement Directorate (CPD) of the Department of Finance and Personnel.

The procurement is in two stages. Stage 1 was completed in November 2013, selecting six organisations to bid to deliver the programme in each of three contract areas. Subsequently, one organisation withdrew in the southern contract area. After discussion with the Central Procurement Directorate, it was agreed to proceed with the competition in the southern contract area with five bidding organisations.

Organisations in stage 2 are required to design a comprehensive service delivery model to meet standards set by the Department in service guarantees for each category of participant. Bidders are required to develop



a comprehensive supply chain to enable a quality service to be delivered to all participants throughout the contract area. Stage 2 of the procurement is under way, with detailed bids to deliver the programme in the three contract areas presently being evaluated by officials. It is anticipated that I will be able to announce the results of the successful bidders this month, with the programme commencing in September 2014. Officials are also working to ensure that the required legislative, administrative, governance and financial systems are implemented to enable Steps 2 Success to be delivered to a high standard from the start of the programme.

**Mr McKinney:** The Minister will be aware that there is major local concern about the provision of the programme. Given the highlighted poor track record of some UK providers of other programmes here, what consideration is being given to smaller local providers who may miss out on the exercise?

**Dr Farry:** It is worth stressing that the procurement that has been conducted has been done very much in line with advice from CPD. We have a level playing field for the bids that were made. A select list was drawn up at stage one based on the responses received. If organisations did not meet that threshold, that did not necessarily imply that they were not up to delivering it. It was a competitive process, and only a certain number would get through to the second stage. At this point, there are opportunities in the supply chain for organisations across the board. Indeed, it is a prerequisite of bids that the future lead contractors will have a supply chain and will not seek to deliver the programme themselves solely. I am satisfied that we will have rigorous supply chains in place that will create a wealth of opportunities for a wide range of organisations.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagraí go dtí seo. Can the Minister give a guarantee to small local providers who are telling other Members and me that they will go out of business as a result of how that procurement process worked out, because the work will not filter down and it will be administered largely by organisations across the water that do not have local knowledge or engagement with local people?

**Dr Farry:** I cannot give the Member any specific guarantees about any particular individual organisations. All I can do is reiterate what I said to Mr McKinney, which was that the lead contractors will be required to ensure that they have a very comprehensive supply chain in place and that, in it, there will be a considerable number of opportunities for locally based organisations.

We are fully aware of the importance of local knowledge; that is why the programme has been designed as such. It is important to bear in mind that the rationale for Steps 2 Success is not about the interests, per se, of the delivery organisations, it is about actually ensuring that we have better outcomes in moving unemployed people into employment. That is how we will judge the success of the programme. Throughout that, the way in which we have designed the scheme has had that objective very much in mind to ensure that we have a step change in the level of performance from what has been a very good programme in Steps to Work to an excellent programme in Steps 2 Success. Ultimately we have a duty to all our constituents to tackle the scourge of unemployment.

**Mr Copeland:** At this stage, does the Minister anticipate any legal action on behalf of, or led by, the unsuccessful bidders? Can he give his assessment of the impact of any such actions on the introduction of Steps 2 Success? What steps would he take?

**Dr Farry:** I assure the Member that I am satisfied that great care and attention has been given by my officials, and indeed CPD, in handling that procurement. It is a very big procurement scheme. A lot of people have spent a lot of time to ensure we get it right and that we do indeed follow procedures to ensure that we comply with all the necessary requirements.

**Mr Speaker:** Question 6 has been withdrawn. Raymond McCartney is not in his place.

### Zero-hours Contracts

8. **Dr McDonnell** asked the Minister for Employment and Learning for an update on the proposed review of zero-hours contracts. (AQO 6238/11-15)

**Dr Farry:** On 6 May 2014, I gave a commitment to the House that I would launch a consultation on zero-hours contracts. I also indicated that my Department would conduct further research to establish the extent of the use of zero-hours contracts in Northern Ireland. It is my intention that the planned consultation will be launched before the summer recess and will seek views on a number of areas where action may be required. They include exclusivity clauses, the right of an employee on a zero-hours contract to request a move to a fixed-term contract, and the transparency of these types of contracts. My Department will also take forward a range of qualitative and quantitative projects as part of the consultation process.

**Dr McDonnell:** I thank the Minister for his answer. He mentioned making a start on the consultation before the summer recess, and I appreciate that. He will recall that I have spoken before on the issue. Can he give us any idea of how a programme might be rolled out and how we might reach an end point and result?

**Dr Farry:** The Member will appreciate that, when he asked me a topical question in the Assembly several months ago, I gave him — this is perhaps unusual in the Assembly — a direct answer. I said that we were looking at the issue in principle and that we were prepared to move on. When I answered that question, we were at a very early stage in the development. At that stage, I had simply accepted in principle that we would do a consultation on the issue and, arising from that, potentially move towards legislation.

On the timescale for moving forward, it is my intention that the consultation will go out before the summer recess and that it will unfold over the next number of months. I will then bring the outcome of the consultation to the Executive, with a view to seeking agreement on the way forward.

In parallel to that, it is my intention to bring another paper to the Executive on the wider employment law review. That exercise anticipates that we will have primary legislation to take into account the outcome of that review. So, it is my intention that we try to join up those two processes in due course and that the Bill on employment law may contain provisions relating to zero-hours contracts.

The Member will also be conscious that there has been a consultation on zero-hours contracts in Great Britain.

That closed earlier this year, and there were something like 37,000 responses to it. This is now the final year of the Westminster mandate. As the Member will know, the Queen's speech is happening on Wednesday, so we will watch with interest to see whether there are any plans for legislation in Great Britain.

In that context, we may be the first jurisdiction in these islands to take action on zero-hours contracts, if the consultation process here warrants us taking action. We will take seriously the outcome of that process and see what we need to do.

### Job Centres: Staff

9. **Mr Cree** asked the Minister for Employment and Learning what plans are in place to increase staff capacity in job centres, should welfare reform be introduced. (AQO 6239/11-15)

**Dr Farry:** First, I advise the Member that the Department leading on welfare reform is the Department for Social Development. My Department is not responsible for welfare reform. Once the way forward in Northern Ireland is agreed, we will become a strategic delivery partner for universal credit and be responsible for providing a face-to-face work-focused service for universal credit claimants.

In taking account of the potential impacts of welfare reform, my Department has developed a resourcing strategy that will ensure we have the correct number of staff at the appropriate grades and with the relevant skills and competences to deliver services to a high standard. My Department is awaiting claimant volumetric information from the Department for Work and Pensions before it can calculate staff numbers.

**Mr Cree:** I thank the Minister for that. I am aware that there is an overlap. One of the outworkings of welfare reform is that more and more people are being refused employment and support allowance and are being transferred to jobseeker's allowance, despite having medical evidence that they are unfit for work. How do you see that panning out in the future?

**Dr Farry:** Again, that process and the work capability assessments are matters for the Department for Social Development. However, we factor in the number of clients that we, as a Department, are responsible for, and we closely monitor that.

The employment service has close to 1,000 staff in total. It would not be right if I did not acknowledge the real work and commitment of those staff at present, particularly as they have been dealing with a peak in the claimant count over the past number of years. Thankfully, that is falling quite rapidly, but it has been well in excess of the anticipated number of cases to be handled by the Department. So, we do take into account all those different shifts in the different programmes and the impact of the pressures on employment service staff.

**Mr Speaker:** Before we move on to topical questions, I say to the Minister that no indication was given of the intention to transfer question 2 from Mr Humphrey, who has left the Chamber. We have checked that with DFP.

It might be useful if the Minister takes it upon himself to make sure that Mr Humphrey receives a written answer

to his question. I just wanted to clarify that issue. We will move to topical questions.

3.15 pm

### Southern Regional College

1. **Mr Moutray** asked the Minister for Employment and Learning what plans there are for the redevelopment of the Southern Regional College campuses at Lurgan, Portadown and Banbridge. (AQT 1191/11-15)

**Dr Farry:** First, I put on record that I pass on a formal apology to Mr Humphrey for the confusion between my Department and DFP.

**Mr Speaker:** I appreciate that.

**Dr Farry:** We will, of course, provide a full written answer to him.

In response to Mr Moutray's question, we have received the business case from Southern Regional College relating to redevelopments for Armagh, Banbridge and Craigavon. We have accepted that there has been an underinvestment in the Southern Regional College area relative to other parts of Northern Ireland. The Member will be aware that £1 million has been allocated by the Minister of Finance and Personnel for initial works in Banbridge. It is hoped that we will have clarity, particularly on Armagh, very soon, because the issues around site are fairly well advanced and fairly clear. It is our intention to seek to amalgamate the existing Lurgan and Portadown campuses in a new purpose-built facility on a site to be identified in the Craigavon area.

**Mr Moutray:** I thank the Minister for the response. I was going to ask him whether he could be site-specific in relation to Craigavon, but I do not think he will do that today. Can I at least ask him whether he will give consideration to accessibility for attendees at any new campus, especially for rural dwellers?

**Dr Farry:** I was going to say that we are not quite sure which roundabout it will be at just yet. Take your pick. Any advice that the Member wants to offer in that regard would be particularly welcome.

One of the motivating issues behind the new campus is to have a purpose-built facility that meets the needs of the entire community in that area and has purpose-built facilities that are modern and first-class in nature. For that to work, we have to work to ensure that we are attracting people in from all areas. I am more than happy to take back his comments about rural accessibility so that we ensure that everyone has the ability to freely access the resource, which I think will be a major asset to third-level education in Craigavon.

### Election Canvassing: DEL Scheme Employees

2. **Mr Elliott** asked the Minister for Employment and Learning whether he is aware of any schemes, such as Steps to Work or others, provided by his Department that allowed political parties to use the employees to canvass during last month's elections. (AQT 1192/11-15)

**Dr Farry:** That matter has been the subject of a number of questions for written answer from the Member's party

colleagues. Some of the schemes, particularly Steps to Work, have safeguards in that regard. It came to light that some of the more recent interventions did not have specific safeguards in that regard, and that omission has now been rectified. I am aware that a number of political parties have made use of the different schemes that are available in my Department, particularly for working with young people, and I welcome the fact that they are engaging with those schemes and offering young people that opportunity. However, I have no direct evidence of any political party or any MLA using any of those schemes to ask or require a young person to engage directly in political canvassing.

**Mr Elliott:** The Minister's answer is, I suppose, on the one hand, admitting that they are being used but, on the other, saying that he has no evidence of it. On that basis, does the Minister have any evidence that the Alliance Party used any of those employees to be out canvassing for the elections?

**Dr Farry:** I can give a categorical no to the second part of what he said. To clarify, the distinction that I was making is that we are aware of MLAs and political parties using the schemes to engage young people for a range of activities that, I presume, are legitimate. There is no evidence that those young people have been engaged in political canvassing, which is the particular issue that he raised.

### Youth Policy and Strategy

3. **Miss M McIlveen** asked the Minister for Employment and Learning for detail on the new division in his Department to deal with youth policy and strategy. (AQT 1193/11-15)

**Dr Farry:** I am grateful to the Member for her question. We have had a minor internal reorganisation, which has brought together a number of particular policy development areas to ensure that they are properly integrated. Those include the current review of apprenticeships, the review of youth training, the work on the United Youth programme and, finally, the work that we are doing on economic inactivity. Hopefully, that reflects that there is considerable linkage between the different initiatives. It is important that we have a joined-up approach through the same senior people and other members of staff having proper knowledge of how they interlock with each other and that we ensure that we are adopting as much innovation as possible in policy-making.

**Miss M McIlveen:** I thank the Minister for his response. Will he detail what discussions he has had with other Departments about the new division? What budget has he allocated to it so that it can carry out its work?

**Dr Farry:** The main focus of discussions with other Departments largely relates to cross-cutting areas. The main aspect in that regard is United Youth, which is a cross-cutting part of the Executive's work, as it flows from the 'Together: Building a United Community' document. The Member will also be aware that my Department has led the economic inactivity strategy in conjunction with the Department of Enterprise, Trade and Investment on behalf of the Executive as a whole.

The specific way that Departments are structured is very much a matter for Ministers and permanent secretaries, but, hopefully, the revised structure will make it easier for

us to engage with other Departments on areas that are, indeed, cross-cutting.

### Labour Market Statistics

4. **Mr F McCann** asked the Minister for Employment and Learning for his assessment of the most recent labour market statistics. (AQT 1194/11-15)

**Dr Farry:** The latest figures are encouraging, but, clearly, there is a lot more work to be done. In particular, we are seeing a very consistent fall in the claimant count. I think that we are now talking about the biggest consistent fall in consecutive months for approaching almost 20 years. That is a sign of the degree of recovery that is happening in our economy.

We also have to recognise that we are moving in the right direction from a low employment base. We have had considerable problems with unemployment over the past number of years. Within that, there are particular issues with long-term unemployment and youth unemployment. We have designed and put in place particular interventions, whether it is Steps 2 Success or Pathways to Success and the youth employment scheme, to try to address those particular angles.

**Mr F McCann:** I thank the Minister for his answer. Does he agree with me that, despite the falling number of people claiming jobseeker's allowance, our economy is now dominated by people who may be in work but are underemployed and underpaid and that it suffers from high levels of emigration?

**Dr Farry:** I think that what some people call the jobless recovery or the problem of underemployment is affecting a number of countries in Europe and elsewhere in the world. By way of reassurance to the Member, I will say that we can see a recovery in the level of demand. We are expecting a lot more pressure through jobs over the remaining part of this decade and, indeed, through to 2030. Some surveys suggest that we have the potential to create another 28,000 to 30,000 jobs through to 2030. That is outside the context of a lower level of corporation tax. If we were to achieve that particular power, subject to putting in place other supporting interventions, we could double the number of jobs that are to be created by 2030 to almost 60,000. So, there is a real prize out there, and you can see that there is a degree of pressure for employment. However, a difficulty may arise in a mismatch between supply and demand. That is why it is so important that we invest in the right level of skills in the right sectors of the economy and that we do such things as the review of careers when investing in apprenticeships and STEM places at university.

### Belfast Metropolitan College: Millfield Stabbing

5. **Mr McCarthy** asked the Minister for Employment and Learning for a quick comment on the recent unfortunate stabbing incident at Belfast Metropolitan College. (AQT 1195/11-15)

**Dr Farry:** I thank the Member for his question. Clearly, there was a lot of interest in the community in the incident. On 22 May, a confrontation took place between two students at the Millfield campus of Belfast Metropolitan College (BMC). One student sustained serious injuries

and remains in hospital in a serious but stable condition, and the other student was arrested and later bailed. The college immediately deployed first aid to the injured parties, and the Ambulance Service arrived within 10 minutes of being notified. The PSNI was also called to the scene and secured the vicinity. BMC reacted very quickly to make counselling services available to staff and students at the Millfield campus and to liaise closely with the families concerned.

It is also worth referencing the important interventions that were made by the lecturing and other staff in the college and how proactive they were. Perhaps that has not entered the public domain, but I think that it is appropriate to recognise the sheer professionalism of all of the staff in how they responded to the incident.

It is worth stressing that this incident was unprecedented in our FE sector. Hopefully, it was very much a one-off incident, which happened in very particular circumstances. Obviously, we have to take into account any lessons to be learned for the future, but it is important that we recognise that our systems worked well in dealing with what, hopefully, will be an isolated case.

**Mr McCarthy:** I thank the Minister for his very detailed response. Perhaps he will give the Assembly his estimation of what implications the incident will have for future policy.

**Dr Farry:** Again, I thank the Member for the question. Although it is appropriate that we congratulate all those involved on the manner in which they responded to the situation, there will always need to be a lessons-learned exercise to ensure that our policies are reviewed on the basis of such an experience to see whether things can be done better. Indeed, risk management should also be deployed to ensure that the policies are properly proofed. I am sure that BMC will do that. I know that it has already instigated an internal review around the lessons-learned process. I do not want our FE colleges to turn into some sort of facilities with a lot of security around them. We want to have a welcoming environment for students and others. We want to ensure that we attract people to FE, so it is important that we place this in its proper context.

### Universities: Neutral Environment

6. **Mr Craig** asked the Minister for Employment and Learning what action has been taken to reduce intimidation at Jordanstown, given their previous correspondence about a neutral environment in our universities. (AQT 1196/11-15)

**Dr Farry:** The Member will be aware that the university has put in place a working group to look at good relations issues in its campuses. The group has a range of stakeholders, including different student voices. I am confident that they will reach some understanding on the most appropriate way forward on the use of symbols and on the particular issue that the Member raises.

I again put on record that the wearing of a GAA top or other type of sporting jersey should not, in itself, be viewed as not conducive to good relations or, indeed, a shared campus. The context in which these things occur is always important. The latest advice from the Equality Commission on campuses, in particular, is that a good, harmonious environment does not necessarily need to

be a neutral environment. So we have to strike a very delicate balance between people's right to express their identity and interests and the need for good relations in different working or educational environments. That is why it is important that the universities work out what is an appropriate policy for their circumstances.

**Mr Speaker:** I invite Members to take their ease as we change the top Table.



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

3.30 pm

## Private Members' Business

### Education: Area Planning Process

*Debate resumed on amendment to motion:*

*That this Assembly expresses serious concern regarding the ongoing area planning process in the education sector; notes the critical comments made in the Justice Treacy judgement on area planning and integrated education; further notes that the current process places no formal recognition or promotion of greater sharing between schools and sectors; believes that decisions made now will determine the shape of the education system for many years to come; and calls on the Minister of Education, in the absence of either an Education and Skills Authority or the reconstitution of education and library boards, to suspend the current area planning process until there is clarity on the future strategic management of schools, and a long-term vision for education in Northern Ireland is agreed. — [Mr Kinahan.]*

*Which amendment was:*

*Leave out all after "Assembly" and insert:*

*"recognises the need to rationalise the schools estate in a planned and managed way in the promotion of educational equality for all and that the ideal vehicle to manage area planning is the establishment of the Education and Skills Authority; further recognises that area planning can, and must, be progressed in the absence of the Education and Skills Authority for the educational well-being of children; notes that the current process allows for the promotion of sharing between sectors; and calls on all sectors to redouble their efforts to bring forward proposals for greater sharing." — [Mr Hazzard.]*

**Mr Storey:** I am sure that when people got the Order Paper they were not sitting on the edge of their seat in their home because of the issue to be discussed, particularly the detail of the motion from the Ulster Unionist Party and the amendment from Sinn Féin. Yet again, we have an example of a political party that tells us, "All you have to do is get everybody round the table, and we'll be able to sort all this out". We were around the table for seven years on ESA. The Ulster Unionist Party takes great credit; it claims that it stopped ESA. I recall the Member being delighted about not having progress. He talks about a vision for education. I remind the Member — if he ever takes time to read the documents that he gets at the Education Committee — that the vision of the Education Department lies in the corporate plan for education. I ask the party in the corner how, whether we have John O'Dowd of Sinn Féin as the Minister or a direct rule Minister, it prevents them ensuring that what is in the corporate plan of the Department of Education, which is, I believe, opposed to what the Member wants, is not fulfilled. The Minister states:

*"I am committed to working with parents, teachers, governors, churches and others to ensure that selection and rejection based on educationally unsound testing at the age of 10 or 11 will no longer be a feature of our post-primary transfer system."*

What has his party done? We know what it has done: nothing but criticise and complain about everybody else.

There is reference to the Treacy judgement in the motion. I ask the party in the corner where it stands on the 1989 Order. I heard the Member tell us all that he was opposed to it, but I never heard him tell us what he was for. The DUP has been consistently opposed to the 1989 Order. Why? The 1989 Order gave preferential treatment, which has now been confirmed by Judge Treacy, to the two smallest sectors of our educational provision: the integrated sector and the Irish-medium sector. In a few minutes, we will come to examples of where, as a result of that legislation and the actions of the Department, the controlled sector, which is a new word in the vocabulary of the Ulster Unionist Party in recent times, has been set at a disadvantage. When will the Minister come out into the public domain and give us the recent guidance that, according to his press release of 15 May, was issued by him to his departmental officials on the application of the duty? We have not seen it. We have asked for it, but we do not know what that guidance is. I will let the Minister answer on that issue.

I turn to what was said by Chris Hazzard and the Minister about there having been no evidence produced that sectors have been discriminated against or treated unfairly in area planning. Let me take you to Ballymena. The Member for North Antrim alluded to Ballymena when he said that he was a member of the board of governors at Ballee. The way in which the North Eastern Education and Library Board and the Department have treated that controlled school in Ballymena is shameful. Indeed, "shameful" is probably putting it very mildly. The Minister corrected the assertion that the announcement was made on election day. Well, it was made the day after, on May 23, in a public press release. The press release states that the school in Ballee will close with "effect from 31 August 2014". There are other examples. At St Peter's High School in Londonderry, there is to be a phased closure. An announcement was made on the same day in relation to the future of schools in Coleraine: St Joseph's College, Dominican College and Loreto. They, too, will have a phased closure. I have to say, Minister, that having a phased closure and giving a school until 31 August to close is treating two sectors completely and absolutely differently.

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

**Mr Storey:** It is time that that element of area planning is looked at, because the way that Ballee has been treated —

**Mr Principal Deputy Speaker:** I call Mr Sean Rogers.

**Mr Storey:** — has been shameful.

**Mr Rogers:** We all recognise that progressing area-based planning is crucial to improving the educational well-being of all our young people. The Minister is right to pursue this fully but, without formally establishing the Education and Skills Authority, he is in danger of putting the cart before the horse. If we are to see our economic outlook improve, we need to pursue sound financial planning and

recognise the benefits of sharing between sectors. We need a flexible education system that has parental choice at its core. The terms of reference for area planning place strong emphasis on sharing, but the published plans did not reflect this to any great extent. Shared education has to be at the centre of any decision-making.

ESA was introduced by Angela Smith in 2005 as a means of cutting costs and bureaucracy in education services and delivering more resources to the classroom. At that stage, I, like many others, was looking forward to it, but, unfortunately, the opposite has been the case. In fact, far from reducing costs, it has swallowed up almost £17 million without any tangible output. Without the implementation of ESA, the five education and library boards have come under considerable pressure, and any support that they have been able to provide to schools has been severely hampered. We have heard people's views about who stopped ESA, but, at the end of the day, successive Education Ministers have failed to deliver it.

The SDLP is fully supportive of any initiative to deliver the real change that ESA promised. Any supposed changes to date have been achieved by scaling down the level of services, which has hit our teachers. In Judge Treacy's recent ruling with regard to Drumragh Integrated College, he referred to the Bain report, which is what I want to speak about. We need to revisit the Bain proposals. The Department has set minimum enrolment thresholds below which, it is believed, schools will find difficulty in providing an appropriate learning environment. Rural primary schools are expected to have more than 105 pupils, and urban primary schools are expected to have more than 140. Although the numbers are important, good leadership, academic achievement and financial viability are far more so. The designation of schools as rural or urban is also off the mark. Only schools outside Derry and Belfast are deemed rural. That does not take into account primary schools in an urban context by treating them as if they were rural, and, in fact, 40% of our rural primary schools are under enrolment stress. Cross-sectoral solutions are essential to retaining education in rural areas. We could pursue a similar argument with post-primary education where many great post-primary schools have fewer than 500 pupils.

It is my belief that area planning proposals are built on the shifting sands of the Bain proposals, which are seriously flawed. If we continue to adopt Bain, we will say goodbye to many of our rural schools, and I mean "rural" in the true sense of the word. We would say goodbye to many of our rural communities and even our rural economy. Do we really want to be in a situation where our major schools are all urban?

The most concerning aspect is that the Minister has used information gleaned from the area planning process to close schools. Little consideration is given to community-led development proposals. What consideration is given to Immaculate Conception College being the only maintained school in the Waterside? Will the unique location of St Mary's, Brollagh, and the unique circumstances pertaining to that community be considered, or will we just follow CCMS's recommendations? Any development should be assessed against all factors. Is an hour and a half's bus journey not a very important factor?

The aim must be to secure a network of sustainable schools while working out what the annual demand for

school places is likely to be on the basis of current uptake and projecting ahead. Why has the involvement of further education in area-based planning been an afterthought? We need to ensure that our young people have access to different pathways. FE provides an alternative and proven successful pathway, but it was left out of the process, despite being a key player in area learning partnerships.

It is time for the Minister to urgently address the current problems with area-based planning. He must pause the current process, learn from the initial attempts and adopt a holistic approach to area-based planning, encompassing maintained, controlled, Irish-medium, integrated and further education. We must ensure that managing authorities do not recommend school closures in situations where the local community supports a shared solution. We must learn the lessons from initial attempts at area-based planning. This must be fully tackled before the strategic management of schools can be fully explored and a long-term plan for educating our young people devised.

**Mr Dickson:** Education has been for far too long and remains to this day a political football. We need to make progress on the issue. From top to bottom, reform is needed. Thousands of empty desks shout at us of the need to address planning in our school estate to deliver sustainable schools, appropriate selection and a common funding formula and to deal with the uncertainty hanging over small schools and underperformance.

We need to begin to trust one another to work to improve for the good of our children in Northern Ireland. We need to move forward to a modern education system that, I unashamedly say, should have integration at its heart. Integrated education is essential for a host of reasons. My party's chief reason is that we believe that there is good social value in integrated education. We believe that educating people from across the community in the same school provides for an improved society. We also believe that there are clear educational and financial benefits from doing so.

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

**Mr Dickson:** Not at this stage.

Shared education, as outlined by the Ulster Unionist Party motion, is part of a spectrum of choices relating to improving integration in the education system. However, it should not be pursued to the detriment of integrating education, as the decision in relation to Drumragh Integrated College showed last week. There is a real and genuine demand for shared education. The recent 'Belfast Telegraph' poll and the application rates for integrated schools demonstrate that. Yet, somewhere in the system, there is a blockage. There is a political roadblock preventing us from developing integrated education. Despite the demand, there is little political support for integration in our schools. Even when the DUP and Sinn Féin agree to identify 10 new shared campuses — not integrated, but shared — they are unable to do even that by any reasonable deadline.

Others have referred to schools in their locality. I want to make reference to Corran Integrated Primary School in Larne, which operates out of ramshackle temporary classrooms because of the failure and the inertia in the system. It cannot deliver modern and appropriate teaching facilities for a school that is bursting at the seams with

parents who are choosing to have their children educated there.

The Education and Skills Authority would have been a good model for delivering a great deal of this, leading to robust area-based planning processes to genuinely facilitate and encourage integrated education. However, we are where we are today. I hope that the Minister will at least hint today at new proposals for the education administration. The question of how we facilitate and promote integrated education in any new system is essential.

I give way to the Member who, I appreciate, wants to say a few words.

**Mr Agnew:** I thank the Member for giving way. Does he believe, as I do, that the requirement to facilitate and develop integrated education means that, at times, the integrated sector can and should be given priority over other sectors?

3.45 pm

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

**Mr Dickson:** Thank you, Principal Deputy Speaker. In response to the question, emphatically the answer is yes.

**Mr Wilson:** Will the Member give way on that point?

**Mr Dickson:** Not at this stage, I really need to make progress and finish this.

We are in a position where, if we allow area-based planning to proceed without ESA or any appropriate structures in place, we could be putting the bricks and mortar for new schools in place, literally building segregation into our education system for another generation. That is something that I and my party will resist tooth and nail. We do not want to see a system that will deliver bricks and mortar that will provide for further segregation in our education system. This is why, following the recent Drumragh ruling and the scrapping of ESA, there is need for a rethink of how we implement the planning process to ensure that the decisions we take now are embedded with integrated education in the system for the foreseeable future. We are making decisions today for a whole generation.

Northern Ireland needs an integrated education system, and there has to be a mechanism in place to ensure that it is planned for effectively. That must be alongside other changes such as those for teacher training funding mechanisms, but the current system has clearly been shown not to work correctly, and that needs to change. We must stop making education a political football, a game that has gone way beyond full time. We need agreement now to deliver a fair and equal education system for all, one that helps to deliver shared and integrated education and no longer helps to segregate our society.

**Mr Craig:** Area planning: where is it? Have we really got it? I have heard much outcry here about the integrated sector and where it fits into the area planning strategy. I will make the bold statement that we cannot afford the policies we have today with all those sectors, some of them artificially competing with others. I have only to look at my area to see a prime example of what happens with the integrated sector. An integrated school was opened.

Legally, it was allowed to happen, even though the vast majority of the community in the area was opposed to it, and the inevitable happened. In this case, a maintained sector school ended up closing over the opening of the new integrated school. That school now wants to double its intake, even though there is no demand there to prove that it can be sustained. Six controlled sector schools sit within two miles of that school, and all of them are undersubscribed.

We need to wake up to the reality of what is going on here. We have a school sitting there, as was pointed out, in temporary buildings, like most integrated schools, yet, as a Government, we have poured millions of taxpayers' money into the six controlled sector schools. All of them are new schools from within the past five years. If we double the intake for the integrated school, what will we have done with all that public investment? Where is the logic in saying that this is the way for us to go? This is where area planning becomes absolutely critical.

I could also be very critical of my own South Eastern Board. I sit with four primary schools in my area, all of which are oversubscribed to the hilt. This year, we have seen pupils being asked to go in excess of 20 miles to other schools. Is that the way forward? I do not think it is. With my own board, I will ask the Minister to take a severe look at how it actually carries out the so-called area planning, because I think that the lack of electoral input to that board is having a major detrimental impact on it. I have asked the Minister on several occasions to look at that issue, because common sense seems to be out the window.

For three years now, we have had to ask for the Minister's intervention time and again with regard to preschool facilities in the same Lisburn north area, and every year he has had to put more money into that area. It was absolutely predictable that this year the primary school facilities would be bursting at the seams, yet absolutely nothing was done about it. In fact, over six months ago, an announcement was made by the Ministry of Defence (MoD) that a major movement of military with children was coming into the area. Yet the board made no plans to provide for that. When will the Minister tackle what is actually going on out there, shake somebody up and make them do their job?

We can talk all day. The reality is that very little area planning is taking place. The Minister needs to grasp that nettle, tackle it now and move it forward, before we are left with a complete and utter debacle out there.

**Mr McKay:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I oppose the motion and support the motion as amended. As is usual with most Ulster Unionist motions, this is negative and offers no solutions. There are no real proposals in it; it is just about stopping area planning. Once again, we find that there is little actual policy in the motion.

The Minister has a difficult job to do with regard to area planning. Nobody envies that job. As Stewart Dickson has said, there are so many empty school desks that we, as the Executive and Assembly, fund at the moment. That situation is untenable and unsustainable, and it needs to be tackled. By tackling that problem, we free up resources and funding that can go towards tackling underachievement in our schools and raising educational standards. This is something that we cannot dilly-dally with. We need to get to grips with it right away. Children,

their well-being and their educational outcomes have to come before buildings and protecting the status quo for whatever reason. There have been situations in the past — I know of a number in my constituency — where previous Administrations have given capital funding to schools and, within one or two years, the school has closed. So, there has always been a need for a longer-term vision and longer-term planning in regard to education. That is why the Minister and the Minister before him had to put in place policies to deal with this issue.

**Mr Wilson:** I thank the Member for giving way. Unusually, I agree with nearly everything that he has said to date. However, does he not agree that, to a certain extent, area planning has been made more difficult because the Minister has allowed himself to be shackled by not taking on some of the vested interests in education? We have already had examples of where one sector is promoted, even to the detriment of schools in a particular area, or one sector is allowed to go off and do its own thing regardless of the impact that it has on other schools. Is that not really where the problem with area planning has come?

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

**Mr McKay:** The Member knows the Minister of Education, and I do not think that the Minister can be accused of being hesitant in taking on vested interests. The greatest frustration in education has been the deliberate fudging of many issues, whether it be ESA or other issues. ESA should have been in place many years ago and been central to dealing with many of the problems that we are discussing.

Locally, schools need to work together and share resources. I know of cases, besides that of Omagh, where schools are seeking capital support together to ensure that they meet the needs of the area rather than of the individual school.

To deliver a world-class education for our children — something that, I believe, we are all striving towards, regardless of our political opinions on the issue — we need to free up resources to invest in education, to provide choice and to put a greater focus on underachievement. To do that, we need to promote the greater sharing of resources, stop wasting money on empty school desks and have a proper debate on educational outcomes and delivery. Today's motion is not about having a proper debate; it is simply a call to suspend area planning. Those who tabled the motion have been in the House long enough to know that you can oppose things — education or anything else — until the cows come home. We are up for a debate and will listen to whatever proposals the Ulster Unionist Party has. However, in order to move this debate forward, the Ulster Unionist Party needs to bring forward proposals for discussion.

**Mr Newton:** I suppose that, when I looked at the motion, I asked myself what aspect of it we had not debated before and on a number of occasions. I asked myself these questions in the context of what has happened in east Belfast: what is the current approach to area planning and what has it achieved? I want to focus on the east Belfast area plan and ask why the Minister is so hung up on an area planning process and exercise that has let him down on so many occasions.

I do not think that anybody would argue that area planning is unnecessary. Of course, it is necessary, but there needs

to be a number of ingredients to it. It needs to be open, transparent and professional, and the advice given from the area plan needs to be shared on an equal basis with the parents and boards of governors of the schools that are impacted on. It also needs to be consistent across all the sectors, and it needs to be more than what it was described as by a number of schools, parents and boards of governors in east Belfast, who felt that it was disastrous.

I want to take a couple of examples. In Orangefield High School, the board of governors approved the closure of the school and recommended it to parents. It approved it on the basis that the area plan would allow the pupils in Orangefield High School to go, by and large and in the main, to Ashfield Boys' High School and Ashfield Girls' High School. At the end of the day, the Minister knows that that was unachievable. The parents were then encouraged to make other decisions about other schools, and the life of the school had to be extended for a year beyond what was anticipated. That was one example of area planning and how misinformation was given to parents about what would be achieved.

Newtownbreda High School is in south Belfast, but it serves quite a number of pupils from east Belfast. Parents were to be convinced that the area plan was workable through the amalgamation of Newtownbreda High School and Knockbreda High School, but they now feel so strongly about it that they are seeking a judicial review. At the other end of the scale, parents of pupils in Knockbreda High School are also unhappy about the situation with the schools working together. It seems that the way in which the area plan has worked has let down the children in both schools.

The consultation process for that area plan was done by the South Eastern Education and Library Board, and I have raised the issue of there being no representation from parents, the public or political representatives on the South Eastern Education and Library Board with the Minister before. I am pleased that he has rectified that situation in the Belfast Education and Library Board and that it now has the political representation that it did not have until a few weeks ago. That situation cannot be allowed to continue. That process also affects the school in Dundonald, where, thankfully, the Minister took the decision to reverse the recommendation of the South Eastern Education and Library Board and allowed the school to remain open. Those are a number of examples of area planning being ineffective and, indeed, letting the Minister down.

That situation cannot be allowed to continue. We need a democratisation of the South Eastern Education and Library Board with representation from parents. The system — I will come to a conclusion — needs to be tested, tested and tested again to indicate that it is fair and representative. Area planning can be professional in those circumstances.

4.00 pm

**Mr P Ramsey:** Like my colleague Seán Rogers, I support the motion. There are many issues of great importance that require leadership from this Assembly and Executive, notably the economy and the failure to find resolution on the Haass talks. However, there is arguably no bigger issue for Northern Ireland at present than the future of our children's education. Yet, on this major issue, there has



been a massive Sinn Féin/DUP leadership failure. The SDLP envisages an education system that focuses not only on exams but on a rounded education for our children and one that provides the parental choice of integrated, Irish-medium, state or faith-based education through the provision of appropriate access for all young people and students.

Alongside choice, the fact that spending for each primary-school child is less than half that in a grammar school must be addressed. Further money and resources must be spent on early years primary and nursery provision to counter that injustice. There is a step towards investing in educational excellence that is key to achieving social justice and long-term economic value and growth for our shared society. As part of this drive for such educational excellence, there is a great need for a robust focus on the attainment of science, technology, engineering and maths (STEM) subjects at all ability levels to provide our children and, as a consequence, our economy with the necessary skills base to excel in this era of global competitiveness.

All those important priorities are being stalled by the now seven-year delay in establishing ESA and the recent news that the Minister is rubbishing the plan. The Department of Education's website states:

*"The purpose of education reform is to improve outcomes for all young people in education and to ensure equality of access to quality education provision."*

Sadly, without the single education and skills authority, the five education and library boards and the different sectoral bodies in the system have had to move ahead on their own.

**Mr Storey:** I thank the Member for giving way. There is an irony in the situation with equality of access because of the 1989 order. I have in my constituency a very successful post-primary integrated school in Harryville in Ballymena that the young people in Ballymena cannot get into. Why? It is because the process means that they are being bussed from Larne, which is in the constituency of my colleague the honourable Member. Surely that is not equitable and not treating everybody in a fair way.

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

**Mr P Ramsey:** Thank you, Principal Deputy Speaker. The Member makes a valid point.

It is undesirable yet inevitable that this has resulted in planning without formal recognition or promotion of greater sharing between sectors. While I agree with the Minister's actions moving forward, area based planning without formal recognition or promotion of greater sharing between sectors is far from ideal. The amendment neglects to point to the seven years of intransigence that has prevented the establishment of ESA, which was intended to be a single authority for area planning and which has resulted in a jumbled sustainable schools policy that will, as in the case of Immaculate Conception in the Waterside and as Seán Rogers pointed out, starve a community of a school that has been at the heart of that area for many years and that provides valuable community services.

How can this House call for the suspension of the current area planning process before there is clarity on the future strategic management of schools and a long-term vision

of education for Northern Ireland is decided upon, given that such a long-term plan has been actively resisted for the past seven years at a cost of £17 million? That is not to say that we will not scrutinise the Minister's actions. Reconfiguring the existing five education and library boards to fit the new superstructure of local government is a major undertaking and one that will have a major impact on area planning. This is of particular importance in ensuring that we protect rural schools, which are so often the heart of rural communities. The Minister must work for viable alternatives to the existing sustainable schools policy, as the resultant audits do not demonstrate an aptitude towards rural proofing and the opportunities for schools and the wider communities in giving the opportunity to be educated together while maintaining that rural school.

Now that we have the apparent dumping of ESA in favour of a unitary body, we must be clear how we will manage the long-term sustainability of schools to ensure that skills, as I previously mentioned, STEM subjects and employability are at the heart of the system. For far too long, there has been a political twist to education in the House, but we simply cannot ignore the increasingly clinical attitude of the Department to providing our children with an education that is fulfilling and meaningful.

I mention again, and will continue to mention, the plight of the Woodlands speech and language centre in my constituency, which was closed by the Minister despite being an example of best practice and despite objections from the Education and Training Inspectorate and the entire community. Far from sustainability, the focus in this case seems to be on faked adherence to legislation, which the Minister could have changed. We support the motion.

**Mr Moutray:** Today's motion is certainly wide-ranging. In fact, I would go so far as to say that it is a little bit of everything thrown into the mixing bowl, from area planning to the Education and Skills Authority to the sharing of resources and the long-term vision for education in Northern Ireland. Mr Kinahan and Mrs Dobson have managed to say a lot in the motion but to mean very little. In my mind, the crux of the matter is that area-based planning has been a shambles and continues to be just that. Over the next couple of minutes, I intend to look more closely at the area planning issues and take the opportunity to reiterate to the House the flawed process in my constituency and the need to consult and listen to communities, not impose a ministerial ideology on a community that simply does not want it.

Judge Treacy's ruling certainly gives much credence to parent power. It is essential that the Minister ceases his plan to enforce an unwanted system on any community. To that end and given the flaws to date, I support the suspension or abolition of the current area planning process, which has been flawed from day one. If we look specifically at Craigavon, we see the Southern Education and Library Board and the Minister travelling down a road to decimate a system that has worked for over 40 years, is the envy of other areas and produces higher-than-average results yearly. We openly admit that there are accommodation issues, particularly on the senior high school's Lurgan site. However, when all that is needed is an estate upgrade, the area-based planning model adopted by the Minister and being implemented by the board is totally and utterly aimed

at destroying the entire system and heading down the road of a comprehensive system.

The community has supported the operation of the Dickson plan for many years. They want it to continue, and they want to see all pupils, especially those in Craigavon Senior High School, in high-quality buildings receiving education appropriate to their academic and vocational needs and, in the case of the senior high school, with good links established with further education to provide vocational pathways from the school environment into the world of work. I have concerns about how my view on provision and those of my constituents have been misrepresented. Some have alleged that my party is interested only in grammar schools. That is wrong on every level. I am glad that principals — post-primary and primary — parents and pupils have been to the forefront of the battle and have demonstrated the level of support that there is for the Dickson plan and its continuation.

We have seen poor leadership in our education system, with the education and library boards being used to do the dirty work. In recent weeks, we have seen the shambolic area planning proposals in Craigavon and witnessed a ruling by Judge Treacy against the Minister and the Department for their handling of the Drumragh Integrated College saga. We have witnessed inequality in the treatment of our children in that the Minister has not moved to set up a body that will speak up for systems such as the Dickson plan, which permits parental choice and offers different pathways for children on the basis of their academic or vocational ability. It is time to rework area-based planning into a process that is inclusive, takes cognisance of parental views and, at all times, protects parental choice.

**Mr O'Dowd (The Minister of Education):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Fáiltím roimh an deis an rún seo a phlé inniu agus tuairimí comhghleacaithe Tionóil a chluinstin. I welcome the opportunity to debate the motion and to hear the views of Assembly colleagues, although, at times, it was more akin to having several Adjournment debates all in one. That is because every Member — well most Members, apart from my colleagues — seemed more interested in schools in their constituency than in the ideal of area planning or the need to tackle the inequalities in our education system.

I will start by correcting a number of observations made by the proposer of the motion, Mr Kinahan. In his opening remarks, he stated:

*"It seems that we have a mess in the education system, whether it is ESA, assessment, common funding, and even the lack of improvement in examination results as announced last week, as well as many other fields."*

Let me correct him on a few of those points for a start. Our examination results are improving significantly. The proportion of school leavers achieving at least five good GCSEs at grades A\* to C or equivalent, including in English and maths, has increased by 3.8% over a five-year period. The proportion of school leavers achieving at least five GCSEs at grades A\* to C or equivalent has increase by 8.3% over the past five years. That is an improvement in anybody's book.

The proportion of school leavers achieving three or more A levels at grades A\* to C has risen by 3.9% over the same period: our examination results are improving and not declining, as indicated by Mr Kinahan.

The common funding formula is in place. It is being run as we speak, and, as I committed to the Assembly and to others, no school lost as a result of my manoeuvres.

In relation to ESA, Mr Kinahan told me that I needed to realise that I am involved in consensus politics. I agree totally. I brought forward an ESA Bill that is not my vision. If I were in a one-party government, I assure you that the Bill would be completely different, but I accept that I have to compromise. I brought forward significant compromises on the ESA Bill on several occasions, yet I still cannot achieve agreement on it. I am all up for consensual debate, politics and compromise because that is what we have to do if we are to make this work. However, we all have to do it, including the Ulster Unionist Party. The Ulster Unionist Party will have to decide in the weeks to come exactly where it wants this debate to go in relation to a single planning authority.

I do not mean to pick on Mr Kinahan; I will pick on others as the debate goes on. I have a list here of people I am going to pick on before the end of the debate.

Mr Moutray stated that Judge Treacy had ruled against me. He did not rule against me. Even in Mr Kinahan's opening remarks, he said:

*"we highlight the need for clarity on what Justice Treacy's judgement means".*

Great legal minds are going over Judge Treacy's judgement to see exactly what it means for education. I assure you that I take the judgement seriously. I will listen closely to senior counsel's interpretation of it, and we will move forward on it.

However, nothing in the Judge Treacy judgement and nothing that I have heard in the debate today points me in the direction of stopping area planning. In fact, when I listen to Members debate the issues, it strikes me that some of them want me to do this: whatever you do, do nothing. That is not an option in any Department, and it is certainly not an option in education.

In my first major speech to the Assembly, on coming into office in September 2011, I outlined my vision for education and what action needed to be taken by my Department and by me, as Minister, to ensure that our education system moved forward in a progressive way. At the heart of it was area planning, and I set out the reasons why we needed area planning. At the time, and since, I have said this: as Minister, I could trundle along with the budget that I have and keep every school as it is.

**Mr Wilson:** Will the Minister give way?

**Mr O'Dowd:** I will give way to the Member in a moment.

I could keep every school open and ignore the fact that we have 85,000 empty school desks; ignore the fact that how the system was planned was on an individual school basis rather than on an area-needs educational basis. I could have ignored the fact that how we were planning our schools estate was having a detrimental impact on education. I could have happily trundled along doing that, but I did not enter politics to ignore the realities of a

situation. No one who is prepared to sit back and ignore the realities of a situation should be appointed Minister.

I see that Mr Wilson is looking to get in.

#### 4.15 pm

**Mr Wilson:** I thank the Minister for giving way. He is absolutely right to say that to sit back and do nothing was not an option with his budget and educational needs, but does he agree that part of the reason why anger and frustration is being expressed today about area planning is that it is seen as a vehicle for the Minister to get his way on issues that he could not previously get his way on, for example the destruction of grammar schools? It is being seen as an attack primarily on the controlled sector. The benefits of having fewer schools but bigger and better schools have not been sold to the public.

**Mr O'Dowd:** I challenged the Member and other Members during Question Time to show me examples of where I discriminated against any sector and to name individual schools, rather than claim that I discriminated against a sector. I counteracted by saying that I acted in a positive discriminatory way in relation to Dundonald.

I will cover the points Mr Wilson made in a moment, but Mr Storey stood up and said, "I'll give you examples of where the Minister acted differently: Ballee." He stated that I closed the school in Ballee on a particular date. That date was on the development proposal because the proposers of the development proposal, the North Eastern Education and Library Board, brought forward that date for closure. He said that the maintained sector will be treated differently and certain schools have been given different dates. I can set the dates on development proposals once they come to me for a decision, but the original date on any development proposal will come to me as part of that original proposal. Mr Storey referred to what is happening in Coleraine. I understand that, in Coleraine, a number of development proposals have been published by CCMS. I have no part in those proposals at this stage. They are at a consultative stage and, when they come before me, I will make a decision on them.

This also goes to Mr Wilson's remark that, in some way, I am seen to be driving forward an agenda that I could not get in other ways. Again, show me the example of where I acted in a discriminatory way. Mr Storey has had to step out, but Ballee is an example of the effect of the grammar schools on our education system. Ballee is now going through the process of closure because it could not attract enough pupils. It was operating in an area that has a high dominance of the selective sector. Ballee begged the other sectors, including the selective sector, to work with it and it was ignored — not by me but by the selective sector. So selection is having a detrimental impact on non-selective schools, particularly in the controlled sector.

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

**Mr O'Dowd:** In a moment.

That is not my doing or an effect of area planning. Area planning exists to help to rectify that impact. Everybody should have a fair playing field in moving forward.

**Mr Frew:** I thank the Minister for giving way. On the issue of Ballee, I challenge the Minister and I believe him to be wrong. Ballee closed not because of the numbers of selection places in grammar schools but because there

was an integrated school in Harryville, which affected the numbers, and also the fact that, for many, many years — this is the nub of the problem — NEELB let that school down, let it wither, and did not support that school when it was needed.

**Mr O'Dowd:** I think the Member may be rewriting history slightly. I also ask the Member to examine his party's role in the decline of Ballee. Where was your attention focused for many years, whether in Ballymena, Craigavon or south Antrim? Your attention has not been focused on the controlled sector and the non-selective sector. You have been courting the selective sector so much that you actually forgot about the controlled sector. Now, all of a sudden, the controlled sector is raising its voice, and rightly so.

There was a wee dispute earlier between Mr Storey and Mr Kinahan about who spoke for the controlled sector the most. I have been Education Minister for three years, and I have been my party's spokesperson on education for five or six years, and I can count on one hand the number of times any of you have spoken about the needs of the controlled sector.

Under area planning, everyone is around the table and everyone has a voice around it. Ideally, that would be under ESA, but we have to continue to work and move on. So, everyone has a voice around the table. I am asking the sectors to work together. Mr Kinahan said in his opening remarks that the terms of reference of area planning actually state that the schools and the sectors should work together in bringing forward imaginative proposals to:

*"Identify realistic, innovative and creative solutions to address need, including opportunities for shared schooling on a cross sectoral basis".*

So it is at the heart of area planning, and the amendment from my party calls on the sectors to increase the number of proposals coming forward in relation to shared education.

In any motion that comes before the House, I expect an alternative to whatever decisions the Minister is making and whatever policy direction the Minister has put forward. What is missing from this motion is that alternative. We cannot simply stop area planning, because the problems that area planning is there to rectify will remain and the opportunities that area planning presents will be missed.

I am preparing a statement in relation to capital builds. Throughout that statement, and throughout my deliberations on it, are the findings and the judgements in relation to the discussions between the various sectors on how area planning is moving forward. In the absence of area planning, how do you make decisions in relation to capital programmes? How do you decide what schools are relevant going into the future? Mr Dickson suggested that, if we build schools now, we will be doing it for a generation. Yes, we are, but we will only be putting bricks and mortar together. Those schools, in their management type, management style and ethos, in the broadest sense of the world, can change. We need to ensure that we have a sustainable schools estate that our education system can be proud of.

**Mr Dickson:** Will the Minister give way?

**Mr O'Dowd:** Yes.

**Mr Dickson:** Minister, I genuinely recognise that you see new buildings as bricks and mortar. We would all subscribe to the second comment you made, which was about the ability of the ethos of a school to reflect the real and genuine desires of parents, if that was what we were seeing in the buildings that you have to manage. The sad reality is that we are not seeing that.

**Mr O'Dowd:** I am not sure that you have got my point. I am saying that an ethos can change, and does change, in schools etc.

As I come to a conclusion, I want to cover a number of points made by Mr Rogers about Mr Treacy's judgement. I suspect, and this obviously needs further deliberation and interrogation, that, if Mr Treacy is saying that the rural proofing of the schools beyond Derry and Belfast goes too far, that is not to the advantage of those schools. That could be seen as a disadvantage for those schools.

You asked two questions. The first was whether we want to say goodbye to rural schools. Let me give you a firm answer to that: no. You also asked whether we want all our schools to be in urban settings. The answer to that question is a firm no. There is no intent, deliberate or any other way, through area planning that will see that scenario arise. The sustainable schools policy has protective measures for small rural schools, and I will continue to enforce them.

The best and most important way in which anyone can protect a school, whether it is a small rural school or a school in an urban setting, is this. Signing a petition is one thing, and I am very supportive of participatory democracy. Signing a petition: fair enough, important. However, the most important thing anyone can do, if they are serious about supporting their local school, is to sign the admission slip and send their child there. That is the most important and effective way of securing the future of your local school. Go raibh mile maith agat.

**Mr Sheehan:** Go raibh maith agat, a Príomh-LeasCheann Comhairle. The aim of all of us in this Chamber should be to help provide our young people with the best opportunities possible. Foremost among those opportunities should be access to a first-class education. An education system should have, as a priority, the aim of helping our young people in their academic, vocational or intellectual development and in developing the skills to interact with their peers and broader society in general.

The hope is always that our education system will help children and young people in their development to becoming well-rounded individuals. Equally, it is of the utmost importance to ensure that our education system continues to drive up educational attainment and outcomes so that, whether our young people choose to remain at home or leave these shores, those educational outcomes will stand up to scrutiny and competition from other jurisdictions.

To that end, it is imperative that we use whatever resources we have to provide an education system that is fit for purpose and cohesive enough, in spite of the multiplicity of sectors, to ensure that good practice is implemented across all sectors. Of course, the best vehicle to do that would have been ESA. The Minister has endeavoured, for a considerable period, to have ESA brought into being. Unfortunately, Members on the Benches opposite have set their face against it, as they

do, let us be honest, with most progressive proposals. As usual, in these circumstances, we do not see an alternative to ESA. As usual, the Ulster Unionist motion, as with any motion it has put forward in and around education, does not contain an alternative.

The demographic changes alone mean that we need to think strategically about the number of schools in our system and their sustainability in the time ahead. I am honestly not sure whether anyone here is arguing against the need to rationalise the schools estate in a planned and managed way. Is anyone saying that?

**Mr Storey:** I thank the Member for giving way. As he works out his particular view, could he give the House an opinion, as the representative for West Belfast, on how, for example, his party will approach the issue of the continuance of a very good school in West Belfast, such as St Dominic's, and the issues around St Rose's? Clearly, there is an issue there that needs to be resolved. Will he explain how he would put into place there what he is proposing for others?

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

**Mr Sheehan:** I am not here to put forward proposals, at the minute. Certainly, as a party, we have a view on area planning in West Belfast.

**Mr Storey:** What is it?

**Mr Sheehan:** I am not going to go into it here because I do not have the time, but, if you want to talk to me about it at any time, I certainly will.

Surely, there would be no disagreement on the suggestion that the best way to carry out the process that I talked about is to have it implemented by a single administrative body. In that light, I welcome the decision by the Minister to bring forward a paper to the Executive seeking agreement on future education administration.

The Ulster Unionist motion states:

*"the current process places no formal recognition or promotion of greater sharing between schools and sectors".*

That is simply not true. The Minister has pointed out, on a number of occasions, that the terms of reference for area planning explicitly deal with working towards greater sharing and developing innovative solutions to deliver that.

The motion also calls for a suspension of area planning until there is greater clarity and agreement on a long-term vision for education. If we do that, what happens if we do not get agreement? Do we just carry on in a state of paralysis? No; we have Ministers here to make decisions. I am glad that this Minister is someone who will stand up and take those hard decisions when need be. Or, maybe the Ulster Unionists are suggesting that we bring in someone like Richard Haass to facilitate agreement. Guess which parties would still be saying no at the end of that process?

Of course, the DUP complains about children being bussed from Sammy Wilson's constituency into Harryville, I think it was. I do not hear you complaining about kids being bussed to grammar schools in Belfast.



Will area planning always get it right? No, it will not, and we have to face up to that.

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

**Mr Sheehan:** I do not have enough time. The Minister has already shown that he is prepared to step in and reverse decisions if need be. I ask the House to support the amendment.

#### 4.30 pm

**Mrs Dobson:** I welcome the contributions that have been made by Members in the debate. It is clear for all to see that the area planning process is fatally flawed. However, as demonstrated by the Sinn Féin amendment, it would appear that it is not so clear to them. To describe the area planning process as planned and managed is an affront to all who see the process as doing untold damage to the future education of our children. Our motion rightly calls for the suspension of the process until a long-term vision for education in Northern Ireland is agreed.

Communities affected by area planning were mentioned by Members on numerous occasions in the debate. They include Larne, Ballycastle, Armagh, Crumlin and, of course, Craigavon — the Minister would be disappointed if I did not mention my constituency — and the list goes on.

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

**Mrs Dobson:** Very briefly.

**Mr Storey:** I appreciate the Member giving way. Will she clarify for once in the House where her party stands on the Dickson plan, particularly in relation to the comments of her party colleague, Mr Arnold Hatch, so that there is no ambiguity or doublespeak around the issue of, allegedly, supporting the Dickson plan?

**Mrs Dobson:** I thought that the election was over, but obviously it is in the mind of some Members. I have been clear from the start in my views on the Dickson plan. I do not see Mr Arnold Hatch on these Benches; I am speaking on my behalf.

Try telling these communities that area planning is planned and managed. Decisions are either being proposed or taken that will drastically change the entire education system. There has been an outpouring of anger among teachers, parents and pupils, and again I think primarily about my constituency and the sheer anger of people towards the issue of the Dickson plan. All too often, people feel that they have no rights and nowhere left to turn. However, as was said, in the recent judicial review taken by Drumragh Integrated College, Mr Justice Treacy joined the masses of teachers, parents and pupils, including those in Craigavon, in the belief that area planning is inflexible. That is a blow to the Minister, who must surely now recognise the importance of parent power in this ruling and, more importantly, of ensuring that area planning solutions meet the true wishes and needs of communities. What is area planning if it is consistently found to be unacceptable to the vast majority of people living in the area that it affects?

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

**Mrs Dobson:** No, I am trying to make my points.

I will now turn to some of the contributions made in the debate. Introducing the motion, Danny Kinahan spoke of

the need for consensus as we look for a way forward for our education system. That is extremely important and all too often forgotten.

Chris Hazzard blamed unionists for placing obstacles in front of progress and then pointed to tight budgets for failure to deliver. He said that the Minister had difficult decisions to make and that they would not always be popular. That was the understatement of the day, particularly in relation to Craigavon, Chris.

In his contribution, Mervyn Storey took a “plague on all your houses” approach, disrespectfully describing the Ulster Unionist Party on two occasions as the party in the corner. While failing to bring forward solutions in his contribution, he complained about others failing to bring forward solutions — criticism of others without any constructive suggestions.

Seán Rogers recognised the importance of progressing area-based planning for the future of our pupils, describing the failure to bring forward ESA and progression with area planning as putting the cart before the horse. He said that the published plans made no reference to sharing. He also raised concerns about the future of our rural schools, community and economy, and I agree with his points in that regard.

Stewart Dickson spoke about how education had been a political football for far too long. He called for action to deliver sustainable schools. While raising the issue of small schools, he spoke about the need to progress integrated education. He talked about the real and genuine demand for shared education among the public and the political roadblocks that prevent us from progressing integration. He urged us to rethink how we progress the planning process for generations of pupils to come.

Nine years on and having spent £17 million of public money on the establishment of ESA, where are we? We are nowhere. As Danny Kinahan pointed out when proposing the motion, we must have consensus on decisions. Given the Minister’s announcement last week on a new ESA, it would appear that that is a lesson that he has not learnt. Indeed, the Sinn Féin amendment cites ESA as:

*“the ideal vehicle to manage area planning”.*

It must be remembered that, on numerous occasions in the House, the Minister has pointed at the savings that ESA could deliver, savings that could be directed into front line education. That is the ideal of ESA, but all that we have seen to date are costs. The reality of ESA has been millions of pounds being deflected from front line education. Again, I ask this question: where are the interests of pupils in all this? We must not lose sight of the effects on pupils. All too often, they are lost in the debate. After those seven years, a primary 1 pupil will now be in second form, having realised zero benefit from the millions of pounds that have been spent on the Sinn Féin mess; in fact, quite the opposite, with millions having been channelled away from front line teaching.

ESA has caused considerable concern among board staff and, indeed, confusion among staff at all levels in the education system regarding when the new authority would eventually take up its responsibilities. Undoubtedly, decisions have been delayed and are sitting on shelves across the system because of the belief that ESA is

coming down the line. That hardly puts pupils first; rather, it puts bureaucracy first in the Minister’s ideal vehicle while forcing pupils to take a back seat. That has undoubtedly fostered a culture of indecision that, over the years, has done untold damage to the education system and to pupils’ education.

Look to the future. The House must adopt a long-term strategic approach to sharing between schools. Continually finding blame in others for failure of leadership is not helping a single pupil to achieve. Indeed, as I said, failure to deliver is hampering pupils. That situation cannot go on. We need a consensus approach. The Ulster Unionist Party calls for the immediate suspension of the area planning process. I commend our motion to the House and urge Members to reject the Sinn Féin amendment.

*Question put, That the amendment be made.*

*The Assembly divided:*

*Ayes 25; Noes 62.*

#### AYES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Hazzard, 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, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Ms Fearon and Mr Hazzard.*

#### NOES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Mrs Dobson and Mr Kinahan.*

*Question accordingly negatived.*

*Main Question put.*

*The Assembly divided:*

*Ayes 62; Noes 25.*

#### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr*

*McCarthy, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mrs Dobson and Mr Kinahan.*

#### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Hazzard, 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, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Ms Fearon and Mr Hazzard.*

*Main Question accordingly agreed to.*

*Resolved:*

*That this Assembly expresses serious concern regarding the ongoing area planning process in the education sector; notes the critical comments made in the Justice Treacy judgement on area planning and integrated education; further notes that the current process places no formal recognition or promotion of greater sharing between schools and sectors; believes that decisions made now will determine the shape of the education system for many years to come; and calls on the Minister of Education, in the absence of either an Education and Skills Authority or the reconstitution of education and library boards, to suspend the current area planning process until there is clarity on the future strategic management of schools, and a long-term vision for education in Northern Ireland is agreed.*

## Centenary of the Great War: Funding for Commemorative Events

**Mr Principal Deputy Speaker:** The Business Committee has agreed to allow up to 1 hour and 30 minutes for the debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to make a winding-up speech. All other Members who wish to speak will have five minutes.

**Mr Moutray:** I beg to move

*That this Assembly calls on the Minister of Culture, Arts and Leisure to provide funding for events and initiatives aimed at commemorating the centenary of the Great War.*

It is my privilege to propose the motion standing in my name and those of my two colleagues. As we all know, we are in the middle of what has been described as “the decade of centenaries”. So far, we have had the centenary of the sinking of the Titanic in April 1912 and the centenary of the signing of the Ulster covenant in September of the same year. This year, 2014, marks the centenary of the UVF gun-running and other events related to the home rule crisis. However, 2014 is a very significant year for an even bigger reason. Sometimes in history, the troubles and challenges faced by specific communities and nations can be overshadowed by wider, cataclysmic events of a global nature.

Even as the Ulster home rule crisis continued to deepen in the spring and summer of 1914, the storm clouds of a European war began to appear on the horizon. In contrast to World War II, where the causes of the outbreak were very clear, I struggle to get my head around the precise reasons why the world found itself at war in early August 1914. Indeed, at that time, many thought that it would be a short conflict, and the young men of Ulster, England, Scotland, Wales and of the South of Ireland headed off to the front in a positive frame of mind, confidently expecting that they would be home for Christmas. Sadly, as we know, such optimism proved to be naive and unfounded. The Great War, as it was originally known, was a horrendous conflict that dragged on until the autumn of 1918 and claimed the lives of over 16 million people, military personnel and civilians, and left 20 million wounded. It had a profound impact on society long after it was over. It was meant to be the war that ended all wars, but, in reality, it only paved the way for the Second World War just over 20 years later.

We speak a lot about the challenges of dealing with the past, but it is vital that we have a proper understanding of our history. One hundred years on, today’s generation needs to know. They need to understand the horror of war and the sacrifices made by our forebears in the 1914-18 war in order to protect and preserve the civil and religious freedoms we enjoy today. The well-known motto “Lest we forget” is central to the thrust of our motion here today. We urge the Minister of Culture, Arts and Leisure to give the First World War centenary the priority it deserves and offer whatever help and funding that she can to those who are planning or would like to plan a range of centenary events. Some of those will be local and will focus on people and events in specific localities. Others might be Province-wide events. Some will be geared towards schoolchildren, and others might be part of a wider UK commemoration. Indeed, some events might have an all-Ireland angle to them.

I fully appreciate that people from all walks of life and from all community backgrounds fought and died in the First World War. Coming from the Protestant and unionist community, I have always revered the memory of the men of the 36th (Ulster) Division, who paid such a high price at the Somme and in other theatres of war. However, I am also aware of the role played by those of the nationalist tradition in the war effort, a role that was airbrushed out of history by some until comparatively recently. Justice has now been done, however, and those who fought in the likes of the 10th (Irish) Division are now at long last being properly recognised for the sacrifice they made. Carson’s volunteers went to war in great numbers, but John Redmond’s volunteers did so too. National Volunteer and poet Francis Ledwidge, who was to die in Ypres in 1917, is reported to have said:

*“I joined the British Army because she stood between Ireland and an enemy of civilisation and I would not have her say that she defended us while we did nothing but pass resolutions.”*

I want the war to be remembered in its totality, and it is vital that the various centenary events are marked in an honest, open, balanced, respectful and dignified way.

We take great pride in the heroism of those who fought and died on the fields of battle, and anyone who visits the war graves in France and Belgium will never forget the experience. We do not approach this matter with rose-tinted glasses. We acknowledge the total horror of war, and the endless rows of war graves bear testimony to that horror. When we look at the photos and the rare film footage of World War I trenches, we are reminded of the unspeakable suffering endured by those who fought there. Indeed, there are no words strong enough to even begin to describe it.

All these aspects have to be covered in any commemorations. Whatever is done and however it is done, it must be done well. To do it well requires funding. I raised the issue of centenary funding in a question for oral answer to the Minister back in January. I drew her attention to the fact that the British Government had allocated some £50 million for World War I centenary commemorations. I asked the Minister what discussions she had had with her Westminster counterpart Maria Miller, who was then the Culture Secretary, about how the war might be best commemorated here in Northern Ireland. The Minister informed me that she had not had any discussions with Ms Miller, who has now left office of course, but had been in contact with Ed Vaizey, a Minister in the Culture Department. She also referred to the support that she was giving the Public Record Office of Northern Ireland (PRONI) and the Somme Heritage Centre. Perhaps today, six months on from that question and answer session, she will provide us with an update on these aspects.

I am aware that the Northern Ireland Office has a central, coordinating role to play in how the First World War is remembered. NIO officials sit on the Department for Culture, Media and Sport programme board for the centenary and are liaising with officials in Northern Ireland and the Irish Republic. I am keen to know to what extent the Minister and her officials are in contact with the Secretary of State and her officials and of any sources of funding emerging from that.

We are grateful to the Heritage Lottery Fund, which is funding local projects to the tune of £100,000. I want to praise the effort being made in various localities to stage exhibitions, events and displays on the basis of that funding. I also wish to pay tribute to the Woodland Trust for its plans for new flagship woodland in 53 acres in the Faughan Valley in Londonderry. The Princess Royal helped to launch this during her recent visit to the Province. It will be a wonderful legacy to be enjoyed by all. This initiative is entirely fitting and appropriate. Others are rising to the challenge. Today, Minister, I say that it is over to you. I look forward to hearing what plans you have in relation to funding.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. First, I say that I regret that my amendment was not accepted. It was an amendment that would have included all the centenaries and been in line with the Executive’s statement of 15 March 2012, which outlined the important message that:

*“These significant events will be organised under the principles of educational focus, reflection, inclusivity, tolerance, respect, responsibility and interdependence.”*

Back in 2012, during a debate on the decade of centenaries, I cautioned that how we celebrate our past is crucial to how we share our future. In some instances, this was heeded, while, in others, there was a blatant disregard. Do we need to commemorate the so-called Great War? Well, yes, if only to reinforce its futility and barbarism. The needless slaughter of millions was not for any perceived or actual freedoms, but the flower of a generation was crushed and trampled on in the mud of Flanders and elsewhere.

In 2012, we had the internationally recognised Titanic centenary, which caused much interest on a worldwide basis. That same year, we had the centenary of the signing of the Ulster covenant. More recently, we had the centenary of the Larne gun-running affair. These were little more than militaristic fancy dress parades. The Dublin and Belfast lockouts were marked by the left and trade union movements and the centenary of Cumann na mBan by women’s groups and republicans alone.

With the decade wearing on, we must continue to examine the manner and means by which we commemorate the upcoming centenaries. We must also look at other significant dates and commemorations. Next year marks the 200th anniversary of the birth of Young Irelander and fellow Dungiven man John Mitchel, of whom Pádraig Pearse, leader of the 1916 rising, said that his writings were the most influential of any Irishman to date. Mitchel — who, of course, you were named after, a Phríomh-LeasCheann Comhairle — was not without his controversies. Two of his sons died and another was seriously injured on the southern side in the American Civil War, a war in which almost as many Irishmen fought and probably more died than in World War I. This month marks the 150th anniversary of the siege and battle of Petersburg, which was very much a turning point of the war in which a relation of mine was involved on the union side. This all goes relatively unnoticed.

### 5.15 pm

Last month, I was honoured to be asked as guest speaker to the inaugural meeting of the Irish Association of Professional Historians in the Dublin academy, which was opened by the Minister for Arts, Heritage and the Gaeltacht, Jimmy Deenihan. We both spoke on the decade of centenaries. I spoke of the concern of many about how 1916 would be remembered, and Minister Deenihan fretted about how the civil war would be treated, especially in the South, where civil war politics can still prove divisive.

At the lecture, I had a long conversation with Professor Jeff Kildea, holder of the Keith Cameron Chair of Australian History and lecturer and author at UCD. His book ‘Anzacs and Ireland’ traces the individual histories of many Irishmen who fought in Australian uniform at Gallipoli, on the western front and in Palestine. He also traces a number of Australians who took part in the Easter rising. If, as the motion suggests, moneys are to be provided to help mark World War I, I suggest that we could do worse than to look at the research into the stories of the individuals from all sides of the community in this part of the world who were involved in the war. Their rationale and reasons were many and varied, and much is undocumented. Many, of course, went to their grave having never spoken of their experiences.

The history books tell us of the generals and the battles, but little is known of the men who fought. Some years ago, I read the autobiography of Harry Patch — ‘The Last Fighting Tommy’ — a modest, articulate and outspoken critic of militarism into his dotage. His story was a human story and more like it need to be told. My good friend Alistair Harper from Limavady has done sterling work and research into those from the Limavady and Dungiven area from different traditions who were involved in World War I, and I commend him for it, but funding is required for research, archiving and publication. If any moneys are to be made available, it is there that they should go.

Irish service in World War I has undergone a rehabilitation here in Ireland in recent years, and the individual stories, including those of republicans, must out, rather than having jingoistic parades and rallies. As I said earlier, I hope to bring a motion that will be inclusive of all centenaries and commemorations and will secure the support of all here.

**Mrs McKeivitt:** I welcome the opportunity to contribute to today’s debate. It is reasonable to assume that each individual has a different interpretation of the events of the First World War. There is no simple, clear-cut narrative of that period, and views regarding the involvement of the British and Irish can be exceptionally divisive. Nonetheless, I recognise the need to commemorate that significant and complex time in our history and would support the allocation of government funding.

In Northern Ireland, there is a tradition of holding parades and ceremonies to commemorate historic events, most of which are conducted in a respectful and honourable manner, while others can prove controversial and divisive to communities. A monumental number of parades take place across the region. They place a heavy financial burden on our ratepayers and stretch our police resources. We must be careful to ensure that any government funding awarded for commemorations of the war does not lead to even more parades and even more policing costs. It



is important that other methods of commemorating that are considered respectful and inclusive are identified and funded appropriately.

During Question Time back in January this year, the Minister of Culture, Arts and Leisure briefly outlined some ways in which her Department and arm's-length bodies will be involved in commemorations. They included a programme of exhibitions, talks on books in libraries and new collections in our museums. I welcome those educational programmes, but I am also keen that opportunities be provided for individuals to trace their family history to identify if a family member fought in World War I. Perhaps the Minister will address that issue later in the debate.

I have been impressed by the approach of the Minister for Arts, Heritage and the Gaeltacht, Jimmy Deenihan, and others to re-involve the nationalist community when remembering the First World War. We should follow that example and ensure that the significant contribution of the Irish Catholic community is not lost. That said, I tend to agree with historian Heather Jones, who argues that commemoration should take a broad international perspective of the social, cultural and political changes brought by the war and its lessons for modern diplomacy and institutions. Let the commemorative period serve to unite our people with a common humanitarian history rather than divide.

**Mr Copeland:** I echo the appeals to the Minister to properly fund appropriate commemorations in connection with the outbreak of the Great War and, in particular, work being undertaken quite close to my own heart in east Belfast on the Great War that is staggering for want of funding.

The final act in the Great War, which has some resonance even today, was the closing of the war map. Present when the war map was closed was Winston Churchill, who later went on to become a war leader during the second war, which had its seeds in the failure to satisfactorily conclude the first. As the map was closed, he spoke rather prophetically and said that, now that the greatest conflagration in the history of mankind had been concluded:

*“the dreary steeples of Fermanagh and Tyrone”*

would re-emerge from the mist, restating the integrity of their struggle. That is a sentiment that, on some occasions, is echoed even to this day in this very Chamber.

The truth is that 353,000 Irish men and women of all and no religions volunteered, in the absence of conscription, to serve in the forces of the British Army, navy and air force. Indeed, foreseeing his own doom, one rather famously remarked that those he guarded he did not love and those he fought he did not hate; that his place it was Kiltartan Cross and his people were Kiltartan's poor.

The sacrifice, and I use the word advisedly, of the island of Ireland, as well as of the former Empire and Commonwealth, was on a scale that is almost beyond human comprehension in this day and age. It very much set the seeds for the world as it emerged subsequently.

The stories that need to be told are not those of generals, kings, prime ministers or emperors but of the common man and woman, bound by instinct to duty and prepared to face

the unfaceable and to do the inconceivable in the service of a notion of patriotism.

My own experience, which is very limited, is that there is little glory in war and little honour, but war is in many cases a necessity that cannot be escaped or avoided.

Many years ago, I read of an incident that sort of summed up the commonality of spirit that pertained in the Irish regiments of the British Army — a tradition that goes on to this day through Irish Guards and the Royal Irish Regiment. Elements of the 36th (Ulster) Division, just before the second battle of Wytschaete were relieved by elements of the Royal Munsters. During the handover inspection, the colonel and the regimental sergeant major (RSM) of both units visited what were called “the displacement”. They entered a large, sandbagged bastion embrasure. The Northern colonel looked at his Southern counterpart and admitted that his men had built this place from the sweat of their brows and the ache of their muscles, and called it “Derry's Walls”. He looked, and said, “I suppose, and dare say, that your men will change its name.” The Southern colonel, Irish and Catholic, grabbed his Northern counterpart by the hand, in the teeth of an almost incomprehensible impending maelstrom, and swore that the men of Munster would hold Derry's Walls for their Northern compatriots.

There was a chance, after that war, that things in Ireland could be settled peacefully. Unfortunately, the experiences that came from it produced a large number of republican irregulars who had seen service in Irish regiments in the service of the Crown, fighting against the Crown for the freedom, as they saw it, of Ireland, and a number of battle-hardened former officers, making up the Auxiliaries and, in some cases, the Black and Tans. The truth is that we remain one people on one island, several communities manacled by history to the opposite ends of the same chain, which will allow us to walk in parallel or towards each other. In displaying an appropriate degree of understanding of the significance of the events about which we are talking, the Minister, by adding her weight and financial support and discharging her duty on behalf of all the people of Northern Ireland, could do worse than look kindly upon this motion.

**Mr McCarthy:** Undoubtedly, the First World War was an important historical event. It had a long and lasting impact on the way that the world operated for decades since. It also had a profound effect on the communities whose sons went to fight in the war, including many from here in Northern Ireland and, indeed, all of Ireland. It is important to commemorate the supreme sacrifice made by so many as part of that effort. It is important because we should honour those who paid the ultimate price by giving their life in the cause of freedom and because it reminds us of the total and absolute horrors of war.

The 100th anniversary is an important milestone. It is important to remember that many young people have no knowledge of that war or the Second World War. The commemoration of those who fought in the war and the impact that it had on Europe and on communities here in Northern Ireland will be all the more important when there is no longer a generation who can remember it. That is why commemoration matters.

I also want to put on record the fact that those who fought in the First World War came from both sides of

our community here and across the island. We cannot allow the commemoration of the war to become a political football. We must recall that Protestants, Catholics, unionists and nationalists made sacrifices. I do not want these important commemorations to be used for anything other than a solemn reflection, and using them to score points would be unacceptable. We should all be united on that issue.

In that vein, I also want to pay tribute to the recent efforts in the Republic to commemorate fellow Irishmen who fought and died in the war. That has taken place over several decades and includes the very visible maintenance of war memorials and so on. It is important that this part of history is not and will not be forgotten across these islands. Alliance will support the motion as it affords an opportunity to commemorate and reflect on an important event.

**Miss M McIlveen:** I support the motion. The background to the Great War is complex. It is a deadly mixture of imperialism, nationalism, political game-playing and score-settling. Whatever blame may be laid at the feet of political leaders at that time, the bravery of the soldiers embroiled in the conflict should never be forgotten, and the sacrifice of those who lost their life should never be taken lightly.

Over 70 million military personnel were mobilised during the First World War. Eight and a half million were killed and 21 million were wounded. The war was fought on a scale never seen before, and although primarily centred in Europe, it spread to Africa, Asia and the Pacific and involved dozens of countries. It was a war that scarred the world with its grotesque loss of human life and the settlement that followed, which involved the redrawing of boundaries and borders and the creation of protectorates.

Those who fought did so for a multitude of reasons, and my colleague Stephen Moutray pointed out that Carson's Ulster Volunteers and Redmond's Irish Volunteers fought on the same side despite seeking different outcomes. Around 80,000 men enlisted throughout Ireland in the first 12 months of the war.

Annually, Armistice Day services are held across this country so that we can not only remember those who died in conflict but remind ourselves of the horrors of war. The motion calls on the Minister to provide funding for events and initiatives aimed at commemorating the Great War, not celebrating it.

The events of the Great War have now slipped out of living memory. There is no one alive who fought in it and can convey its horrors, but anniversaries such as this are important so that we can not only pay our respects to those who lost their life but educate future generations. Programmes of events and initiatives can act as a conduit to relay important messages so that the mistakes of the past are not repeated.

As has been noted, a Heritage Lottery Fund programme has made £1 million available each year until 2019 for small grants of between £3,000 and £10,000. That funding is, of course, available on a UK-wide basis, but the Minister needs to be aware that a large number of faith-based organisations in Northern Ireland will not avail themselves of such funds on religious grounds. I ask the Minister to look at this as a particular issue.

### 5.30 pm

In the years following the establishment of the Free State and, latterly, the Irish Republic, the contribution of Irish nationalists in the war was all but airbrushed out of history. Thankfully, that is now being redressed. The launch of the digital archive in Dublin of those who died and the visit of Enda Kenny to the war memorials at Flanders are massively important, and Mr McCarthy has already noted that memorials to the dead of the First World War have now been unveiled in towns and cities across the Irish Republic. That also has to be welcomed.

I welcome a new exhibition in the Ulster Museum, 'Answer the Call: First World War Posters'. I believe that, on 5 August, the Ulster Folk and Transport Museum will host a special anniversary event on the impact of the outbreak of the war. It should also be noted that National Museums Northern Ireland (NMNI) is working in partnership with Queen's and the University of Ulster on a First World War engagement centre project.

However, while those are worthy schemes, there needs to be a wider, more accessible, programme for Northern Ireland. It cannot be disputed that the Great War is a huge part of our shared history. It was a time when Irishmen of differing political views and differing religious backgrounds took up arms to fight bravely in the same army. Commemorations such as this should not simply be left to local councils, although I welcome the efforts of a number of councils across Northern Ireland to mark this centenary. However, there needs to be something significant and appropriate from the Minister to demonstrate her and her Department's commitment to marking and remembering the shared history of our shared community. I look forward to hearing the Minister's comments in response to the motion, and I hope that they are much more positive than those of her party colleague.

**Mr McMullan:** Members, this motion calls on the Minister of Culture, Arts and Leisure to provide funding for events and initiatives aimed at commemorating the centenary of the Great War.

**Mr Principal Deputy Speaker:** Excuse me. Can you lift the microphone up? Hansard will not pick up what you say otherwise.

**Mr McMullan:** My apologies.

I will outline some of the things that the Department has done. It allocates £450,000 towards the community festivals fund, which councils can match, and it demonstrates the fund towards those events. Northern Ireland Screen will be supporting three productions with a fund totalling £335,000. These productions all tie in with World War 1 and also include a factual serial, a feature film and a documentary. The Department has also offered the Somme Heritage Centre £90,000 over three years for a programme linked to the First World War and the battle of the Somme. It is hoped that that will garner some knowledge of the key events of this part of history and build relationships with other parts. The Department, through PRONI, is planning exhibitions and lectures, and other arm's-length bodies of the Department, such as Libraries NI and National Museums NI, are developing educational programmes, exhibitions, talks and online access to collections to help local groups and the public to research this period of history.

Members, we have an opportunity to build confidence and to build on a shared future, which is written into the document.

**Mr Humphrey:** I thank the Member for giving way. As someone who very much supported the festivals fund being introduced, I say to the Member that, for those of us on this side of the House, it is very difficult to equate money going to the festivals fund, which is essentially for celebrations across Northern Ireland, largely driven by local councils, with the 100th commemoration of the Great War, where there was a slaughter unparalleled across this island and this continent. It simply does not add up that people should be applying to the festivals fund, with all due respect.

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

**Mr McMullan:** I thank the Member for his intervention. Maybe when I get through what I am talking about, he will understand what I am saying. There are groups able to do that, and, if you throw your mind back to the gunrunning event in Larne, you will recall that money from the festivals fund came through for that. I will develop that as we go through this.

Therefore, we must now be ready to acknowledge all other groups' centenaries, such as 1916. Members, we all have a role to play in helping to build a shared future. The new super-councils must now show a real willingness to celebrate and have a tolerance for centenaries and treat them on an equal basis, not as they are at present.

Education must be the bedrock of any commemorations that we look to in the future. We had the gunrunning, and you celebrated that, but you left out the most important part of those celebrations, the Curragh mutiny, which was the bedrock of your gunrunning into Larne, and that is the kind of education that is lost. We must do this on an all-Ireland basis. We must look at the whole futility of war, and we must get the proper story out there. We know what happened, but we talk about airbrushing certain events out of history. It is good to see that the British Government have, at last, recognised that those who were shot for cowardice during the First World War were suffering from medical conditions, not cowardice. All of those things are now coming to the fore. That airbrushing that you talk about has now been made public and that has been got over.

*(Mr Speaker in the Chair)*

However, if we are going to celebrate centenaries, we must celebrate all centenaries, and we must have tolerance for every community. The Member can shake his head if he wants. Centenaries are coming up in Larne, and I hope to see tolerance in Larne for centenaries in a couple of years. You will have the centenary of the war of independence. Quite a lot of people who came out of the Great War had no job to go to when they came home, and they joined sides in the Great War only to get fed. Quite a lot of those who joined the army did so to get fed. The onus is on us to sit down and agree and acknowledge each other's centenaries because, if we are talking about education, it must be for both sides; it cannot be for one side. The perception of quite a lot of young people is that anything to do with centenaries of war is for one side only.

When applications for republican centenaries went to some councils, they were turned down, and that is wrong.

It has to be equal. The groups that were turned down, believe it or not, all got seeding grants from the same councils that turned them down. The new councils need to show a willingness for equality because, if we do not have equality, we will not move on, and we will not put out the right story to our young people about the centenaries.

I hope that we can look for the same money for all centenaries and not be one-sided, because the willingness is not there yet. Everybody recognises what went on during the First World War with those who joined it. We recognise those who came out of the army after the First World War —

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

**Mr McMullan:** — such as the Black and Tans and role that it had in the history of Ireland. I want to see a willingness for equality for all centenaries.

**Mrs Hale:** I welcome the opportunity to have some input into today's debate and to support my party colleagues' views on the issue of how we should do more to ensure that community groups have access to funds to commemorate the centenary of the Great War. To commemorate the service and the sacrifice of our forefathers is very personal, poignant and nationally important. The human cost of Governments' foreign policies should never be taken for granted, never trivialised, never marginalised and never politicised. The men, women and children who paid the cost and carried the burden have placed on us a moral obligation to be recognised in their towns and villages, churches, schools, and sports and social clubs.

On 14 January 2014, the Minister outlined the input from libraries, museums and those hosting educational exhibitions and how that would form the pivotal role of her Department's commitment to the commemorations of the Great War. Is that enough? Is that really the most that we can do to honour and commemorate those who made the ultimate sacrifice? No, it is not. The obvious piece missing from the jigsaw is funding to allow our communities across the Province to commemorate the Great War in line with what they believe to be most fitting for their community. As my colleague Mr Moutray stated, decisions have been made in London to allow £50 million worth of funding support for commemoration activities, of which £34 million is ring-fenced for projects that support communities to conserve, explore and share local heritage in relation to the First World War. My worry, which is shared by many, is that, without the opportunity for community involvement, we will lose the ability to enable our young people to learn and share information at a local level.

I have deep concerns that nothing is being done by the Minister to help support schools financially that may wish to attend the battlefields to mark the centenary. Other jurisdictions in the United Kingdom are providing such financial support to help schools visit the European battlefields, with an additional £1 million being administered by Historic Scotland to include additional subsidies for groups travelling to the field of Ypres, Mons and others. Can the Minister confirm that her Department will financially support such visits by Northern Ireland children without prejudice to their school budgets? Mr Deian Hopkin, who was appointed by the First Minister of Wales, Carwyn Jones, stated:

*"There can be few more poignant but important centenaries than the outbreak of the First World War ... the consequences of which affected every family and every community ... but also forged huge changes in politics, society and the economy."*

It will be a real indictment of this House and the Minister's Department if she does not do all that she can to muster support for all of our communities who fought side by side against the Axis aggression

As many Members know, I have both a professional and a personal capture with the issue of commemoration. Communities and individuals choose different methods by which to commemorate, many of which are not included in how and where the Minister wishes to place finances in relation to the commemoration of the Great War. As you travel from town to town, one is struck by the names on the monuments and the memorials to those who fell during the Great War. Even in the Republic of Ireland, monuments are, at last, being erected to those men and women who were for so long forgotten; families and communities not able to speak of them.

That tells us that local communities can commemorate in their own way, not in line with Departments and policies, and certainly not in line with funding. It would be fitting for the Minister to recognise that by providing community groups access to specific funds to commemorate, educate, learn and transfer this information to our future generations in a way that befits local need. I support the motion.

**Ms McCorley:** Go raibh maith agat, a Cheann Comhairle. The motion calls for funding to support events and initiatives aimed at commemorating the centenary of the Great War. Glaonn an rún seo ar mhaoiniú le tacaíocht a thabhairt do ócáidí agus thograí atá dírithe ar chomórath céad bliain an Chogaidh Mhóir.

In 2012, the Executive decided to take the lead role in organising events for the forthcoming decade of commemorations, saying:

*"The political, social and cultural consequences of what happened during the decade"*

continued to reverberate throughout all of Ireland to this day. It was unanimously agreed that the Minister of Enterprise, Trade and Investment and the Minister of Culture, Arts and Leisure would jointly bring forward a programme that would offer a real opportunity for our society to benefit economically and continue its transformation into a vibrant, diverse and enriching place to visit. There was a common view that many of the commemorations would have international appeal and would, therefore, attract visitors to the region.

The Executive stated:

*"These significant events will be organised under the principles of; educational focus, reflection, inclusivity, tolerance, respect, responsibility and interdependence. Ministers agreed that it was appropriate and necessary for the Executive to set the tone and provide leadership in putting an official acknowledgement process in place."*

At another level, and by way of highlighting this decade of significant anniversaries, the Community Relations Council (CRC), in 2012, organised and funded a series of

public lectures in an attempt to encourage informed debate and reflection. As a member of the CRC, I know that those lectures inspired a lot of interest and were very well supported. Mar bhall den Chomhairle Caidrimh Phobail tá a fhios agam gur spreag na léachtaí sin suim mhór agus gur tugadh an-tacaíocht dóibh.

At the launch, Dr Eamon Phoenix, chair of the lecture series, observed:

*"In Ireland, it has been truly said, we have a common history but not a common memory. For some '1916' conjures memories of Pearse the 'blood sacrifice' of the Easter Rising; for others, the 'blood sacrifice' of the Ulster Division at the Somme ... In the coming decade this society – itself emerging from bitter conflict – will be challenged by the roll-out of a series of centenaries connected with the Irish Revolution and Partition. While opinion remains divided over such iconic events as the Covenant, the Rising and Partition, we must acknowledge that they shaped our destinies on this island, north and south."*

#### 5.45 pm

It is clear that different aspects of our history will appeal to some more than others, and people will relate to the events that resonate particularly with them. The Great War was a huge tragedy, and the enormity of the loss of life arising from it can shock the hardest of hearts even to this day. But it is wrong to focus on a single event during that decade as a subject for this debate, as it does an injustice to all the others. It is important that we use such opportunities wisely and responsibly to ensure that in this decade of centenaries we adhere to the principles agreed by the Executive, which emphasise inclusivity and tolerance. It would be completely inappropriate if this were seen to be an attempt at exclusivity. So, while I can give my support to the motion commemorating the centenary of the Great War, it is with the clear understanding that we cannot be selective about this issue. There must be equality of treatment in funding, support and respect when we consider how best to remember all the historical events of 100 years ago.

Caitheadh cothrom na Féinne a bheith ann maidir le maoiniú, tacaíocht agus meas nuair atáimid ag smaoinreamh ar an dóigh is fearr le cuimhneamh a dhéanamh ar na hócáidí stairiúla uilig a tharla céad bliain ó shin.

**Mr D Bradley:** Go raibh míle maith agat, a Cheann Comhairle. Tá áthas orm deis cainte a bheith agam sa díospóireacht thábhachtach seo ar an chéad Chogadh Domhanda.

Thanks very much, Mr Speaker, for the opportunity to participate in this important debate, which affords us an important opportunity to deal with how we approach the issue of commemorations over the next number of years. Commemorations are an important part of life here and can be a good way of informing people of their history and heritage if approached in the right way and in the proper spirit.

There is an onus on the Executive to take a responsible and sensitive approach to organising events for the forthcoming decade of commemorations. As was said earlier, the political, social and cultural consequences of



what happened during that decade continue to influence us on this island, North and South. The Minister of Enterprise, Trade and Investment and the Minister of Culture, Arts and Leisure have been given the role of bringing forward a programme for the decade, and I would be interested to hear whatever the Minister can share with us on that.

This is a vital opportunity to highlight the transformation our society has undergone over the past 100 years. A large number of commemorative anniversaries throughout the decade have international as well as local significance and may attract visitors to this region. Such events must be underlined by the principles of respect and tolerance. The recent racist attacks we have witnessed in Northern Ireland remind us once again of the need to promote inclusivity in all the events we propose to organise.

If we examine the past 100 years in a truthful way, we can achieve a deeper understanding of each other and build through reconciliation on this island. History must never be used to entrench division but to unite and inform. History belongs to us all, whether we like parts of it or loathe parts of it.

In the coming decade, this generation has the greatest duty ever placed on a generation of Irish democrats, be they British-Irish, Irish-Irish, Scots-Irish, nationalist or unionist. It is a duty to ensure that history becomes a foundation stone for a better future rather than a yoke that ties us down and mires us in the past.

The forthcoming decade of centenaries and how and why events of various types are commemorated will be a critical test of our political maturity. The Executive have an obligation to deliver a programme of commemorations that appeals to people across the community, the island and the world. These historical centenaries have the real potential, if used in the proper way, to promote tolerance and understanding between our people. That should be their purpose, not to divide our people.

The approach adopted by the Executive must be underpinned by an agreed set of principles and protocols, informed by an ethical, critical and factual remembrance. That is the approach that we will take wherever the issue of remembrance and commemoration arises.

**Mr Humphrey:** I am grateful to the Member for giving way. Does the Member agree that the motion is about the commemoration of the First World War and that we should not bring the politics in the decade that flowed after that into the scenario? I have listened to a number of speeches from across the House that suggest that Members are doing that. A soldier, whether he was on the triple alliance side or the triple entente side, was there because his political masters put him there. We should not politicise this issue at all.

**Mr Speaker:** The Member has an added minute.

**Mr D Bradley:** Thank you very much. I thank the Member for his intervention. I am doing everything apart from politicising it. I am appealing for the approach not to be politicised or sectarian, and I hope that the Member would agree with that.

There are few families across the island who were not impacted on by the Great War, and it is fitting to commemorate that in a dignified and appropriate way. Achieving agreement on how we commemorate a decade

of political turbulence 100 years ago is no easy task. However, it is an essential task, and we, as a society, have obligations to mark these events in a dignified, truthful and respectful way. There should be no empty gestures of support. We must support all appropriate attempts to mark our historical past so that we can learn the lessons it teaches us. The SDLP believes that commemorative events must be based on a clear understanding of and generosity to not only the diversity but the interdependence of our history.

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

**Mr D Bradley:** Although we may see different narratives, there is a clear interdependence between all events. We support the motion in the context of what I have said during my contribution.

**Mr Speaker:** The Member's time is gone.

**Mr Kinahan:** I am very pleased to speak in support of the motion. Many of you know that I was a serviceman quite a long time ago but not as long ago, obviously, as the First World War. Like many people here, I grew up with many members of my family and all their stories. My grandfather was a submariner in miniature submarines in the First World War. That will become relevant when I move on.

It is not just remembrance that we are here to talk about when we mark the centenary of the Great War, nor is it just the shared history and the shared suffering. We need to look at all the other things. We have talked about education, and we have talked about communities, and there is a whole mass more that is part of the Great War.

There is the creativity and the ingenuity that went into designing machines and machinery, albeit it for war, that benefited the world afterwards in further machinery. For example, Short Brothers were leaders in building aircraft and were one of the few aircraft factories either here or in England that were building early aircraft. Where would we be today if we did not have our aircraft industry?

Look at the freedom that came from the war. There was the women's role in munitions factories, and the change that came from women doing what were traditionally seen as men's jobs. That led to the suffragette movement and the vote. Many, many changes came on the back of the Great War.

We should also look at the improvements that happened subsequently to pay and conditions in factories. That affected a whole mass more of society, and with that came the rebalancing of society. In the book, 'A Night to Remember', which is about the Titanic, the last two chapters after the fateful sinking of the ship are all about how the Americans were appalled at how we treated third-class passengers. The book marks how we needed to grow up, and it was the First World War that led us to look after each other. That is the sort of thing that we need to remember at the same time as marking the bravery and the heroism.

**Mr D Bradley:** Thank you very much for giving way. The Member referred to the creativity that the Great War gave rise to, and he mentioned some of the advances that came from it. Does he agree with me that that was a heavy price to pay for such advances? Does he agree that the other aspect of creativity — the literature that came from the First World War, from the war poets such as Francis Ledwidge, Siegfried Sassoon and Wilfred Owen — has

painted a very clear picture of what it was like during that war? In the final lines of Wilfred Owen's great poem, *Dulce et Decorum Est*, he makes this appeal:

*"My friend, you would not tell with such high zest  
To children ardent for some desperate glory,  
The old Lie: Dulce et Decorum est  
Pro patria mori."*

**Mr Speaker:** Order. I continue to say to Members from all sides of the House that interventions should be short and certainly should not be statements, especially when you are eating into another Member's time and the Member has been good enough to give you the Floor.

**Mr Kinahan:** Thank you very much. The machinery of killing that happened on the back of both wars appals me, but I am pleased that you brought in the poetry and literature side of things, because that is something else. There is so much that we can learn by celebrating the Great War. I am pleased that we are debating this today but disappointed that there is a little bit of taking sides. There are no sides in this; it is just celebrating the Great War.

Look at all the countries that were involved in that Great War: we are talking of the Africans, the Croats, the Serbians, the Indians, the New Zealanders, the Australians, the Ottomans and you could go on. Almost the whole world was involved. It might teach us a little, as has been alluded to, about where we are on racism. When you go to the German graveyards, you see that Jewish Germans fought for Germany who 20 years later would have been persecuted. When you go to our graveyards, you can see that north African Muslims fought on our side. It was a whole world war. We should all be learning how to get on together and learning from that. There is so much that we can learn. That is why we should put funding towards this, so that we can all learn, as communities and as families. It was meant to be the war to end all wars. Hopefully, the two of them end up as those wars. We want to build an understanding between our communities. That is how we should take this forward. We should learn from the Queen's visit; we should learn from President Higgins's visit. Let us see this being done properly, working together with no point scoring.

**Mr B McCrea:** I was struck by the intervention from the Member who said that we should not bring politics into this. The reality is that it is very hard to talk about anything in the Chamber without it having some political undertones. I am not sure that we should avoid it. History has a lot to teach us: maybe not to make the same mistake again or maybe to learn something for the future.

When looking at the history, I was particularly struck by the fact that all I had ever heard of, as far as World War I was concerned, was the 36th (Ulster) Division. It took me some time to discover that there was a 16th (Irish) Division relating to Redmond. You have to reflect on the history of the island of Ireland and what would have happened if Redmond's division had not been wiped out in the same way as the Ulster division was wiped out. It left different political entities alive on the island of Ireland. Our history might have been completely different if those things had not happened. There are a lot of lessons to be learned about why Redmond and his people went off to do this. There is a debate around home rule and what people were trying to argue for.

I am also struck by the words used when we talk about this. Some people use the word "celebrate"; some people use the words "reflect upon"; some people say just "mark". I was in Kansas City a few years ago, which is where the World War I museum for the United States is. It is a really large, impressive building. Of course, what I saw was that, first of all, Northern Ireland — Ulster — was not mentioned in great detail, because there were many, many other people, from right the way around the world; it truly was a global conflict. To get into that building, you had to walk over a bridge of poppies. Then, we get into our discussion here about how we deal with the poppy as an emblem. It is all very well talking about remembering World War I in a dignified way, but we then get into the difficulties to do with symbolism and suchlike.

Mr Kinahan talked about submarines. I was at the nautical museum in Bremerhaven. I saw the German World War I submarines. Anybody who saw them had to ask how on earth anybody survived in those conditions. There are a lot of things to be learnt.

#### 6.00 pm

I also wonder about the timescale of 100 years. Given that my family on my father's side is from Donegal and all of them served in the armed services in World War Two, it was certainly an issue that, for many years, nobody could mention the fact they had been involved in the British Army in some way, even going back to the Great War. It has taken to this time for us to be able to start to talk about these issues. Perhaps there is some clue for us here in the House about the time that it takes to fill the void and to be able to talk about the tragedies of the past.

My final point in all this is that, sometimes, people ask this question: what forms a nation or some form of identity? It tends to be a question of shared experiences. The great lesson from the Great War was just how traumatic it was for so many of our communities. It is something that we all shared and that pulled us together, but it was maybe the last time that there was such a focus on our communities. Things changed in how we recruited and built our battalions and regiments after that.

The question for us all here is whether we can move beyond the mere symbolism and can take the decade of remembrance and use it to build a genuine way forward to see what can be done about building reconciliation and trying to find a way to live together.

**Mr Allister:** The Great War undoubtedly marked the history of the last century and, indeed, this century because of the cataclysmic nature of the conflict across Europe. In Northern Ireland, of course, when we talk of the Great War, many of us think of the great, chilling slaughter and its scale at the battle of the Somme. As Mr McCrea said, however, we are right to remember that the war was about much more than that. Naturally, for us affected in this part of the world, that personifies much of the chilling slaughter of that war.

There are many families who to this day remember that they lost loved ones and that they have loved ones from previous generations lying in the cemeteries of France. My family is no different: I had a great-uncle, a William Mullen, who was a sergeant in the Royal Irish Fusiliers who laid down his life in the battle of the Somme. That is the story of many families, and it is something that is imprinted on

the traditions and history of us all. So, it is right that, in this generation, we should most assuredly commemorate those hugely significant events and do it in a dignified and serious manner such as befits the awfulness of the occasion when the world went to war on that scale and so many people, running into several millions, lost their life. They were men who went forward in response to the call of duty and to being sent by, in many cases, the Governments to which they were loyal. Many of them never returned. They were the heroes of that war. Many were ordinary folk — not landed gentry or people of great titles but ordinary individuals who paid the supreme sacrifice. It is right that we should commemorate and mark all that.

We should do it in a way that is not mean-spirited. I sense, from several of the speeches from the Sinn Féin Benches, an attempt to be mean-spirited, and I suspect that we will hear from the Minister a mean-spirited approach to the matter, which diminishes her and her party. Of course, she wants, in her own perverse way, to elevate something from that period to the same level, to which it can never be elevated, namely the grubby rebellion of 1916. In 1916, the real patriots of Ireland — the heroes, the soldiers of these islands — were giving their life for freedom for the rest of Europe. What we had at the post office in Dublin was a grubby rebellion by those seeking to take advantage of that. Sadly, there are those who would seek to introduce equivalence and a twinning of those events. I want to say clearly that there can be no twinning. There can be no equivalence between the sacrifice of brave soldiers in the fields of France and Belgium and the grubby rebellion of 1916. There is no equality there. I repudiate any suggestion that some equality should be imported into that situation. We are talking about commemorating the Great War of 1914. Let us do it in its own right. Let us do it without sully it in the manner in which the Minister would seek to sully it by equivocating about it and trying to equate it with that grubby rebellion of 1916. If we do it in that way, we will do —

**Mr D Bradley:** Will the Member give way?

**Mr Allister:** Yes indeed.

**Mr D Bradley:** The Member has rebuked others for the meanness of their attitude. I regret to say that I feel that the Member has displayed extreme meanness of attitude in what he has said. It is, in my view, totally uncalled for.

**Mr Speaker:** The Member has an added minute.

**Mr Allister:** I do not know what the Member means because he did not assist us by saying what was mean-spirited. I have saluted the memory, the bravery, the courage and the sacrifice of those who went to serve king and country from across Europe and gave their life. They were ordinary individuals who responded as soldiers. I have saluted their bravery and all of that. I have contrasted with that those who sought to take advantage of a nation at war to promote a grubby rebellion. I do not apologise for that. I do not think that it is mean-spirited; it is an accurate assessment of what happened.

**Mr Nesbitt:** Mr Speaker, you are very kind. Thank you.

I do not think that history will take it kindly if we do not use every opportunity associated with this centenary to teach our young people about the horror of the Great War, the scale of the human cost — the unimaginable human cost — and the speed at which life was lost on an industrial

scale, not through the use of modern weapons of mass destruction but through the relentless use of guns and grenades. Certainly, if we turn to turn to the poets Wilfred Owen, Siegfried Sassoon, Robert Graves, Rupert Brooke and the rest, we can teach children of some of that horror. The Member has already quoted:

*“Dulce et Decorum est*

*Pro patria mori” —*

or “The old Lie”, as Wilfred Owen put it. However, to my mind, there is no substitute for going to France and visiting the battlefields. You drive down regular country roads such as there are in Italy, Spain, here and the Republic of Ireland. The difference is that, after every second corner, a graveyard heaves into view — some small, some massive, but all regular with clean white headstones marking the graves of those who lost their life in the Great War. Those headstones, so pristine, are such a contrast to what life must have been like in the trenches.

We could send our children to Thiepval Wood to look at what life was like. At the end of the month, like many elected representatives from Northern Ireland, I will travel to France. On 1 July, I will lay a wreath at Thiepval and then at the Ulster Tower to commemorate the 36th (Ulster) Division. However, after that, I will travel onwards with many others to Guillemont and lay a wreath to those who lost their life serving with the 16th (Irish) Division.

If it is like last year, a wreath will be laid by members of the Orange Order wearing their sashes. They will lay the wreath, stand back and bow in respect to those from what is now the Republic of Ireland who stood with men from Ulster against the enemy. They will then stand respectfully for three anthems: the national anthem of France; the national anthem of the United Kingdom; and ‘The Soldier’s Song’, the national anthem of the Republic of Ireland.

As we politicians struggle to build a truly shared future, let us not forget that we have a truly shared past. The story of the service and sacrifice of men from all over this island surely is perfect for personal development and mutual understanding, which are key elements of Key Stages 1 and 2 of the revised curriculum.

I would like to make two further remarks. First, I commend the City of Belfast ABF, formerly the Army Benevolent Fund, which is fundraising to unveil a new monument to the First World War dead on the day that marks the centenary of the first shots of the First World War being fired. It wants to do that in Woodvale Park beside the peace tree that was planted there in 1919. What I like about its thought is that it commemorates not just the dead of the Ulster Division or the Irish Division, 16th and 10th, but everyone — Irish, British, French, Belgian and German — who lost their lives in the Great War. I commend it for that. If the Minister has any spare change in her ministerial back pocket, I am sure that it would be very grateful to receive whatever support she can provide to make that dream a reality.

Finally, I pay tribute to a relative of mine by the name of Johnny Curry, who was born in Portstewart in the late 19th century. To try to improve his lot in life, he emigrated to Canada, but he then found himself on a ship heading to France as a member of the Canadian Army. Although he survived the Somme, he was very badly injured in a grenade attack in which his hip was blown away. He returned to Canada before emigrating a second time to

the United States, where, I understand, he made a fortune only to lose it in the Wall Street Crash of 1929. He finally returned to Portstewart penniless and physically severely injured. How many million stories such as that can this war tell our children about the horrendous human cost of war? I commend the motion.

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** I begin by thanking Members for bringing this important matter before the Assembly today. What is clear from the debate is that we need to work out how we commemorate the events from 1912 to 1922. All Members — the 14 who made speeches and the two who made interventions — mentioned that that is an important step to help us to build a united community today and to support a shared future.

With almost 300,000 Irishmen having fought in the First World War, it had a huge impact not only on the families of those killed and injured but on all aspects of life here. We therefore have a collective responsibility to support inclusive ways of remembering the Great War and how it impacted on lives and communities across this island and beyond. Our history is, at times, painful, complex and intertwined, but it is shared and connected in so many different ways.

The 1912 to 1922 period shaped identities in Ireland and impacted on relationships in the north of our island, between North and South and between Ireland and Britain. Those events resonate to this very day, and that period in our history is, therefore, an important touchstone, providing the formative context to the society that we have today. Indeed, the make-up of the Chamber and some of the comments reflect the experiences and difficulties in the journeys and decisions that many in our society have taken. It also represents the will of the people and their desire to have their interests and aspirations protected and promoted, but within a new society of equals and in a new era of peaceful cooperation and partnership.

#### 6.15 pm

Unfortunately, many people remember and commemorate a past that is too often based on partial knowledge, myth or a partisan viewpoint and narrow perspective. That is why I am pleased that the Executive agreed that the anniversaries should be commemorated based on the principles of an educational focus, reflection and inclusivity, with tolerance, respect, responsibility and, indeed, interdependence.

The significant anniversaries of 1912 and 1922 provide us all with an opportunity to gain a better understanding of our shared past and how it shapes British and Irish identities and relationships right up to today. The First World War and the battle of the Somme are historic and significant events. They are connected to other significant anniversaries in that period including the Treaty of Versailles, the Easter Rising, the rise of the labour movement, Lloyd George’s convention, universal male and limited female suffrage, the 1918 general election, the war of independence, the Government of Ireland Act, civil war and partition. They are all connected in one way or other. The key issue for us is not whether those events are remembered but how they are remembered in the context of a shared and accepting society.

Centenaries should not be viewed in isolation. Particular anniversaries should not be considered as owned or irrelevant to different sections of our community. The decade of centenaries is not a catalogue of unconnected events, with each anniversary being viewed in isolation. We all need to seek to highlight the connections across the decade and, therefore, maintain an appropriate focus on all the key events of the period. We need to look at the historical effects by acknowledging different interpretations. All of us gain a better understanding of who we are and how our past shapes our identity and our relationships today. The understanding, context and connections between the events as they happened and their impact on the legacy today will, I believe, promote greater understanding and an appreciation of diverse historical narratives and other points of view from traditions and political perspectives.

DCAL has led on this and will continue to lead on this. DCAL will continue to develop the Creative Centenaries initiative and promote it as a shared online platform for all activity related to the decade of centenaries. That will include the activity of PRONI, museums and libraries and NI Screen, but also the details of activities and events delivered by other organisations. DCAL will reinforce its leadership role in setting an inclusive and respectful tone for commemorations by engaging with other Departments and a range of organisations and stakeholders involved in the Great War and other commemorations with a view to using Creative Centenaries as a shared platform to promote and bring forward diversity in programme activity. My Department will also work with other Departments and stakeholders to explore opportunities to promote and enhance other funding opportunities for community organisations to deliver projects at local levels to commemorate the decade of centenaries.

There are a wealth of resources and events being delivered now and being planned by a diverse range of organisations. By setting an inclusive tone and signposting to supportive events and initiatives, DCAL can help and will work to maximise the impact and reach of such learning opportunities. We will do that by illuminating and providing opportunities for how we can share our past and uncover stories and insights to guide us to a better future, but based on historical fact.

Some people will continue to commemorate events of their own choosing and in their own manner regardless of any framework or approach suggested by government and elected representatives. I believe that the absence of an inclusive approach, cross-party support and proactive endorsement by all Executive colleagues showing leadership increases the probability of a partisan and polarising activity, which none of us claims to want.

Culture and arts can and will continue to play a crucial role in discovering and sharing the stories of significant historical events. Remembering the past is also relevant to other Departments, and they, too, have their role to play. Links to tourism, economic development, learning and education, and social inclusion all demonstrate such relevance.

I support the motion, and I support the idea that funding needs to be provided for such events. It is important that all events in the decade of centenaries are funded. DCAL will continue to play a role in doing that. We will continue to make a bid to have the work resourced.



I will outline some of the work that others have mentioned. PRONI will continue to commemorate the Great War. That includes promoting a huge range of data and media clippings relevant to the event. It can also be accessed online by people here and across the world, who can be inspired to create some of the content and, as Karen McKeivitt pointed out, even trace their family histories.

We are also looking at how the Arts Council, in working for the 14-18 NOW festival, can help develop projects that will mark the onset of the First World War, as well as developing events that will happen following those years that need to be celebrated. They are looking at an individual artists programme as well.

Libraries NI has developed a programme of exhibitions, talks, books and launches to commemorate the start of the First World War and is working very closely with the Imperial War Museums and Queen's University Belfast on a number of projects. Libraries NI has significant heritage collections across the North and will be drawing on those resources to help promote public access to those collections. National Museums NI has planned a wide range of programmes designed to explore the context and the importance of the First World War and its impact on this part of the world. That includes online access to First World War collections and programming at the Ulster Folk and Transport Museum, and exploring the legacy of the Great War. We will also collaborate with the museums of Ireland, the Imperial War Museums and National Portrait Gallery in London on a number of initiatives.

Several productions with a First World War theme have been supported by NI Screen, including a BAFTA-nominated drama, which was broadcast on BBC2, 'The Wipers Times'. The work of NI Screen's digital film archive is also providing valuable resources for schools and members of the public. The Somme Heritage Centre, with funding from DCAL, is providing programmes of work. That has been mentioned, particularly in the delivery of the Last Post project.

That is just a quick flavour of some of the work that DCAL has supported, and will support. It highlights the significance of funding and the need for resources to make sure that all significant events in the decade are given due regard. I hope, and firmly believe, that the use of arts, culture and the creative industries will help people to engage across this island. They can help us to find innovative ways to remember our past. They can bring our past to life and tell the stories behind those significant historical events in ways that stir the heart and broaden the mind. I believe that, moving forward, DCAL will continue to support the range of activities that I have just mentioned.

I encourage Members of this House to be a bit more generous in the ways in which we look at how we all collectively remember this decade of centenaries. I believe that we have absolutely nothing to gain by point scoring or being belligerent. I am absolutely delighted that there was only one Member who participated in the event, and one who asked for an intervention that did not set the tone that the rest did, which is disappointing. I believe that the inclusivity and the principles that we all agreed in 2012 can and still apply to the decade of centenaries. We need to provide a framework to examine our more recent past and to promote further opportunities for reconciliation. I firmly believe that, by doing so, all of us together can build a united community and support social change that has the

central tenets of respect, tolerance and equality, which has been advocated by the people of this island in the past and in the present. Go raibh míle maith agat.

**Mr Anderson:** I welcome the opportunity to speak on the motion, and I thank all the Members who have taken part in the debate.

The centenary of the First World War must be commemorated in a manner that is fitting to its deep historical significance, and I urge the Minister to rise to that challenge. The First World War shook the nations of Europe to the core. It was a war that many would say should never have happened, but, within a few weeks of the summer of 1914, the peace of Europe was shattered and nothing would ever be the same again. World War I was one of the bloodiest conflicts in human history. In many ways, it was the last of the old wars and the first of the modern wars, and, because of that, the toll of death and injury was, tragically, on a huge scale. The carnage left behind at the end of World War I was staggering, with the killing and injury of millions of soldiers and civilians. It is only right and proper that we commemorate and remember that war, particularly those men who paid the supreme sacrifice so that those who followed could live in freedom.

In his book on the war, the historian David Stevenson said:

*"Contemporaries on both sides at once hated the slaughter and yet felt unable to disengage from it,"*

To this day, the symbolic significance of the First World War is highlighted by the fact that we continue to observe Remembrance Day on 11 November. We stand in silence on the eleventh hour of the eleventh day of the eleventh month — the precise moment, on 11 November 1918, when the armistice was signed and the Great War brought to a close.

Sadly, of course, war has not ceased. The Great War was not the war to end all wars. Within a short time, the world was embroiled in a second conflict. This year, we marked the 75th anniversary of the Second World War. Since 1945, there have been many other conflicts, some of which continue to rage to this day.

As I reflect on the Great War, I think of young men, some still children as young as 14, maybe even younger, who volunteered and became known as boy soldiers. By the end of the war, many thousands of youths, too young to enlist legally, had been killed or wounded. They thought that it would be a short war and a bit of adventure. How wrong they were.

Laurence Binyon's great poem "For the Fallen" sums it up so well with the words:

*"They went with songs to the battle, they were young,  
Straight of limb, true of eye, steady and aglow.  
They were staunch to the end against odds uncounted,  
They fell with their faces to the foe."*

We must never forget the part played by the gallant Ulstermen. On 1 July 1916, the first day of the Somme, around 2,000 men of the 36th (Ulster) Division were killed and over 3,000 injured. That dark day, which is deeply etched in the folk history of this Province, had a profound impact in so many ways. It has been said that all of Ulster went silent as the news broke and that all that was heard was the weeping behind drawn shades. Every city, town,

village and hamlet has a story to tell relating to the Great War, and it must never be forgotten.

On a number of occasions, I have visited the battlefields of the Somme. It is a memory that I will truly never forget. To see row upon row of headstones dominating the landscape and to walk through the cemeteries and war graves is a very poignant experience — one that touches even the hardest of individuals.

We have a wonderful opportunity to remember, to reflect on, to look back, with humility and pride, and to learn the lessons of 1914-18. Adequate resources must be in place to ensure that an event as momentous as the First World War is properly and appropriately marked. The Somme Heritage Centre and similar organisations do sterling work in that regard, but I think that more funding is vital if we are to properly mark the centenary of 1914.

I want to ensure that everything possible is done for the younger generation of today and that they have the opportunity to learn more about 1914. I am keen to see as many exhibitions, projects and events as possible, especially those that focus on localities. In that way, some of the unsung or forgotten heroes can be remembered by those who, perhaps, have ties of blood or neighbourhood with them.

As far as possible, I want the centenary to be inclusive. All sections of the community must feel part of it. I have mentioned the 36th (Ulster) Division, but other Irish men of a different persuasion fought and died as well. Indeed, those who paid the supreme sacrifice came from all backgrounds. Each of us will have our own perspectives on the war and its contemporary setting, but that does not mean that we cannot join together to remember and reflect in a balanced and respectful way.

### 6.30 pm

Some projects are being funded, and various funding plans are being considered and are in place. I pay tribute to all who are leading by example. I am aware that the World War I centenary committee is leading the way in organising many events to commemorate this centenary year and that funding is available from the Heritage Lottery Fund. I want to make sure that we do not look back on the centenary as something of a missed opportunity.

That is what I want to say as my contribution. I will now comment on those of some of the Members who took part. My colleague Stephen Moutray, in proposing the motion, referred to the great number of centenaries during the decade of centenaries. He also referred to the outbreak of the First World War. As I said in my contribution, young men left in August and expected to be home around Christmas time. Mr Moutray asked for priority to be given to the funding of these events. He highlighted the fact that unionists and nationalists fought side by side and that everyone endured suffering in the trenches. He also referred to seeking funding from the Culture Minister in London, and he asked about the extent of it.

Mr Ó hOisín suggested that we look at all individuals involved in the war. He talked about the need for research and funding to do that. Maybe we need to look at funding, but — I do not want to go down this line — I certainly do not agree with all the comments that came from that Member and some other Members about certain issues. We were debating funding for the Great War.

Karen McKeivitt of the SDLP recognised the need for funding. She supported the motion, but she said that any commemorations had to be carried out in a respectful manner. She also spoke about the need for educational programmes and, if I picked it up right, the need for the Catholic and nationalist community to get involved.

Michael Copeland, if he is still there, gave us a bit of a history lesson on the war map. He also spoke about the sacrifice right across the whole island of Ireland. He said that the common man and woman took part. He stated that they recognised the need to serve their country and that they were prepared to respond and do that. Kieran McCarthy referred to the supreme sacrifice and the many who laid down their lives. He said that both communities were involved, and that they were united in the solemn reflection of commemoration.

Michelle McIlveen talked about the bravery of our soldiers, and she said that that should never be forgotten. She stated that the war scarred the world due to the huge loss of human life. She said that the funding of events and initiatives was for commemorations, not celebrations. She also said that the mistakes of the past should not be repeated. She referred to the need for faith-based organisations to access funding, and she asked the Minister to look into that because they had difficulty with the Heritage Lottery Fund.

Oliver McMullan, along with some of his colleagues, related to a broader spectrum away from World War I. He outlined a number of initiatives already being promoted by the Department. Mr Humphrey, in an intervention, referred to the festivals fund and said that he did not think that that type of funding should be used for an event as great as the commemoration of World War I. Mr McMullan also talked about education on an all-island basis and the work of the new councils and what involvement they could have.

My colleague Brenda Hale talked about the moral obligations of commemorating the Great War. She also spoke of the need to raise funding. She referred to the £50 million funding in London, £34 million of which was for communities. She spoke of the great need for the community to get involved and of the need for support for schools to travel and visit the battlefields in France.

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

**Mr Anderson:** My time is coming to an end, but I feel that the Minister must lead. She needs to work closely with her colleagues in OFMDFM, the Department of Education, DETI and with local councils and others in order to maximise the potential of all available resources.

*Question put and agreed to.*

*Resolved:*

*That this Assembly calls on the Minister of Culture, Arts and Leisure to provide funding for events and initiatives aimed at commemorating the centenary of the Great War.*

*Adjourned at 6.35 pm.*

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# Northern Ireland Assembly

Tuesday 3 June 2014

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

*Members observed two minutes' silence.*

## Ministerial Statements

### North/South Ministerial Council: Inland Waterways

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Mr Principal Deputy Speaker, with your permission, in compliance with section 52 of the NI Act 1998, I wish to make a statement regarding the North/South Ministerial Council (NSMC) inland waterways meeting that was held in Enniskillen on 3 April 2014. The Executive were represented by me, as Minister of Culture, Arts and Leisure, and by junior Minister Jonathan Bell from the Office of the First Minister and deputy First Minister. The Irish Government were represented by lead Minister Dinny McGinley TD, Minister of State with special responsibility for Gaeltacht Affairs, and by Jimmy Deenihan TD, Minister for Arts, Heritage and the Gaeltacht. The statement has been agreed with junior Minister Bell, and I am making it on behalf of us both.

The meeting dealt with issues relating to inland waterways and their constituent agency, Waterways Ireland. Ministers had a discussion on various priorities within their remit and noted that those will be contained in a report that is to be considered at a future NSMC institutional meeting as part of the ongoing review into sectoral priorities. Waterways Ireland delivered a presentation to Ministers entitled 'Ireland's Inland Waterways — Building a Tourism Destination'. The presentation provided an overview of the progress that Waterways Ireland is making in placing waterways and the waterway experience at the centre of the tourism offering in Ireland and internationally.

The Council received a progress report from Dawn Livingstone, the chief executive of Waterways Ireland, on the activities of Waterways Ireland. Those include the planned maintenance and repairs during the winter season; a public consultation that was undertaken on the proposed canal by-law amendments in the South; the completion of a built heritage study of the Lower Bann navigation and a geographical information systems-based navigation guide for the Lower Bann; the donation of two barges for recreational and community use; the development of a strategic development plan for the Grand canal dock, Spencer dock and plot 8; the winning by Waterways Ireland of the 2013 environmental award at the Docklands Business Forum awards for its continued work in restoring, protecting and promoting the heritage dockland assets; the continuation of towpath development and work on the cycleway from Ashtown to Castleknock;

and work with others to utilise three unused navigation properties for community and recreational use.

Ministers noted the position with the 2013 business plan and budget. They also noted that Waterways Ireland has undertaken a public consultation on the draft corporate plan 2014-16; the preparation of the draft 2014 business plan by Waterways Ireland; and that the plans will be reviewed after the public consultation is analysed. They also noted that sponsor Departments will continue to work with Waterways Ireland to finalise the business plans and budgets for 2014 and the corporate plans for 2014-16 that will be presented for approval at a future NSMC meeting.

The Council received an update on plans to restore the Upper Lough Erne to Clones section of the Ulster canal and consented to a number of property disposals.

Ministers approved the Special EU Programmes Body business plan and budget 2014 and corporate plan 2014-16. The Council agreed to meet again in inland waterways sectoral format in October 2014.

**Mr Irwin:** I thank the Minister for her statement. I note that she referred to a presentation from Waterways Ireland, titled 'Ireland's Inland Waterways: Building a Tourism Destination'. I recall that the Minister's June 2013 statement talked of Waterways Ireland's new website and how it could be used to promote the waterways as a major tourist attraction and a valuable recreational and educational resource. Will the Minister tell us what progress has been made on realising that tourism attraction ambition?

**Ms Ní Chuilín:** I am happy to tell the Member that, even going by the presentation that we received at the sectoral format meeting, a lot of schools, community groups and local councils are involved. There is absolutely no doubt that the potential for tourism, particularly around waterways, is vast. We need to make sure that everyone has an opportunity to realise the potential to make connections. Also, the educational value of the website will, undoubtedly, be invaluable, particularly for children and young people involved in education. I am happy to provide an update on progress to the Culture, Arts and Leisure Committee and to Members after future meetings. I am also happy to forward a link to the website, if the Member does not already have it, so that he can see it at first hand.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas a thug sí dúinn ar maidin. What are the main priorities for Waterways Ireland in the 2014-16 period?



**Ms Ní Chuilín:** I thank the Member for his question. Some of the main priorities are about making sure that the management and maintenance of the navigation are safe, and that it is open and accessible to people using the waterways and as a recreational space. As I said in a previous answer, it is also about making sure that more people have better knowledge of what is available to them around and on the waterways, particularly the rich environment and the heritage attractions.

There will also be a focus on unlocking the opportunities for growth in the economy; on social and recreational growth; and on reorganising and optimising the resources that should be there for public use, but certainly within the budget efficiencies. We will look at other funding opportunities for the Ulster canal in particular, but not exclusively, and how we can better maximise investment in our waterways to get a better return for everyone.

**Mr Dallat:** I thank the Minister for her statement. May I take this opportunity to ask her to convey to Waterways Ireland my deepest appreciation for its endeavours to transform what was a drainage system into a first-class tourist amenity? I am talking about the River Bann, which will, I hope, one day emulate the River Shannon in its ability to draw tourism. In her statement, the Minister referred to:

*“the completion of a Built Heritage Study of the ... Bann”.*

Is she aware that many of the artefacts that have been recovered from the bed of the River Bann at Kilrea have been stored for many years? Will she undertake to raise that with those who are conducting the study to see whether those artefacts can be recovered and become part of a very important study?

**Ms Ní Chuilín:** I thank the Member for his comments, and I will happily forward them to Waterways Ireland. That is an example of it doing a job and doing it well.

I note the Member’s concern about the potential preservation and maintenance of any artefacts that have been found. I will happily raise that and update him on progress, where those artefacts are and, more important, if they are of value, where they can be stored and displayed. That is also part of the narrative and a good story about what we have in our waterways and how they can link in with other public services such as the arts centre in Limavady and libraries and whatever else in Coleraine. If they are of value, they can be displayed in those local public services. That is where we need to seize the opportunities and make the best use of them.

**Mr McGimpsey:** I suppose, to use a nautical term, we are looking at steady as she goes, and are managing the asset and taking what advantage we can out of it. That is progress in itself, because of the advantages of a canal system.

Minister, in your statement you referred to:

*“an update on plans to restore the Upper Lough Erne to Clones section of the Ulster Canal.”*

That is another important piece of work. Given the financial constraints that the Department is working under, how realistic is it to be talking about updating and raising ambitions with that? Will the Minister give an indication of a notional plan or date for moving that forward?

**Ms Ní Chuilín:** I thank the Member for his question. He is right to raise the issue of expectations. As he will be aware, the Irish Government originally said that they would fund the entire restoration project but have had to rescind that offer because of the financial situation that they are in. However, I was not content to leave it at that; I wanted to see what DCAL could do to enhance the opportunities for even a part restoration, perhaps through a phased approach. To that end, the economists in DCAL have looked at the business plan. We are looking at a final draft that could go to a final final draft, but the point is that an interagency body has been developed to look at other ways that council, European and heritage funds can be used to try to start the process of land acquisition and construction.

Every Member, from across the parties, has mentioned the value of restoring the Ulster canal. We need to put our best efforts forward and try to look at other ways of starting that project. That is where my commitment is.

**Ms Lo:** Michael has stolen my line — again. We seem to be very interested in the same things and always want to ask the same questions. I will move on to something else, Minister, although I am very interested in canal development and restoration.

In your statement, you mentioned:

*“working with others to utilise three unused navigation properties for community and recreational use.”*

Will you elaborate on that, please?

**Ms Ní Chuilín:** I will write to the Member with all the details, but, for example, Scouting Ireland is using one of the barges that were mentioned, and it is also being used by community groups, I think in Dublin. It is about working with local councils, schools and community groups on the local environment, the flora and fauna and our waterways.

I am happy to provide the Member with the details, but, suffice to say, although Waterways Ireland does not have the budget to maintain and bring some of those properties back to life, it is not letting them rot. They are trying to make them safe, and they are trying to make them into an asset that can be used by the community, albeit not maybe for what it was originally intended to be. I think that this is a good way where all local public bodies can come together around an area that is of interest to them all to see how they can make best use of assets, not just to preserve and maintain the asset but to make sure that it is used for good public service. I will happily write to the Member with all of the details.

**10.45 am**

**Mr Humphrey:** I thank the Minister for her answers so far. I welcome the progress that the Minister has talked about in relation to the Ulster canal. Can the Minister provide some update to members of the Committee around that issue in a more expansive way than has been outlined here today in the Chamber? On the matter of going forward with super-councils coming on stream, can the Minister advise on whether she is having ongoing discussions with super-councils on the development of the canal in Northern Ireland, particularly in relation to the canal along the stretch at Stranmillis up to Lisburn?

**Ms Ní Chuilín:** I thank the Member for his question. I will take the last part first. The Member will be aware through his connections with Belfast City Council that I have had very good working relationships with Belfast City Council in relation to the Lagan. Those discussions will be ongoing. We have had good discussions with Fermanagh District Council in relation to the Erne and Clones route. I will happily provide an update to members of the Culture, Arts and Leisure Committee and, indeed, a current update on where the draft business plan is in relation to providing options around how we can commence work and land acquisition around the restoration of the Ulster canal.

The Member will know that, both here and in Clones and Monaghan, planning permission around the restoration has been granted. We need to make sure that, while planning permission has a shelf life, albeit of a couple of years, we put our best efforts together collectively to try to have this work commenced. I will happily provide a better and more detailed update to the members of the Culture, Arts and Leisure Committee.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers up to this point. An dtig liom iarraidh ar an Aire an dtig léi a rá cad atá déanta ag Uiscebhealaí Éireann maidir leis na fadhbanna ag baint le jet skis agus rudaí eile atá ina bhfadhbanna ar Loch Éirne? Can the Minister advise us on what action Waterways Ireland is taking to address the speeding issues relating to jet skis and other craft on Lough Erne?

**Ms Ní Chuilín:** I thank the Member for her question. Waterways Ireland’s inspectorate is responsible for enforcing the Lough Erne by-laws, which include speeding. Jet skis and boats are asked to carry registration numbers, which are issued by Waterways Ireland. I know, because a report was given, that any complaints are very robustly followed up. I also acknowledge that, since the Lough Erne by-laws were introduced in 1978, the numbers of vessels and the popularity of Lough Erne have grown. I also know that Waterways Ireland is planning to amend the Lough Erne by-laws, and these changes include proposals to create no-wash areas and minimise the risk of high-speed collisions, particularly with some of the larger seagoing vessels.

I am happy to keep the Member and, indeed, other members of the Culture, Arts and Leisure Committee updated on those. Certainly, Waterways Ireland is acutely aware of some of the complaints, as is Fermanagh District Council, that it has received from people enjoying sport and leisure on Lough Erne and who have been disrupted by speeding boats and jet skis.

**Mr Campbell:** On the issue of the lower Bann built heritage study, the Minister will be aware that the Bann estuary, the north coast and the wider north-west is probably the jewel in the tourism crown of Northern Ireland. What productive use is the built heritage study going to be put to in order to develop that jewel in the crown to attract additional visitors and tourists to the region?

**Ms Ní Chuilín:** I thank the Member for his question. Yes, it is indeed one of the most beautiful parts of this island, but I think that every Member, including the Member’s colleague at the back, would have something to say about their own constituency.

The undertone of the Member’s question is whether the study will sit on the shelf and not be of any use. The answer is no; it is not going to sit on the shelf. It is going to dictate what we already know, which is that the tourism potential in those areas needs to be better utilised. The Waterways Ireland Riverfest took place in Coleraine, in the Member’s constituency, in August, and there were over 100 participants and 7,000 visitors. We need to capitalise on that event and make sure that it grows each year. However, in relation to the study, we need to make sure that the schools, community groups, anglers and local councillors are involved and that they all can make use of the study. It is about making sure that we have better use, better knowledge and better investment in our waterways. I would not like any study to be brought forward, only for people to acknowledge it, note it and then do nothing about it. I do not think that anyone wants that.

**Mr Byrne:** I thank the Minister for her statement. Given the reprofiling of moneys through the Waterways Ireland budget, will the Minister give any reassurance that she will talk to ministerial colleagues in Northern Ireland to try to make sure that we get the Ulster canal opened up from Lough Erne to Lough Neagh, which would be the jewel in the tourism destination crown if it could be exploited?

**Ms Ní Chuilín:** I thank the Member for his question. The part of the canal from Lough Erne to Lough Neagh is not on Waterways Ireland’s schedule of work. I appreciate that it is of tourism value, particularly for local councils and the surrounding area. However, it is the Lough Erne to Clones section of the Ulster canal that is to be restored. As the Member may have heard when I responded to other questions today, we face huge challenges in having the finance to secure that end, despite the fact that the commitments were made to do it some time ago.

I am optimistic in all of this, and if we are successful in attracting European funding, and canals are seen as having extreme value in heritage and tourism, I think it will lift the bar for other Departments and other bodies to look at what else can be done. If I had the option to look at what else we could do, I would look at the Lough Neagh canal and make those connections so that we could go right from the Foyle — from one end of the island to the other — and enjoy our waterways, promote tourism and generate the economy, particularly for areas that do not enjoy the investment that they deserve.

**Mr Allister:** The statement says that Ministers noted the position on the 2013 business plan and budget. That is almost identical language to the communiqué of last June when they also noted the position of the 2013 business plan and budget. What is that position? Why is it that financial anarchy continues in that cross-border body and that, almost in the middle of 2014, we still have not had the 2013 budget approved? The Minister may not care much about it, but will she explain how expenditure, therefore, was even legal if the budget was never approved?

**Ms Ní Chuilín:** First of all, the spending is legal, and I am the anarchist in this case because I am refusing to implement additional cuts. I have no qualms in saying it: I am totally reluctant — totally reluctant — to agree to additional cuts that are above and beyond what both Finance Departments have agreed. Until we can come to a resolution on this, the position will remain unchanged. I make no apologies for that whatsoever.

**Mr Allister:** Is it legal?

**Ms Ní Chuilín:** Absolutely; it is totally legal.

**Mr Allister:** How? How?

**Ms Ní Chuilín:** I have received legal advice —

**Mr Principal Deputy Speaker:** Order.

**Ms Ní Chuilín:** — and, thankfully, you are not a person I would seek advice from on any subject. *[Interruption.]*

**Mr Principal Deputy Speaker:** Thank you: Members should make their remarks through the Speaker's Chair.

**Mr McMullan:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her answers to date. Can the Minister provide some detail of the real benefits that sponsored events have on and around our waterways?

**Ms Ní Chuilín:** I thank the Member for his question. Some of the examples that I gave in answering questions from John Dallat and Gregory Campbell, particularly around the Coleraine Waterways Ireland festivals, show how we can use our waterways, in conjunction with investment from local government, to attract visitors. Not even that, these festivals have proven, time and time again, to grow, and that is good news for us all. We need to make sure that we take a collective approach of seeing the asset in and the potential of our waterways and invest in them wisely, because the return has proven, yearly, that such money is well spent and that tourist and local attractions continue to grow. People feel part of something that is local to them and that the opportunity for investment will certainly be better secured if people have better use of their good public services.

## North/South Ministerial Council: Language Body

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. With your permission, and in compliance with section 52 of the NI Act 1998, I wish to make a statement regarding the North/South Ministerial Council (NSMC) Language Body meeting that was held in Enniskillen on 3 April 2014. The Executive were represented by me, as Minister of Culture, Arts and Leisure, and by junior Minister Jonathan Bell from the Office of the First Minister and deputy First Minister. The Irish Government were represented by lead Minister Dinny McGinley TD, Minister of State with special responsibility for Gaeltacht Affairs, and Jimmy Deenihan TD, Minister for Arts, Heritage and the Gaeltacht. This statement has been agreed with junior Minister Bell, and I am making it on behalf of us both.

The meeting dealt with issues relating to the language body and its two constituent agencies. Ministers had a discussion on various priorities within their departmental remits and noted that these will be contained in a report to be considered at a future NSMC institutional meeting as part of the ongoing review into sectoral priorities.

Ministers noted progress reports from the chairpersons and the chief executive officers of Foras na Gaeilge and the Ulster-Scots Agency, which included the following achievements relating to the period from November 2013 to March 2014. Foras na Gaeilge has selected the six new lead organisations and has met them to agree the extent of the functions in their respective areas. Core funding for 10 of the existing 19 core-funded organisations will continue to 30 June 2014. The six lead organisations, An tÁisaonad and two community radio stations will continue to receive funding under the new funding arrangements after that date. Three advisers have been appointed by Foras na Gaeilge: a change management consultant to provide advice to all 19 organisations to facilitate the necessary changes in their organisations; a language planning adviser to lead the six lead organisations and the language development forum on language planning issues; and a strategic planning adviser to advise the six lead organisations on strategic planning issues.

Information from the survey on public attitudes to Irish has been put into the public domain, as part of Seachtain na Gaeilge, to illustrate the continued and growing goodwill towards the language. Funding has been awarded to 13 publishers under the Irish language books programme. A meeting of the working group on the strategy for reading has been held and a draft report is being discussed.

The Ulster-Scots Agency delivered a successful Burns Night concert on 25 January 2014 at the Waterfront Hall, in conjunction with the Ulster Orchestra. The concert featured Eddi Reader, with performances from the Ulster-Scots Agency juvenile pipe band and Markethill Ulster-Scots dancers.

The agency is developing an Ulster-Scots innovators' gallery, in conjunction with the Northern Ireland Science Park. This will be installed in the Thompson dock, where the Titanic was built, and will be launched at the Belfast maritime festival in May.

The agency's «Fair Faa Ye» touring drama project completed a run of 100 performances in schools

throughout Ulster in March 2014. A full post-project evaluation will be completed by the end of April. Initial feedback from schools has been positive, especially regarding learning outcomes for the children.

The agency has developed two levels of accreditation for Lambeg drumming, which have been approved by the Open College Network (OCN). The agency is going through the process of being recognised as an OCN centre.

### 11.00 am

The 2014 music and dance funding round was completed in January, and 233 applications were received. Following eligibility checks, 170 applications were assessed, with total funding of just under £310,000 awarded. The agency awarded three community impact grants to local groups in Kilkeel, Newtown Stewart and Belfast towards the cost of full-time community development workers who will support and develop Ulster Scots in their respective areas. Grants to a total value of £104,360 were awarded in February, with the groups expected to secure combined match funding of £26,250.

In January 2014, the agency relocated its Belfast headquarters from Great Victoria Street to the Corn Exchange Building on Gordon Street in the Cathedral Quarter area. This move will provide the agency with improved office accommodation at a lower cost.

There was revision of a joint equality scheme, including updating of the safeguarding policy on cyberbullying, and a joint project in the integrated schools sector. Both agencies held preliminary discussions with the NI Council for Integrated Education in January regarding the development of this project.

Ministers noted the position on the 2013 business plan and budget. They also noted the progress being made by both agencies on their key strategic direction and objectives in their respective draft business plans and budgets for 2014 and corporate plans for 2014-16. They noted that sponsor Departments will continue to work together with the agencies to finalise the business plans and budgets for 2014 and the corporate plans for 2014-16 that will be brought forward for approval at a future NSMC meeting.

Ministers noted that the 2011 consolidated language body annual report and accounts were laid in the Houses of the Oireachtas and in the Assembly on 6 February 2014. The Council noted that the 2012 accounts for both agencies are being finalised by the Comptrollers and Auditors General, and it is envisaged that the consolidated language body annual report and accounts for 2012 will be laid by the summer of this year, also noting that the fieldwork audits on the 2013 accounts will begin in summer 2014.

Ministers acknowledged the ongoing cooperation with the independent offices of the Comptrollers and Auditors General in both jurisdictions, as a result of which, 11 consolidated annual reports and accounts for the language body were published from 2005 to date.

Ministers approved the revised codes of conduct for staff and board members of Foras na Gaeilge and Tha Boord o Ulster-Scotch, which have been reviewed and updated, in particular to take into account issues relating to potential conflicts of interest.

The Council noted the continuing progress in regard to the publication of a new English/Irish dictionary, including

an online version on www.focloir.ie in January 2013. Ministers approved, within the existing budget, a revised timetable enabling additional material to be developed, which will exceed previously agreed project targets, on an incremental basis by the end of December 2015, with publication of a printed version in 2016.

The Council agreed that its next language body meeting will take place in October 2014.

**Mr Irwin:** I thank the Minister for her statement. The statement refers to the appointment of a consultant and two advisers to advise the six lead Irish language organisations and the language development forum following the consolidation of core-funded organisations in the new funding model. Has the support provided by those advisers allowed progress to be made by the six lead organisations with regard to development activities in Northern Ireland, given that they are based primarily in the Irish Republic?

**Ms Ní Chuilín:** The groups that are recipients in the new funding arrangements are all-Ireland in their complexion. While they may have headquarters primarily in Dublin, their work covers the length and breadth of this island. I have been assured that 25% of their work will occur in the North. That is slightly more than was guaranteed previously.

Regarding the change management process and the consultants, I am waiting for an update on how people have engaged and on progress thus far. It saddens me that at least three of the groups in the North have not engaged with that process to secure the future of their work or amalgamate with the six lead funding organised bodies. I know that Foras na Gaeilge has attempted to meet with those groups as well as engaging with the change management process.

Before the recess, I hope to have another progress report, which I will happily share with the Member and the rest of the Committee.

**Mr Ó hOisín:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an dara ráiteas a thug sí dúinn ar maidin. I thank the Minister for her statement. Will she outline the position on the annual reports and accounts?

**Ms Ní Chuilín:** As I outlined in the previous statement, we have noted the business plans and the accounts. Although we have made great gains by catching up on previous accounts that had not been approved, there are difficulties with finding agreement and moving forward. The good thing is that we are trying to work our way through them. That is why they have been noted rather than approved. As I have said before and will say again, I am reluctant to go beyond the efficiencies agreed by both Finance Departments. Until we get agreement, the position will be to note them. The matter will be discussed fully at a future full NSMC meeting.

**Mr McGlone:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an ráiteas chuimsitheach sin. Ba mhaith liom ceist a chur i dtaobh na gcomhairleoirí atá ceaptha ag Foras na Gaeilge agus an ról a bhéas acu i dtaobh an phróisis bainistíochta. I thank the Minister for her wide-ranging statement. My question is about the advisers who have been appointed by Foras na Gaeilge, particularly the change management



consultant. Will the Minister outline in some detail the aim of the process and its said outcomes?

**Ms Ní Chuilín:** The primary reason behind the change management process was to have people who are highly skilled in and knowledgeable of change management. It was as basic as that. The aim was to help groups, businesses and companies to move from one process to another. Those people continue to emanate from the private sector.

The purpose is to get groups together to agree on a way to amalgamate, on what governance arrangements will look like, on what possible future alliances will look like, and on how government agencies and Departments can respond to that change management. As I said in answer to a previous question, not everyone has been involved in that, and some people have refused to take part, which is regrettable. The Member is not a member of the Committee for Culture, Arts and Leisure, but I will happily write to him with an update, because I know that he is genuinely committed to and concerned about the development and funding of the Irish language.

However, it remains the proposal to ensure that every group involved in the delivery and development of Irish language support and resources has the opportunity avail itself of that expertise. Whether it was a massive all-island group or a small group in receipt of core funding, there was equality in what support you could get. It is regrettable that not all availed themselves of that, but, as I said, I will happily provide the Member with further details.

**Mr McGimpsey:** The Minister is aware of the disquiet among Irish language activists in Northern Ireland about the setting-up of six bodies as the core-funded organisations, all of which are based in Dublin. I note that the statement says that core funding for 10 of the 19 core-funded organisations — four in the North and six in the South — will continue until June 2014, which means that the money is about to run out.

What is going to happen to those organisations, particularly the four in the North, bearing in mind the old adage, “You shouldn’t change a winner”? With those organisations in Northern Ireland, you have had a success story as far as promoting and developing the Irish language and widening the scope of participants is concerned. It would be a shame to see those organisations disappear. How is the Minister going to ensure that those organisations continue to thrive?

**Ms Ní Chuilín:** It is not my responsibility to make sure that those organisations thrive. That is the organisations’ responsibility. I provided those organisations with the opportunity to be involved. Three of them have refused to be involved in the change management process on lead funding. What concerns me most is that — the Member will be aware of this from his own time and it has continued — a lot of funding was going into salaries and administration and not much was going into the development of the Irish language or support for core work in the communities. That was always a rub across the length and breadth of this island. Those groups are aware of that, and, indeed, they attracted additional funding from other Departments. However, I find it disappointing and I am curious to know why they have not engaged in the process, considering that they claim to have, and do have, a duty of care to the staff they employ. What have they done to help those

staff not just to secure and maintain what they have but to provide additional opportunities in the future? Not to engage, in my view, shows them to be lacking in their duty of care to their staff and the work that they do.

**Ms Lo:** I am very pleased to hear that there is cooperation between the Ulster-Scots Agency and Foras na Gaeilge. The Minister mentioned a joint project in the integrated schools sector. Will she give us a bit more detail on what that project intends to do, when it will start and how long it will last?

**Ms Ní Chuilín:** I am happy to write to the Member. She is obviously not aware of it, but that project had been ongoing for some time now. It talks about the different perspectives of Foras na Gaeilge and the Ulster-Scots Agency. As outlined in the statement, the Ulster-Scots Agency has brought its play and works to at least 100 schools this year, and that number has increased year-on-year. I think that the work that both agencies do in explaining who they are and what they are about, as well as the work that they do collectively to build good relations and on equality and inclusivity, has been one of the success stories and something that not everybody picks up on. You can even hear today that people have a particular interest in certain things, but this is one of the success stories, and I believe that Members need to lift it up a bit higher and shoulder it a bit better. Given the perspective and background that those agencies come from, I would like to see their work expanded across many schools. With help and support, and maybe additional funding, they will be in a better position to do that. Certainly, it is one of the good news stories from this.

**Mr Humphrey:** I thank the Minister for her statement and her answers so far. Given that the Ulster-Scots Agency is already facing a funding disparity compared with Foras na Gaeilge, what are the budgetary implications from the outworkings of this meeting for the Ulster-Scots Agency and Foras na Gaeilge for the foreseeable future?

**Ms Ní Chuilín:** The funding was based on identified need going back to the establishment of the two agencies. That has been the situation ever since. The Member will be aware of what my position has been and will continue to be. I know that his party colleagues are also acutely aware of that, because they were at the meeting. I find regrettable the call to burden those two bodies, which are doing excellent work, with additional efficiencies. I think that there are other ways, and I do not believe that those other options have been explored fully and to their best potential. I will keenly consider that when it comes to thinking about what else we can do.

I will respond to Anna Lo and others who asked about the work that those bodies do. That work could attract funding, even from other Departments. The work that they do in building, developing and maintaining good relations could certainly attract support from other Departments. To satisfy the Member’s concern, let me say that I am aware of the funding situation that the Ulster-Scots Agency and Foras na Gaeilge find themselves in. I am not happy about it and I will do everything that I can to ensure that the situation does not change. However, I do not have full control of the outcome of this, but I will certainly be arguing their corner. I know that the agency and Foras na Gaeilge have appreciated those efforts.

**Ms McCorley:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas arís leis an Aire as a ráiteas agus a freagraí ar maidin. An dtig liom iarraidh ar an Aire an bhfuil sí sásta go bhfuil an amlíne chéanna ann go fóill mar a bhí ráite ag an tús don sainmhaoiniú?

I thank the Minister for her statement and answers. Is she satisfied that the same timeline is in place for the new funding arrangements?

**11.15 am**

**Ms Ní Chuilín:** I am happy thus far that everybody who is engaged in the process has appreciated, respected and, indeed, accepted that some of the programmes have been developed and delivered within that timeline. I am concerned and, as I said to Michael McGimpsey, I hope that some groups, particularly the three that have not been involved in this process, will see this as the last opportunity to become involved with Foras na Gaeilge in discussing potential options.

I will receive an update report before the North/South ministerial meeting on exactly where the groups are, despite the fact that the funding comes to an end this month. If there any signs that the timeline will be extended, I have not seen them. If that is the case, it will be extended for everyone, I assume. However, it is a hypothetical question, and I cannot give anything other than a hypothetical answer. Needless to say, the groups that have engaged in the process are acutely aware of the timeline, the deadline and the pressure and have responded to that appropriately.

**Mr McMullan:** Go raibh maith agat. The Minister hit on this earlier, but will she give us some more details of the business case?

**Ms Ní Chuilín:** I fear that I am repeating myself, but I will. The business cases have been noted and will continue to be noted because I am being asked to agree additional cuts to those agreed by both Finance Departments. I am really reluctant to go beyond that, so, until we get a resolution of this one way or the other, the business plan and the rest will continue to be noted.

**Mr Allister:** I am glad to see that the Finance Minister is now in the House because I want to return to the question of the financial anarchy prevailing in these cross-border bodies. The Minister has just told the House that, deliberately and calculatedly, she is refusing to approve business plans and budgets, not just for this year but for last year. I repeat the question: how, therefore, is the expenditure even legal? She has not answered that question.

I want to ask her a further question. Her minder, Jonathan Bell, was present when she refused to give approval. Did he go along with refusing to approve the budgets and perpetuating the financial anarchy in these institutions?

**Mr Principal Deputy Speaker:** I want to make it clear that that question is addressed to the Minister of Culture, Arts and Leisure, and she can choose how she responds.

**Ms Ní Chuilín:** The answer to the Member’s first question is that I have received legal advice, and the expenditure is legal. I could not possibly answer his second question.

## Executive Committee Business

### Land Registry (Fees) Order (Northern Ireland) 2014

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

*That the Land Registry (Fees) Order (Northern Ireland) 2014 be affirmed.*

The order, under section 84 of the Land Registration Act (Northern Ireland) 1970, seeks to adjust fees charged by the Land Registry to ensure that they cover the costs of registration activity in line with the requirements of the Act. The fees set down in the order will replace those currently in force under the Land Registry (Fees) Order (Northern Ireland) 2011.

Members will wish to note that the statutory rule is brief. In accordance with statutory regulations, the changes have been endorsed by the Land Registry rules committee, which is chaired by a High Court judge and includes representatives of the Bar Council and the Law Society of Northern Ireland.

Under the Land Registration Act (Northern Ireland) 1970, there is a legislative requirement for Land and Property Services (LPS) to recover the full cost of the registration services provided.

Recent indications are that, although there has been slow recovery of the property market, bringing with it a small increase in income, that will not be sufficient to cover the cost of providing the staff resource required to complete the increased number of registration applications and to carry out the two-year programme of work required to positionally improve the Land Registry map.

The positional improvement of the Land Registry map is required to ensure that the map and the positionally improved Ordnance Survey maps are coincident. Land Registry is required by statute to use the Ordnance Survey map as a base for the Land Registry map that is part of the register. The maps are required to be realigned to ensure that good, secure title can be provided to landowners and to lending institutions. The legal title to lands will not be affected by this exercise. An inaccurate Land Registry map would stifle the property market, which is in the early stages of recovery, and could lead to an increase in claims for compensation by customers unable to buy or sell land.

The draft order increases registration fees for transfers of whole, transfers of part, charges and first registration by £10. New fees of £20 are introduced for releases of charges, releases of parts of charges, releases of inhibitions and cautions. Those fees are introduced to ensure that there is no cross-subsidisation in respect of the work required to release certain interests in land.

There is an increase of £1 to the standard search fees and for copy maps and documents. For example, the cost to register a transfer of property in the current average price bracket will now be £220 if the application is made on paper and £160 if made electronically. The differential in paper and electronic applications is being maintained to encourage more electronic applications.

Members should also note that the proposed order will have the second-lowest scale fee of the four home

registries for properties being transferred in the average price bracket and the lowest fee for properties transferred in the maximum price bracket.

The proposed fee increases are designed to cover the cost of the provision of registration services and to pay the fixed-price cost of the positional improvement project, which has been spread over a five-year period. Should the current fee increase generate sufficient income to satisfy the fixed price of the positional improvement work in a shorter time, a new fees order will be introduced to reduce fees.

While I consider that any fee increase should be avoided where possible, I am content that the order strikes a fair balance and will continue to encourage LPS to drive out inefficiencies and improve customer service with the provision of the positionally improved maps.

In line with the convention of giving the legal profession prior notice of the implementation of new fees, I propose that the new order come into effect on 8 September 2014.

My Executive colleagues and the Committee for Finance and Personnel were advised of my intention to make the statutory rule (SR). The Committee is content with the statutory rule. I therefore recommend that the Land Registry (Fees) Order (Northern Ireland) 2014 be affirmed.

**Mr McKay (The Chairperson of the Committee for Finance and Personnel):** Go raibh maith agat, a Phríomh-LeasCheann Comhairle.

The policy proposals in this SR were considered by the Committee for Finance and Personnel at its meeting on 14 May 2014. As part of its scrutiny, the Committee was briefed by DFP officials, who set out the context and rationale for the proposals.

The Committee noted that, under the Land Registration Act 1970, Land Registry is obliged to raise fees to cover the cost of providing the registration service. In particular, DFP officials explained that the current cost of operating the registration service and completing the required positional improvement project to update the Land Registry map to make it coincident with the updated Ordnance Survey lease map cannot be met through fee income received under the Land Registry (Fees) Order 2011.

The Committee considered the statutory rule formally, together with a note from the Assembly's Examiner of Statutory Rules stating that he had no points to raise by way of technical scrutiny. While agreeing to recommend that the order be affirmed by the Assembly, the Committee sought further information about the methodology applied by DFP in determining the level of fee increases.

In its response, the Department advised that three options were considered by the Land Registry rules committee. The first was to raise all Land Registry fees by £4.16; the second was to raise fees for transfers of whole, transfers of part, charges and first registrations by £25 and introduce fees of £10 for release of charges, parts of charges, inhibitions and cautions.

The third option — the chosen option — was to raise fees for transfers of whole, transfers of part, charges and first registrations by £10; to raise land information fees for searches and copy documents by £1; and to introduce fees of £20 for releases of charges, parts of charges, inhibitions and cautions. I hope that you all understand that.

As the Minister said earlier, the Committee noted that there is cross-subsidisation on charges as a result of no fee being charged for the release of charges in full or part, inhibitions and cautions. The proposals in the order will see the introduction of a fee for such releases and ensure that such costs are equally shared.

The Committee notes that the proposed approach is considered by the Land Registry rules committee as the most equitable option and as one which implements very modest fee increases. Moreover, it was noted that the Land Registry fees compare favourably with those set by counterparts in the rest of Ireland and in Britain. Therefore, on behalf of the Committee, I support the motion.

**Mr Cree:** The Committee Chair really has spoken on behalf of the Committee, as he said, and covered all the points. On behalf of the Ulster Unionist Party, I certainly support the review of the order.

**Mr Principal Deputy Speaker:** I ask the Minister, if he finds anything there to respond to, to conclude the debate.

**Mr Hamilton:** I was a bit worried that Mr Cree was going to raise an objection or a very technical question about this. However, I am pleased with the consensus of support across the Assembly for the statutory rule. I thank the Finance and Personnel Committee, and the Chair in particular, for the constructive manner in which the Committee has dealt with the matter. I therefore commend the motion to the House.

*Question put and agreed to.*

*Resolved:*

*That the Land Registry (Fees) Order (Northern Ireland) 2014 be affirmed.*

## Private Members' Business

### Transforming Your Care: Implementation Concerns

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

**Mr McKinney:** I beg to move

*That this Assembly recognises the considerable public concern at the pressures on emergency departments and GP waiting times, which have arisen during the period of the Transforming Your Care change agenda; notes with concern that the implementation of Transforming Your Care has not been fully assessed; and calls on the Minister of Health, Social Services and Public Safety to review and measure the implementation of Transforming Your Care to assess its effect on patient outcomes.*

I welcome the opportunity to introduce this important debate today. The health service here looks after just shy of two million people in a service that costs up to £4 billion a year. In that sense, every pound that is spent has to be valued against its productivity. Every pound is important and has to be measured.

I note the amendment, and the SDLP is happy to support it. In our view, it neither adds substantially nor takes away from the original motion, but it does give its proposer extra time, which I hope he will use to express the genuine concerns of many of the extra 2,000 health service staff who have been employed since 2011, and the many others who share the concerns reflected here today. Indeed, I ask this question: did Transforming Your Care (TYC) envisage employing those 2,000 people when it was announced? We simply do not know. The ambition of the amendment is vague, but that actually serves to underscore the purpose of the original motion, which is about measurement, accountability and efficiency in the health service.

The health service here employs nearly 55,000 staff who are dedicated and professional and work to the highest standards in often difficult situations. Their commitment, energy and compassion must receive the highest praise, and I think that we should all acknowledge that today.

Let us remember why we are here today. It is because of severely stressed circumstances that have been rehearsed over and over in the public mind, among health professionals and, indeed, in the Assembly Chamber many times. I do not propose to dwell much further on them, but only to say that, in our view, those A&E difficulties with, at the worst end, patient deaths potentially caused by system stress and the frail and elderly often humiliated and neglected — all those stories — are, in fact, the symptom, not the cause.

The SDLP has been consistent on that point and it is why we have proposed the motion today.

**11.30 am**

The biggest single change agenda in the health service here is Transforming Your Care. Authors considered demand and present stresses, and they consulted and came up with a plan. In simple terms, TYC aims to shift the provision of healthcare from centralised institutions and into the community to facilitate people better closer to their homes. For the moment, let us leave aside the financial arguments and people's views about hidden agendas such as privatisation. If TYC is about anything, it is about the strategic future of health provision here. This morning and this afternoon, we will hear lots of individual stories about treatments, cost, time taken and stress, but I would like the debate to stay focused on the strategic future.

The plan itself is a high-level strategic document that initially had 99 proposals, and, because we could find no evidence of it, we recently asked for a measurement of the TYC journey. We got this tabulated document. We can see little or no measurement in it either. A bit like the DUP amendment, there is plenty of woolly narrative and not a lot of substance. The response we got included a wonderful mechanism whereby the original 99 targets:

*"will...be subsumed within the business commissioning and transformation processes highlighted...and reporting will be undertaken on this basis."*

Basically, they will be swallowed up by wider health policy.

Let us look at some of the updates given on the 99 targets in the April 2014 report. Proposal 5 is about incentivising integrated care partnerships to support evidence-based health promotion. The update is:

*"Work on this proposal has been deferred awaiting implementation and subsequent evaluation of the... Integrated Care Partnership model."*

Proposal 10 is about a reduction in residential accommodation over the next five years. The current position is so circular that it is difficult to see how much progress has been made, and the Health Committee's current work on older people and accommodation only solidifies that argument. In fact, in pursuit of proposal 10, the Northern Trust closed its care homes independently, that led to a public outcry and the Minister reversed the decision.

Proposal 13 centres on more community-based respite care. Where does that lie?

*"Local commissioning groups are currently developing plans for unscheduled care pathways".*

There is no concrete measurement.

Proposal 18 is on personalised care. It points in the direction of direct payments, but there is little uptake and most initiatives are still at the pilot stage, and that is two and a half years later.

Proposal 21 aims to create better partnership working with patients with long-term conditions to enable greater self-care and prevention. The current position is:

*"Pathways are currently being finalised."*

Once again, that is two and a half years later.



Proposal 46 is a new head start programme for children aged nought-to-five. Where is it?

*“Services, including parenting skills, are under development”.*

Proposal 59 is a typical TYC proposal. It aims for a shift in the balance of spend for mental health between hospital and the community. This proposal captures the very essence of TYC. What is the current position?

*“This is an ongoing requirement over the course of the TYC implementation period. Work is progressing on developing a systematic monitoring process and monitoring will take place during 2014/15.”*

Note that work is not progressing on the issue itself. We have not even developed how we will monitor the shift of moneys to the community.

Finally, proposal 98 is about the overall reallocation of funds. It aims for a 4% shift into the community. Once again, we are told that this is an ongoing process but, importantly, we are told nothing about the process itself. What are they developing? A monitoring process. Plenty of process, little product and certainly not a plan.

It is for the above reasons and more that the SDLP wants Transforming Your Care properly measured and why we proposed the motion today.

My concerns are shared by the unions, professionals and the public. Let us look at what the three leading health unions say. NIPSA said:

*“‘Transforming Your Care’, despite its visionary rhetoric, is ... creating the space within which universal provision is undermined and the toxic presence of the private sector ... is encouraged.”*

Representatives from the highly respected Royal College of Nursing (RCN) presented to the Health Committee recently. They asked what it was because, despite studying the document, they still could not outline what it was or what it was doing. Once again, that is two and a half years into the process, and they are at the front line.

UNISON stated:

*“TYC fails to control critical risks, and is cost rather than clinically driven. Therefore the TYC model as presented requires fundamental reconsideration.”*

That is the considered opinion of three leading health unions, two and a half years into the process. It all reinforces the fact that the public must be shown how TYC is working, if it is working at all.

Last week, the Health Committee was faced with the prospect of health service bids in the June monitoring round. I have to say that, as a public representative, I have serious concerns about a Department that puts its hands out for more money when we are not sufficiently measuring what it is doing with the funding already. We are simply not being told how much the change agenda is costing or saving. All we are being told is, “If we do not get more, the system is under threat”. Last week, it was even down to the basic visit to a doctor.

Officials were asked about how the lack of funding is affecting TYC, and they were not able to tell us. We are left in the position, as public representatives, of facing a

demand for money and a threat that, if we do not pay up, the service will collapse. That is another reason why we need good, solid, prudent measurement of this massive change agenda. That is the pressure that we all feel as public representatives, and it is what spurred the SDLP to ask those prudent, rational questions over how this vast amount of money is being spent on a change agenda. How is the money being measured, and, importantly, how is the product being measured?

Everybody has an answer, but it is their answer from their perspective, largely from their bit of the wheel. That is why there is a greater onus on the system to provide a measured and balanced view on the outcomes. The public cannot see Transforming Your Care change, but they feel it. It is the public who sit in line in a stressed A&E service. It is the public who cannot get an appointment. It is the public who pay for the system that is not delivering what they are asking for. It is all the more reason why we must have it explained in detail how the change is being measured.

There is no doubt that the issue of welfare reform will appear in today’s debate from the opposite Benches, but that issue exists outside of today’s debate.

The TYC plan was established in 2011. It is a failing when a health service puts out its hand for more and we do not know what it is for and whether it is consistent or not with a plan that is real or not.

This morning, we heard about a human rights assessment of what is going on. That may not be the only future inquiry into these plans. We need a health service that delivers cost effectively and for patients, and we need to see full transparency and accountability in the plan that underpins that.

**Mr Wells:** I beg to move the following amendment:

At end insert

*“;welcomes the progress made on patient waiting times, including the significant reduction in those waiting longer than 12 hours in emergency departments to be assessed, treated and admitted or discharged; pays tribute to the dedication of hard-working health and social care staff, including the 2,000 additional staff employed since 2011; and further calls on the Minister of Health, Social Services and Public Safety to reinforce across the health and social care system the necessity for transformational change to respond to the challenges of an ageing population, and to encourage and maximise involvement and leadership from health care professionals on the ground in delivering change from the bottom up at an accelerated pace.”*

I need to remind Mr McKinney and Members from his party of why we are here and how we have got to this position. Normally, I would say that it would be unreasonable to expect the honourable Member for South Belfast to know about this because he was not a Member of the House when this was all being discussed but, of course, he was a leading journalist working for a major television company, and he was very much across what was going on in health during his time in that elevated position. Therefore, he should have known that this document, ‘Transforming Your Care’, has to be one of the most consulted upon pieces of paper in the history of health service provision in Northern

Ireland. There were public meetings, private meetings, briefings to the Committee and several statements by the Minister to the House. Everyone had a full opportunity to know exactly what was going on and what it was going to lead to.

I have to say, Mr McKinney, that members of your party on the Health Committee sat through that entire process and agreed with what was being suggested and supported it, and only now are coming forward with concerns. I do not want to embarrass the honourable Members by naming them, but one is a very prominent lady from Upper Bann, and one is a very prominent Member from Londonderry. Those folk sat throughout those meetings perfectly happy with what was being proposed. What they realised is that we could not go on the way that we were going in health.

There is a phrase often used in health service provision called the ladder of healthcare. The problem is, in Northern Ireland, that there are far too many people too far up that ladder commensurate with the needs of their health.

Every time you step up another rung of that ladder, the cost more or less doubles. If we had continued the way we were going, the health service system in Northern Ireland would have collapsed under its own weight by 2025. We could not continue. Indeed, Mr McGimpsey, the previous Health Minister, recognised that as well, because he was proposing a similar review.

**Mr Allister:** He did not do it.

**Mr Wells:** He did not get a chance to implement it — I accept that — because, obviously, the election came, and Mr Poots was appointed. The point is that he recognised that there were severe structural problems in health.

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

**Mr Wells:** I certainly will.

**Mr McCallister:** Thanks, Principal Deputy Speaker. I agree that Mr McGimpsey recognised that and legislated to create a Public Health Agency (PHA). Why are the Member and his party so against the Public Health Agency?

**Mr Wells:** We certainly are not against the Public Health Agency. The Public Health Agency is an important and integral part of healthcare provision in Northern Ireland. We all accept that unless we get very early intervention, and stop people adopting lifestyle choices that lead to poor health, more problems will be created in the future. I have always been a very enthusiastic supporter of the PHA. We certainly did not oppose the establishment of that body. I am one who would like to see a further enhancement of its powers, so you will not get me on that one, Mr McCallister, I can assure you.

The fact is that we all accepted that we could not go on the way we were going; we all accepted that it required radical reform; and we all accepted that the basic premise of what John Compton was saying in the original ‘Transforming Your Care’ document was the best way forward. Not only did we accept that, but so too did the unions, tacitly, and the royal colleges, enthusiastically, and many of the NGOs and the charitable sector were extremely keen on Transforming Your Care. Behind the scenes, everyone is still telling me at all the various —

**Mr McKinney:** I thank the Member for giving way. Does the Member accept that his point that we all agreed that something had to be done is entirely reasonable? We all

agreed with the original proposals, of course, but that is not what is under debate today. What is under debate today is how we have gone about it and whether it is being measured. How do we measure it? Is it succeeding? Is it failing? Can we address those points, and not have a smokescreen about what we all agreed? We all agreed that we would build the car, but what have we got and where is it going?

**Mr Wells:** That is a perfectly reasonable point. If the Member for South Belfast is saying that he requires more information from the Minister and the Department on the implementation of Transforming Your Care, that is a very reasonable request. However, I have to say that the stats show that the present Minister has been before the Health Committee far more times than any other Minister has been before any other relevant Committee in the Assembly. His door is always open; he comes to us at the drop of a hat to give full explanations; and he well remembers that marathon session that we had one night when we questioned him and kept him until 7:00 pm. He simply said, “My diary is open. I will stay here for as long as I can to answer your questions”. That is the issue.

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

**Mr Wells:** Finally, for one last point, yes.

**Mr McKinney:** Has the Member read this document? Does the Member recognise any measurements in it of a substantial nature?

**Mr Principal Deputy Speaker:** Can I intervene? You should not be debating across the Chamber, putting questions to each other. For the benefit of the House, address your commentary through the Speaker.

**Mr McKinney:** Apologies, Mr Principal Deputy Speaker, but this is the document, and I am merely asking the Member whether he has read it. If he has read it, can he point out the substantial measures within it that can convince us that this is the right way to travel?

**Mr Wells:** If the honourable Member wishes the Minister to come before the Committee to explain the document in detail, I am sure that he will, once again, make himself available. But it is inevitable that there is going to be a period of transition between the old system that we have and the full implementation of TYC. There will be pain, confusion and difficulties. There is no way that you could carry out such a major transformation of a health service anywhere in the UK without that confusion, difficulty and pain, but there is complete transparency amongst the Department about how it will be implemented.

Some of what Mr McKinney is alleging has been caused by TYC has not. It is simply that the demand for health service provision in Northern Ireland continues to grow, and we would have had many of the problems that he has outlined regardless of whether there was TYC. The problem was that there was not going to be a long-term solution to dealing with them. We have to face the reality: we have a 1.9% real term growth in finance for health. Depending on how you read it, demand is growing at between 5% and 6%. That is the inevitability of the problems that have been stoked up in Northern Ireland’s healthcare system over the past 20 or 30 years. Therefore, there are pressures.

The Member mentioned last week’s hearing on the monitoring round. I accept that the Department has put in

a very large bid, but that reflects the increase in demand. The fundamental difference between the present Minister and the previous Minister, Mr McGimpsey, is that the present Minister has been able to find £600 million of savings within the Health Department's budget to balance the books in the first three years.

**11.45 am**

The fundamental difficulty is that the amount of low-hanging fruit now left from which to make savings is, unfortunately, a very low figure. As demand continues to increase, a bid has, quite rightly, been made for, I think, £160 million in the monitoring round, as the Minister is perfectly entitled to do. While all of this has been going on, we tend to have a lot of gloom and doom from members of the party opposite, the public and the Stephen Nolans of this world about health. Let us look at some of the figures. The 12-hour waiting list, which, when the Minister came to power, stood at 4,489, has been cut by 80% in three years. MRSA and clostridium difficile infections are down by 43% and 14% respectively since the Minister came to power. Standardised death rates from heart attacks have been reduced from 79 per 1,000 of the population to 61 over the past four years.

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

**Mr Wells:** Yes.

**Mr Beggs:** The Member is reading out a lot of statistics. Why are you not telling us about the waiting time for a first appointment or treatment? It is easy to pick out one or two individual statistics from areas in which things are going well. What is the global picture? Does he accept that there are major difficulties?

**Mr Wells:** If I had the time, it would not be one or two, because a litany of successes has occurred over the past three years.

The Member is simply indicating that demand, as we all accept, is rising dramatically. However, in answer to his question, I say that, although demand is rising, on many of the outcomes by which you measure the success of a health service in any Western democracy, Northern Ireland is doing very well. We have the highest survival rate for breast cancer, at 81%. There are 25,330 clients who receive domiciliary care, a figure that is up by 1,800 since 2011. In December 2013, 12,400 individuals were receiving residential care. That is up significantly from 2011.

I could go on and on. In a situation in which the budget is constrained, the number of consultants that we have is up by 160 since the Minister came to power. That is a 12% increase. The number of middle-grade doctors is up by 69. That is an increase of 20%. The number of nurses and midwives is up by 531. That is a 4% rise. Those are excellent statistics, given the —

**Mr Allister:** What about the complaints?

**Mr Wells:** — difficult financial situation we are in. The Minister has been able to take a greatly restricted budget and make it go much further. I am not saying that there are not complaints.

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

**Mr Wells:** Yes. One last chance.

**Mr McKinney:** On a fundamental point, the Member talks about the employment of doctors. If there was not stress in A&E, there would not be the need to employ those doctors, and there would not be that stress around the demand for them. We still do not know what has caused the problem. Those are symptoms, not the cause. We need to rehearse further —

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

**Ms Maeve McLaughlin:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I speak in favour of the motion. I acknowledge that the amendment does not detract in any way from the motion. It is our collective responsibility to pay tribute to the dedication of the front line staff. That goes without saying.

It is worth noting that we are debating the motion at the same time as the Human Rights Commission has announced an inquiry into emergency care. It is very serious when a human rights commission feels that it must investigate the people seeking emergency care in our hospitals. We need to stop and think about what that means. It means that patients, many of whom are in desperate need of medical intervention, are being so mistreated in A&E that what happens to them there may be a breach of their human rights. Such a scenario would be totally unacceptable in any state institution, but in hospitals, which should be dedicated centres of care, it is an utter disgrace. However, it is nothing new. As some Members said, the College of Emergency Medicine, trade unions, the College of Nursing, the College of GPs, front line staff, patients, families, politicians and the local media have been flagging the issue for over two years. I suggest that what we see in our emergency departments is only the front window of a system that is failing.

Let us look at the facts across the system, which the Minister will point out, and let us look at the public opinion of Transforming Your Care. The system has simply staggered from one crisis to another. We have seen a crisis with children in care and child sexual exploitation; a ban on blood donations from the gay community; court cases on adoption and on banning trade unions from appointments; a crisis in residential care; 15-minute care packages; crises in our emergency departments; concern about children's heart services; concerns about a magnetic resonance imaging (MRI) scanner; and serious adverse incidents resulting in deaths in the Royal hospital. We now have the mess that is the payroll system for our front line staff.

Whilst the shift left of the £83 million for Transforming Your Care is laudable — let us be very clear about that — it is clearly lacking any measurable outcome framework. There needs to be a particular focus on health inequalities. In short, what will be the impact of this shift left on, for example, residential care, domiciliary care, our emergency departments, access to GPs, access to connected health and health services staff? It is unacceptable that that work was not developed alongside the proposals to move towards Transforming Your Care so that wider communities could have confidence in this system. In its absence, as I stated, we have simply staggered from one crisis to the next.

I want to make particular reference to the Put Patients First campaign. The recent Patient and Client Council report on access to GPs found that 26.5% of people were

dissatisfied with the access that they had. The Royal College of General Practitioners has clearly warned that that situation is not going to get better and that it will, in fact, get worse. On average, and I say this in the context of the wider TYC situation, GPs in the North of Ireland carries out around 12.4 million consultations a year. According to the Health and Social Care Board, there has been a 7% rise in that activity over the past 12 months.

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

**Ms Maeve McLaughlin:** Again, the College of GPs said that the situation will get worse. My request to the Minister today is simple: act now, because patient suffering and neglect are simply not an option.

**Mr Beggs:** I thank Mr McKinney for tabling the motion, and I indicate the Ulster Unionist Party's support for it. As regards the amendment, I think that it is right that we should pay tribute to our hard-working staff in the health service. However, regrettably, not enough is being done.

Whilst there is some progress with 12-hour waiting times, I do not know why there should be any such waiting times. They rarely exist anywhere else in the UK, and we should not find them acceptable here. There are other measures on which we are significantly behind what the public would expect.

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

**Mr Beggs:** I am just starting, if I may.

The vision of Transforming Your Care was wonderful. There was to be more preventative care; earlier intervention; patients would get the right care at the right time; treatment would happen sooner; and conditions would be less costly to treat, because they would be addressed earlier, but that is not what patients are seeing.

We have seen a series of crises — I will use the word "crises" — in our emergency care, where emergency procedures have had to be enacted to bring in additional staff to deal with the excessive waiting times. As we know, when there are excessive waiting times in our A&Es, there are huge risks. There are huge pressures on staff, and there is a danger that a change in a patient's condition might not be spotted. So it is essential that we have appropriate waiting times.

Look at the type 1 waiting times provided by emergency care departments. I notice that, in recent months — January, February and March of this year — in Altnagelvin, Antrim, the Royal, the Mater, and the Ulster hospitals, the proportion of patients treated within four hours did not move out of the 60% bracket, yet the target is 95%. In fact, all of our hospitals are a long way from that target. As I said earlier, excessive delays mean risks to patients.

A&E departments do not exist in isolation. They operate within the rest of the hospital system. It is also interesting to look at what is happening with other waiting times. The waiting times for first appointment are also growing. In March 2014, over 127,000 people were waiting for their first appointment. That is a significant increase of 27% on the figure for March 2013. For patients waiting more than 15 weeks, there is also a trend that gives rise to concern. As of March 2014, some 19,000 patients had been waiting more than 15 weeks. That is a 5.6% increase on the figure for March 2013 and another worrying sign.

Waiting times for inpatient treatment/admissions are also increasing. There is a growing trend of patients waiting more than 13 weeks, and that must be of concern to each of us who relies on the National Health Service. Look at the patients waiting more than 26 weeks: at the end of March 2014, there were 4,312 patients who had been waiting more than 26 weeks. That is a 30% increase on the previous year. All these trends are going in the wrong direction. Where is Transforming Your Care? Where is the transformation?

In the last financial year, over £100 million was given to the Department of Health in in-year monitoring — rightly, as far as I am concerned — to try to address some of the difficulties that it had been experiencing. Recently, the Health Committee learned that the Department has bid for £160 million in the June monitoring, when the total given out last year was £80 million. That also shows that there is a huge pressure on our health service.

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

**Mr Beggs:** It is important that we provide additional funds earlier and support GPs appropriately. I notice that, on occasions, there have been reductions in funding to GPs in Northern Ireland. Elsewhere, funding has been increasing, and patients have been treated at an earlier point of their condition and at a more appropriate time.

**Mr McCarthy:** On behalf of the Alliance Party, I support the motion. On a stand-alone basis, the sentiments of the amendment would be worthy, particularly its tribute to the dedicated and hard-working staff. It is a pity that the staff cannot all be paid the proper salary for which they have worked excellently for the health service. However, the effect of the amendment, relative to the motion, is to deflect from serious concerns about the implementation of Transforming Your Care. That said, Alliance continues to recognise that the status quo in certain sectors of the health service is not sustainable. As such, we continue to support the broad thrust of Transforming Your Care while sharing the growing concerns about how it is being delivered.

Transforming Your Care offers the potential for a much more strategic and integrated approach to the changing health needs of our population. People are living longer, which is good, and the balance of types of conditions that will dominate is changing. New diagnostics, better technologies, drugs and better procedures are becoming available. As such, we need to be prepared to rationalise some existing services in order to create new opportunities to do things more efficiently, effectively and timely.

**12.00 noon**

It is right that we try to make greater investment in public health to address health inequalities; focus more on prevention and early intervention; and try to shift towards supporting people in the community, as our community wishes. We also need to shift more resources into mental health. One in four people will experience a mental health condition at some stage in their life. Despite that, Northern Ireland continues to make smaller investments per head in this area than other parts of the UK do. Bamford must also be kept at the top of our mental health and learning disability agenda.



We all acknowledge and appreciate that there are huge financial pressures on the health service. There is more demand for new drugs, new medicines etc and patients are absolutely entitled to avail themselves of those if and when required. It often seems that these pressures are getting worse. So, in many respects, change cannot come quickly enough if we are to make the most of what is essentially a fixed budget.

Concerns regarding the implementation of Transforming Your Care tend to focus on a number of particular angles. One is scepticism over the extent to which resources will follow the shift in emphasis towards the provision of services in the community — I think of the reduction in community time and the community meals offered to our population. Unless that happens and is transparent, the perception will be of cuts to existing acute services.

The implementation of proposals around the future of residential homes has already been subject to huge public anger, rage and debate, so much so that a rethink has been forced on the Minister. Let us hope that the right decisions will now follow.

Another concern is the extent to which staff have been engaged in and have bought into the reforms. One group of health professionals with whom more work needs to be done is our GPs. There are concerns over the capacity of our GPs to absorb further work on what is already a limited budget and a lower share of the overall health budget than in other parts of the UK. GPs are expected to become the hub of the new integrated care partnerships. However, that is not realistic without increased investment in GPs themselves and alternative channels to address existing and future caseloads.

GP practices are reporting significant increases in demand, as are out-of-hours GP services. In turn, increased concern is being expressed about the ability to access GP services and secure appointments. Nevertheless, a properly funded GP service can be the lynchpin of a transformed health system; that is recognised by GP themselves.

The capacity to deliver a transformed system is hampered by ongoing —

**Mr Principal Deputy Speaker:** Will the Member begin to wind up his remarks?

**Mr McCarthy:** — struggles in A&E and wider problems. We need much more regular and detailed stocktakes of the reform process. If what has been planned in any aspect of Transforming Your Care is not working, let the Department pause and re-examine better ways before blindly following a wrong course.

**Mrs Cameron:** I speak on the motion as a member of the Health Committee. I believe that Transforming Your Care is still the best means of achieving what we want from our health service, namely a service that provides optimum care for those most in need within realistic timescales and budgets.

It is perhaps because Transforming Your Care is such a radical overhaul of an ageing service that it is an open target when some aspects of it are perceived not to be working well or changing as quickly as they could or should. That said, I am pleased that the Health Committee is seriously engaged in scrutinising every step of this plan to ensure that it is given every chance to bring

real improvements to what is, after all, one of the most challenging and critical areas of public service and public safety.

Specifically on today's motion, I readily agree that more must be done to ensure that we have fewer such scenes that have arisen in A&E departments recently. I am aware that, generally, waiting times came down over the winter compared to previous years. However, that is of little or no comfort to the 1,000 or so people who endured 12-hour waits in what must have seemed to be completely inhumane conditions. That figure for monthly 12-hour waits seems to have increased in the last few months of April and March, which is a worrying statistic. I would be grateful if the Minister would indicate why he thinks that increase is happening.

On waiting times for GPs, I am grateful to the Royal College of General Practitioners (RCGP) for the information provided to me, in which it states that it believes that more funding is necessary to ensure that GPs are sought out as a first option and without delay, which, we all recognise, would take pressure off the A&Es. I ask the Minister to look at the points raised by the RCGP to ensure that it is given the support it requires to deliver the services that are needed.

The subject of waiting times will always have the potential to undermine confidence in the whole implementation of Transforming Your Care, but only when the full range of measures has been implemented will we be able to judge the scale of the improvement. That is why I believe that now is not the right time to call for a review, but that is not the same as saying that the policy cannot be scrutinised. That is why I welcome today's debate and the interest of the Health Committee.

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

**Mrs Cameron:** Go ahead.

**Mr McKinney:** Thank you. Is the Member aware of the views of the new NHS English hospitals' Simon Stevens, who believes that community hospitals should now take the burden in the health service? Does she have any view on how that impacts on TYC?

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

**Mrs Cameron:** I thank the Member for his comments.

There are aspects of the policy that are already displaying positive results, moving forward in areas such as reablement, which is allowing older people to remain at home with proper support and equipment in place to not only ease some of the pressures on the hospital wards or homes but to improve their quality of life. I recently met Friends of Muckamore, who met the Minister to discuss their concerns about a resettlement process for their friends and family members. Although they acknowledged that it was the right thing to do, they had some concerns about the haste with which the change was being implemented. To me that highlights the fact that, in many cases, it is not the end product or the overall aim of TYC that is in doubt; it is the scale of the change required and the challenges of delivering it from the ground. People generally do not like change until they see and feel the benefits for themselves.

I support the motion and the amendment.

**Mr Brady:** I too rise to support the motion and the amendment. First of all, like other Members, I commend health service staff for the tremendous work they do in very difficult circumstances. I also commend carers, because the contribution that carers make to our health service is often forgotten. They save the health service approximately £4 billion per year, and without them I think the health service would have collapsed a long time ago.

Transforming Your Care was first mooted and came out in December 2011. I suppose there are two ways of looking at the 99 proposals. One is that they were a way of reforming and improving the health service. The other way of looking at it was as the privatisation of the health service. The more cynical amongst us — which, of course, does not include me — might consider that privatisation was very much on the agenda.

TYC's key commitments state that it presented us with:

*“an unprecedented opportunity to transform our health and social care service. With transformation of such scale there will be difficult times ahead and challenging decisions to be made — it is important to remind ourselves this transformation is about people and services, rather than buildings.”*

I think people would have agreed with the shift left and the transfer of approximately £80 million from acute care to domiciliary care. Mr Wells, who is no longer in his place, stated that the Minister had been before the Health Committee more than any other Minister has been before other Committees. With respect, I think that is because he has had to. So many issues have arisen that the Minister has had to come before the Committee and try to explain the situation. Ultimately, the health service needs to be protected at all costs. We need to continue a free service at the point of need. That has to be protected above all.

Transforming Your Care, in terms of the residentials, fell at the first hurdle. The trusts were queuing up to see who could close a residential first. When I contacted the Southern Trust at the time to ask why it had issued a statement, I was told that it was in response to a request from 'The Nolan Show'.

It seems that 'The Nolan Show' now has an influence on health service policy, which seems to be a strange way, not to mention a bizarre one, of conducting that policy.

On 19 May, the Minister stated in the 'Belfast Telegraph':

*“Since 2011, there are 130 more doctors, 640 more nurses and 320 more allied health professionals.”*

If that is the case, are they being used in the right way? Obviously, waiting items are a problem, and accessing GPs is becoming an increasing problem. With all the extra staff, we have to consider whether they are being used in the way that they should be.

Ultimately, the health service affects everybody from the young to the very old, and our ageing society — I think it is accepted that our elderly population will have doubled by 2020 — surely highlights the need for services to be improved and continued.

The Human Rights Commission's view of emergency care has been mentioned. The latest crisis is with the payroll system, and staff are not being paid properly. This has been going on for months and does not seem to have been

addressed. I really do not understand that. We are being told that it is to do with national insurance contributions, but those are dictated by mainframe computers in Britain.

The Minister really needs to look at the whole issue of Transforming Your Care. He must either bring it back to the drawing board or look at ways of ensuring that it is carried out. Representatives from the Royal College of Nursing were before the Committee very recently and what they said about Transforming Your Care sums it up. They spoke of “a vision without action”. There are no measurable outcomes, and that needs to be addressed. As I said, I will leave it to the Minister to answer those questions.

**Mr Dunne:** I too welcome the debate on Transforming Your Care. It has set out proposals for change across the health and social care system in Northern Ireland and a road map to reshape services to ensure that systems deliver in a more sustainable way in the future.

We need to reinforce across the health and social care system the necessity for transformational change to respond to challenges for our increasing ageing population and encourage and maximise involvement and leadership from healthcare professionals on the ground, so that they can deliver change from the bottom up at an accelerated pace. The Health Committee has had extensive involvement with the whole process of Transforming Your Care and has worked extensively with John Compton, who, along with his team, came on a number of occasions and spent time with the Committee.

We have always been reminded that full implementation of the report will take from three to five years, depending, of course, on the financial resources being available. It is important to keep it in mind that delivering change in health does not happen overnight. It is also important that funding for the resources to manage change is put in place to implement such change and bring about what is needed.

Delivery of Transforming Your Care involves setting up integrated care partnerships, which includes our local GPs, our health and social care providers, hospital specialists and representatives of the voluntary and community sector. Progress has been made in setting up the ICPs, and they are starting to deliver services more effectively and efficiently in local areas.

There is a need for real change, especially to the role of the GPs. On a recent visit to a GP surgery in Bangor with our Minister Edwin Poots, we saw the pressure that GPs are under and listened with interest to their real concerns. They are working in outdated facilities, and I urge the Minister to look at providing a new health and well-being centre in Bangor. It is long overdue. Our GPs work in cramped conditions, and our patients wait in small areas for long times because of the lack of facilities. We need better buildings, and we need better resources to deliver. This is all part of Transforming Your Care. If we are going to deliver in the community, we need to make sure that the proper buildings are in place.

**12.15 pm**

The expectations of patients today are so high, and meeting these expectations is a real challenge. To do that, you need the necessary resources, the necessary people and the necessary buildings. It is difficult to manage large surgeries, with GP funding equating to 7.9% of the budget in 2012-13 while the rest of the UK receives 8.39%

of the health service spending. However, people in our constituencies all regularly talk of the problems of getting an appointment with their local GP. These are real issues that need to be addressed and addressed effectively and efficiently through TYC.

Our emergency departments have been mentioned already, and we need to keep the focus on that. They continue to be overloaded with patients, with 96,879 new patients going through the Royal Victoria last year and 88,500 going through the Ulster Hospital, which serves my constituency of North Down and is now almost as busy as the Royal. This equates to 264 patients a day coming through the doors of the Royal Victoria. That is a tremendous demand on resources. This highlights dramatically the real challenges and pressures that exist in the health service. It must be said clearly that the vast majority of these people get good care in the health service. The vast majority get a good service and go home content. The vast majority recognise that.

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

**Mr Dunne:** I believe that, when all is said and done, there are issues to be addressed, but it is important that the balance is put in place and that we recognise that the health service provides a good service to the vast majority of patients.

**Mrs Overend:** I welcome the opportunity to participate in today's health debate. Indeed, the people of mid-Ulster have been very vocal in their concerns regarding health service provision, not least the Cookstown 040 group, which presented a petition here in this place against the closure of Westlands care home.

The Ulster Unionist Party recognises that our health system is in need of reform. Our population is ageing, demand on the health service is increasing and finances are diminishing. It is clear that the current service delivery model is most likely unsustainable. Indeed, the original Compton report said something similar. However, it is light on specific details, and, in the absence of an implementation plan, even though it was created at the very heart of the health service, it is difficult to fully assess the evidence on which this overall review has been based and what it has set itself as achievable targets.

The proposer of the motion raised this issue, and I certainly agree: without targets or an implementation plan, how will the success or failure of Transforming Your Care really be measured? Nevertheless, what should have started as the opening of a root-and-branch review of the health service has now been mired in controversy and has resulted in the plummeting of morale across health staff and, hugely worryingly, has started to impact on the confidence that ordinary members of the public have in the National Health Service.

There are issues that now need to be addressed before Transforming Your Care can progress. First is the money. Again, the original Compton report suggested that service improvements through reorganisation of the delivery of services could have been delivered within the constraints of the current level of funding, supplemented by only £70 million of extra transitional funding. The concept was diverting money from acute care to primary, community and social care services to treat patients sooner so that they would not need to go into hospital, but that has not

happened. In fact, it seems that the finances are up the left altogether, with the Minister bidding consistently at monitoring rounds.

Transforming Your Care was dealt another fatal blow when it was revealed that health trusts were seeking to close all their statutory residential care homes, rather than half, as was initially indicated in the original plan. It was very unfortunate that the outworking of Transforming Your Care saw the untimely and badly managed announcement to each resident in Westlands care home that they would have to look for alternative accommodation in the short space of a few months. That caused terrible anxiety to those residents, and the general health of many suffered as a result. The play on the phrase "at least" was a manipulation by the trusts. We expressed concerns at the original Transforming Your Care proposals to close half the statutory residential homes, and we continued to be concerned at the lack of alternatives that exist or are being developed for the growing elderly population, were the homes to close.

Another contradictory target is the fact that the Health and Social Care Board believes that it can reduce the number of newly referred older people who need long-term domiciliary care by up to 45%. Where is the care in the community? The 'Transforming Your Care' document also specifically mentioned domiciliary care as a potential area for income generation. Therefore, not only was the Health and Social Care Board eager to shut homes but it was keen to reduce the number of domiciliary packages being offered. However, there is also a high chance that recipients will now begin to be charged for those services. I would like to hear from the Minister on that issue and to hear a commitment that domiciliary packages will remain free.

The current failures in the health service affect not only the elderly in care homes, those attending A&E, those on waiting lists and all our constituents but the morale of the staff and their mental health and well-being. In this period of Transforming Your Care, I urge the Minister to take more care with his health transformations.

**Mr McCallister:** There seems to be general agreement from most sections in the House that it was necessary to debate this and necessary for the Assembly to be seen to be getting some form of accountability from the Minister. I would be surprised if we did not need to visit this subject again and again.

Listening to some of the debate, particularly the Minister's DUP colleagues, you would think that all was well in our health service and that, with a few tweaks needed at the edges, all was going according to plan. I remind some of them that the original time frame that was talked about in TYC was about three years. We are now two and a half years in to that, and it is being stretched up to five years. While that is going on, all that anyone has been told and all that the people on the ground — Mrs Overend talked about all our constituents and all the users of the health service — feel is that the health service is at breaking point. The staff who work there feel that there is a health service that is in crisis and a health service that is stretched to the limit. That is what is going on on the ground, and that is the perception out there.

Other Members mentioned a crisis in various parts of the health service, from our children's care system right

through to our A&Es. That is all against the backdrop of trying to change its make-up. We have experienced that in my constituency and, indeed, in the Minister's constituency, with changes to the Downe Hospital and the Lagan Valley Hospital. All that is set against the backdrop of rising demand. When Mr McGimpsey was Minister of Health, we were warned about the difficulties in funding and the relentless rise in demand for our health service needs. What was the DUP's reply? It said, "There is no crisis. There is enough money in the budget, and you just need to manage it better". The coalition's decision at Westminster about ring-fencing at least health spending and the Barnett consequentials of that have helped the Minister and prevented complete meltdown in our health service.

Mr Dunne talked about the road map that Transforming Your Care set out. I have to say that the Minister seems to have pretty well got lost on wherever that road happens to be going, because people are not finding that things are improving. They talk about needing more time and money. They have had two and a half years of implementing it. The Minister has been in office for three years, and his party colleague holds the purse strings. According to the First Minister, if they needed more money, it was to be made available. Why has that not come through? Why are we looking at those crises in various parts of the system, even before full implementation? This is moving — I have consistently warned about this — £83 million from acute to domiciliary care. Most people agree with the idea, but I have consistently warned about the sheer management difficulties of moving that size of budget when the one that you are taking it from is in crisis — a deepening crisis.

For the Minister even to go through with TYC, he is still looking at whether to close Daisy Hill Hospital or the Causeway Hospital. Where is he making the changes at A&E units, where there is already a crisis? I have asked the Minister this before: does this not mean that his flagship policy of Transforming Your Care is in crisis itself? Is it not unlikely that he can deliver any of the outcomes with the current policy framework?

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

**Mr McCallister:** Thank you, Mr Principal Deputy Speaker.

**Mr Allister:** The shine has certainly come off the glossy rhetoric of Transforming Your Care. The public disillusionment and disappointment are accentuated by the fact that those now in charge were those who, when not in charge, made it sound so easy. In the years that were spent vilifying Michael McGimpsey as Health Minister, the constant refrain was that there was not a money problem in the health service, just a management problem, and that, if he had been a better Minister and had had the skills that they thought they had, there would have been no problem whatsoever in the health service. Of course, how different it has turned out to be. There has not been even a by-the-way apology to Mr McGimpsey for their vilification of him over the years; rather, there has been an arrogant pretence: "Well, everything has changed. It was totally unforeseeable". They have, of course, just discovered that running the health service is not as easy a project as they seemed to think it was for so long.

Transforming Your Care has been a great disappointment to many. I am not totally surprised, because it seemed

to me from the outset that it was over-optimistic in its view that you could simply devolve to the community so much that was being done in the health service and that you could have care packages that would remove the need for doctors, hospitals, emergency units, visits and everything else.

At the same time, we know that the care packages in the community are essentially meagre. We all hear stories of the carers who have seven minutes in which to do an hour's work. No wonder, then, that, when you build Transforming Your Care on such sand, it begins to sink in the manner in which it has.

**Mr McKinney:** I thank the Member for giving way. Does he accept that the SDLP position on this has been to get transparency and accountability? Does he therefore share my concern at learning that the board has been putting pressure on media organisations to ignore the negative stories that he is talking about and instead focus on positive stories in TYC and the health service?

**Mr Allister:** I am not surprised to hear that, and I share that concern.

Another issue in Transforming Your Care is that we were going to solve the problems in A&E departments without having any regard to the fact that we had guaranteed logjams in those departments by, over the past five years, reducing the number of beds in our hospitals by 16% — in some boards by 20%. It does not take a lot of brain to work out that, if you reduce the number of beds in hospitals on that scale, you will inevitably produce a logjam at the access point of A&Es, and so it has turned out.

#### 12.30 pm

It is supposed to be some sort of creditable, laudable thing that fewer people now have to wait 12 hours: it is scandalous that anyone has to wait 12 hours in an A&E department. Yet, that is turned into some sort of virtue. There is nothing virtuous about the fact that our A&E departments regularly see waits of that length, with the serious adverse incidents that have been connected to it.

Then we take the situation relating to statutory residential homes. The Minister has ducked and dived on this issue so many times, but the fundamental remains that it is his policy to destroy statutory residential homes. He goes through the motions of consultation but refuses to take the elementary step of making the homes have a viable future by removing the moratorium on new admissions. You cannot viably test the future of a home while denying access. It is a means of bleeding the homes to death, and that is the Minister's policy.

The Minister was content to see 100% closure in the Northern Health and Social Care Trust until there was a public outcry. He had advance knowledge that that was the plan. I have it in Assembly answers: he had advance knowledge of the plan of the Northern Trust to shut 100% of its homes, and he had nothing to say until a 90-year-old lady, Mrs Faulkner, blew the whistle and set off a public outcry. Then, he sought to pretend that that was not his policy and it was those unmanageable mandarins doing things that really were against his will. Where does the buck stop in the health service? It never seems to stop with the Minister. Has there been a single issue in his tenure of office for which the Minister has taken responsibility?



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

**Mr Allister:** It seems not once. It is always someone else's fault. It was the Minister's fault when it was Michael McGimpsey, but it is never the Minister's fault now. Strange that, isn't it?

**Mr Principal Deputy Speaker:** The Business Committee has arranged to meet immediately upon 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 will recommence at 3.30 pm when the Minister will respond.

*The debate stood suspended.*

*The sitting was suspended at 12.32 pm.*

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

2.00 pm

## Oral Answers to Questions

### Enterprise, Trade and Investment

#### Jobs: West Tyrone

1. **Mr Byrne** asked the Minister of Enterprise, Trade and Investment what percentage of the 11,000 new jobs promoted by Invest NI in 2013-14 were promoted in West Tyrone. (AQO 6245/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Invest Northern Ireland is working on the presentation of jobs promoted at subregional level in 2013-14, including those in West Tyrone. It intends to publish the information once the figures have been fully validated. However, during 2012-13, 678 jobs were promoted by Invest Northern Ireland in West Tyrone. Those jobs were promoted in projects undertaken by companies such as Allstate, Telestack, Terex and Terramac Fabrication.

**Mr Byrne:** I thank the Minister for her answer and for the number of jobs promoted. When does the Department hope the Terex jobs will be realised? Given the constraints in relation to land available for industrial development in Omagh, can she give any reassurance about what might happen in that regard?

**Mrs Foster:** I thank the Member for his supplementary. In relation to the Terex jobs, I am hoping that Invest Northern Ireland will be able to give you those figures. I know for sure that some of those jobs have already been created and are in post; I just do not have the precise figures for job creation.

In relation to Terex's desire to do more in the Omagh area, we are working alongside the company to try to identify an appropriate site. I am acutely aware that there is a shortage of land in Invest NI's site in Omagh. The Member will know that we have been attempting to resolve the issue. We have had a number of attempts to acquire land, and unfortunately none of them have been successful to date. However, we will continue to keep looking for appropriate land, and I am sure that the Member will want to work with us to assist us in that regard.

**Mr I McCrea:** As someone who represents a neighbouring constituency — Mid Ulster — I know only too well the benefit that the manufacturing industry brings. Will the Minister outline what the manufacturing industry as a whole brings to the economy in Northern Ireland?

**Mrs Foster:** I thank the Member for his question. The whole of Tyrone has been very significant in what it has achieved for the manufacturing sector and, in particular, the engineering sector over the past number of years. There are around 50 Invest NI client companies of significant size that are classified as being engineering based in Tyrone alone, and the majority of those are in the materials handling sector. There are another 25 outside Tyrone, which proves that you can have a material handling company outside of Tyrone, although most seem to be placed in Tyrone.

Those companies have proven to be very successful. They had a very tough time at the beginning of the recession. However, they have regrouped, they have come back again and they are working in a number of export markets right across the world. We will continue to work with them to explore new export markets, and that is something that I am very pleased to be able to do when I accompany them on trade missions.

#### Giro d'Italia

2. **Mrs Overend** asked the Minister of Enterprise, Trade and Investment for an estimate of the number of visitors from outside Northern Ireland who attended the Giro d'Italia. (AQO 6246/11-15)

10. **Mr Newton** asked the Minister of Enterprise, Trade and Investment to outline the benefits to the economy of hosting large-scale events such as the Giro d'Italia. (AQO 6254/11-15)

**Mrs Foster:** With your permission, Mr Deputy Speaker, I will answer questions 2 and 10 together.

The Giro d'Italia has delivered a wide range of economic benefits. In particular, it has attracted out-of-state visitors — both tourists and those travelling with the competition — who spend money in local businesses. The Northern Ireland Tourist Board is undertaking the post-event evaluation. However, when final figures are complete, we anticipate overall visitor numbers to exceed the 140,000 target.

Hosting those successful international events also gives us significant positive global media exposure. That helps to change perceptions of Northern Ireland as a holiday destination and provides a unique marketing opportunity to grow overseas tourism. Indeed the key objective for staging the Giro d'Italia was to showcase Northern Ireland on a world stage. Many hundreds of international journalists and photographers joined the cheering visitors and local people, providing a welcome to Northern Ireland that was beyond the organisers' expectations. I am told that Northern Ireland has very much set the bar for all future "Big Starts".

**Mrs Overend:** I thank the Minister for her response. I very much welcome the success of the Giro d'Italia. The Minister is aware of the latest tourism figures, which show that numbers of visitors from GB are up but that those from the Republic of Ireland are down by around 15%. Has the Minister any plans to try to increase that figure and change tack to improve the number of visitors coming from the Republic of Ireland and further afield into Northern Ireland? Also, will she tell the House whether those for the Giro d'Italia possibly qualify so that she can set her sights on the Tour de France coming to Northern Ireland?

**Mrs Foster:** On the tourism figures that have been recently released, I have to say that, overall, the picture is very healthy. We are up 2% overall in 2013, and we have to recall that 2012 was a very significant year for us and was very much a year when we brought a lot of visitors to Northern Ireland. However, I am pleased that we still managed to increase our numbers last year. In some markets, as the Member said, we have had significant growth. The GB figures have increased by 13%. Unfortunately, the Republic of Ireland (ROI) figures dropped by, I think, 7%. Overall, the trend is moving

upwards, but clearly there are issues that we need to identify to deal with the drop in ROI figures. The ROI figures had increased significantly in 2012, so we were at a high level. Now they have dropped back, and we need to try to understand why that is.

As you would imagine, I am very pleased to see the GB figures rise, and indeed the overall number of visitors from outside Northern Ireland has increased by 6%. So, it is a good story; there are some bits to improve upon, but I believe that we can tackle that issue in the future.

With respect to the Tour de France; as the Member knows, we have identified a number of large-scale events that we would like to come to Northern Ireland, because we believe that we have the correct infrastructure now in place. We want to attract more large events like the Giro d'Italia, which, can I say, was a tremendous success for so many reasons, not least the fact that the people of Northern Ireland came out on to the streets, dressed in pink and had a joyous weekend. What a tremendous thing it was to be a part of; I was very pleased to be a part of it.

We will be looking for other large-scale events, and this is something that we hope to make some announcements about in the near future.

**Mr Deputy Speaker:** I encourage Members to be brief in asking their supplementary questions.

**Mr Newton:** As the Minister said, the Giro d'Italia was a huge success, and so was the UK City of Culture. The ability of Northern Ireland to attract those two events indicates that we are punching well above our weight. However, I ask the Minister to comment on the terrorist attack on the Everglades Hotel and what the implications of that might be.

**Mrs Foster:** I thank the Member for his supplementary question because it gives me the opportunity to condemn outright what was going on in Londonderry. At the very same time that I was sitting at the Northern Ireland Tourism Awards, watching as the UK City of Culture received the award for the outstanding contribution to tourism, individuals decided to put a bomb into the Everglades Hotel. I think that the difference between those two stories about Londonderry should not be lost on anyone.

I commend the staff of the Everglades Hotel for their excellent work in making sure that everyone was out of the hotel at that particular time. I think that their actions were nothing less than heroic. Of course, it is not the first time that the Hastings family has suffered at the hands of terrorism. We commend them for the fact that they had the hotel open again on Sunday to welcome the marathon, which I understand was a huge success, and I commend them for their determination not to be pushed aside by those who would seek to push us backwards.

**Mr Flanagan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a freagraí. I thank the Minister for her answers. Will she outline to the House what plans are in place to make sure that, in the future, we benefit to the maximum from the large number of high-profile international events that we host, so that there is not just a one-off, short-term economic benefit from them but long-term gain?

**Mrs Foster:** Absolutely. We are engaged in making sure that we gain a legacy from the events that come to Northern Ireland. I think that we have achieved that,

to date, and will achieve it with the Giro d'Italia. With its support and help, we are planning to host the Gran Fondo, a legacy event from the Giro d'Italia that would see a more family-orientated race come to different areas of Northern Ireland for the next few years. We are working with the Giro to make sure that that happens. Of course, the legacy in and around the Giro has been that a lot of people who never thought about engaging in cycling have engaged in cycling. I am sure that my colleague the Regional Development Minister will want to look at what legacy he can put in place from that as well.

**Mr McKinney:** Would the Minister care to reflect on the damage that the First Minister's recent comments may be causing to her otherwise good work in attracting inward investment, overseas sales and tourism?

**Mrs Foster:** I thank the Member for his question. The First Minister has reflected on the comments that have been made and has made his position very clear. Therefore, I will move on. I have no intelligence to show that it has had any damage to Northern Ireland's tourism interests, international investment or, in particular, our work to look to markets outside Europe for international exports. That is what I continue to do on a day and daily basis.

**Mr McCarthy:** On the same train, I welcome the Minister's endorsement of the Giro d'Italia. However, would she advise people who are in the public domain that, whilst we all agree entirely with free speech, they should be very mindful of what they say, where that travels and how it can affect Northern Ireland's tourism potential?

**Mr Deputy Speaker:** Order. I honestly believe that that supplementary question is well off the mark. However, I will leave it to the Minister to decide.

**Mrs Foster:** I hope that everybody in the House will do their best to promote Northern Ireland, regardless of where they go in the world. That is certainly something that the First Minister engages in and certainly something that I engage in as well.

## Electricity Prices

3. **Mr Brady** asked the Minister of Enterprise, Trade and Investment for an update on her Department's efforts to reduce electricity prices for industrial and commercial customers. (AQO 6247/11-15)

## Energy Costs

9. **Mr Moutray** asked the Minister of Enterprise, Trade and Investment what steps her Department and the Utility Regulator are taking to reduce the cost of energy for manufacturing companies. (AQO 6253/11-15)

**Mrs Foster:** With your permission, Mr Deputy Speaker, I will answer questions 3 and 9 together.

Electricity prices are determined by the market, subject to regulation. The principal requirement is that prices should be cost-reflective and apportioned fairly according to consumption. Measures to reduce prices for one customer group will mean that others pay higher prices. That said, my aim is that prices for all consumers should be no higher than necessary to secure our future electricity supplies. Achieving that aim includes east-west and North/South engagement to redesign the single electricity market to meet European market integration requirements; working

with the Utility Regulator to examine how network and related charges are currently allocated across customer groups and the impact of reshaping cost allocations; and reviewing the costs and benefits of Northern Ireland's 40% renewables target. That is in addition to the measures I have taken to promote competition, support innovation, implement a framework for energy efficiency and develop our infrastructure through gas extension and electricity interconnection.

**Mr Brady:** Go raibh maith agat. I thank the Minister for her answer. Will she give her assessment of the process of netting, which some energy companies are using to give price-beating quotes?

**Mrs Foster:** I am not sure that that applies in Northern Ireland, because of course the Northern Ireland market is regulated in a way that the Great Britain market is not regulated. However, if the Member wants to give me the specifics, I am quite happy to follow up with him.

**Mr Moutray:** The Minister referred in her answer to work that will be undertaken by the Utility Regulator. Will she outline what the timescale is for the completion of that work and, subsequently, how long it will take for the Department to make the required changes?

## 2.15 pm

**Mrs Foster:** I had asked the Utility Regulator's office to carry out a piece of work on the high costs that are associated with our industrial companies and the fact that they are paying high energy prices. I am told that the consultancy work that the regulator has engaged will be completed shortly. I hope that it will be very shortly, because, to be honest, I had hoped that it would be completed by now. I am told that the regulator's office aims to publish by the end of June or the start of July, and then a report will come to me that will include the results of the analysis undertaken. I, of course, will consider the report to see whether I need to make any policy interventions, but again, we are talking about who in the energy framework is going to bear the cost. I hope that the House is ready to have that discussion because it will be a difficult one. We are talking about the high cost of energy for industry, but, as I said in my substantive answer, someone has to pay for the changes, and we need to discuss who that is going to be.

**Mr Eastwood:** Has the Minister's Department done any work on the impact of increased production from renewable sources on energy prices?

**Mrs Foster:** Yes. As I said in my substantive answer, it is one of the areas that I am looking at in considering the cost moving forward. The Member knows that we have set a 40% renewable energy target, and I think that we need to understand the costs that are associated with that. That will form part of the work that I will carry forward. Of course, the Committee will very much want to be involved with that as well. I am not pre-empting what that work will bring forward, but I think that it is only right that we should look at it as well.

**Mr Agnew:** What work is the Minister's Department doing to support businesses in improving their energy efficiency?

**Mrs Foster:** We do a lot of work in this area, not least in conjunction with the Carbon Trust, which has in the past provided 0% loans to businesses that want to install

energy efficient mechanisms. Indeed, we continue to intervene with the companies to try to identify for them where they can make savings not only on costs but on other efficiencies, not least environmental. So, yes, we work very closely with firms on that because we realise the difference that it can make to their bottom line on occasions.

**Mr Elliott:** Following on from Mr Eastwood's question, can the Minister advise whether there has been any impact so far, either positive or negative, on electricity prices from renewable energy sources?

**Mrs Foster:** Of course, there could be a number of answers to that question. He, like me and everyone else in the House, will have had representations from individuals who have, perhaps, received planning permissions for anaerobic digesters or whatever and then have great difficulties in getting them connected to the grid. So, that could be seen as a cost. When it comes to prices, the Member will know that we have renewables obligation certificates, which, of course, are spread not just against the cost to consumers in Northern Ireland but right across the United Kingdom. That is the advantage of being part of the United Kingdom, because we are able to spread those costs across consumers. I want to see what the precise costs are. As I said, we will have that work carried out for us, and I am sure that we will be able to share it with Members.

## Employment: Foyle

4. **Mr P Ramsey** asked the Minister of Enterprise, Trade and Investment to outline the resources that have been allocated to the Foyle constituency since the end of the City of Culture year to create sustainable employment. (AQO 6248/11-15)

**Mrs Foster:** I am sure that the UK City of Culture will have created a new confidence that will be reflected in future economic success in increased investment and in a larger number of tourists. Invest Northern Ireland has a regional office in Londonderry, and businesses in the Foyle constituency can call on the same levels of financial and other assistance as any other part of Northern Ireland. Through the jobs fund, for example, as of December 2013, the most recent figures available show that Invest Northern Ireland has promoted a total of 562 jobs in Foyle, of which 454 have been created. Invest NI has also recently offered support of over £2,600,000 to nine companies in Foyle through the loan fund.

I assure the Member that Invest NI is committed to bringing jobs to all of Northern Ireland, including the Foyle constituency and surrounding areas. I was pleased to announce on 17 April this year Convergys's decision to undertake a £10,100,000 million investment in Londonderry, promoting 333 jobs, which Invest NI has supported with £1,400,000 million of funding.

**Mr P Ramsey:** I thank the Minister for her response and her continued efforts to create a good environment for employment in my constituency. Clearly, today's announcement about the City of Culture's legacy, with MTV coming to the city in September, is good. There is absolutely no doubt that it has created a magnificent environment around the city. Unfortunately, however, the Northern Ireland Statistics and Research Agency (NISRA) figures for November 2013 indicate that unemployment

levels in the city have gone up. Will the Minister outline to the House who will now have the key role in the legacy of the City of Culture, particularly when there has to be a true legacy of employment opportunities?

**Mrs Foster:** For me, it will be a shared responsibility across the Executive. As the Member knows, Minister Farry and I are looking at economic inactivity, and he has engaged with me on that. I will continue to work with Invest Northern Ireland to bring more jobs to Londonderry and to encourage companies that are already there to expand. The culture and arts part of the legacy will be taken forward by the Minister of Culture, Arts and Leisure. Therefore, it is a responsibility that we share across the Executive. I suppose that, from the Member's perspective, the One Plan sits very much with the Executive and not just with one Department.

**Mr Campbell:** I was delighted to hear the Minister criticise those who bombed Londonderry at the weekend. It is always good and appropriate to remind people that they failed in the past and are failing again, however reprehensible their activities.

Following the success of the UK City of Culture, can the Minister, as a Fermanagh-based MLA, outline the importance of jobs being created right across Northern Ireland and particularly in the north-west?

**Mrs Foster:** Again, I take the opportunity to say that those who engaged in terrorism in the past, and those who engage in it now or in the future, will not succeed because there is a determination, not only in the business community but in the wider community, that they will not do so.

On the creation of jobs for the north-west, we continue, as I said, to work with foreign direct investors, some of whom choose to come to the city. The Member will know that Fujitsu announced 177 new jobs earlier this year, and Convergys has brought over 330 new jobs. As well as that, some companies that are already here have announced new jobs. Allstate, for example, a significant employer in the north-west, not only in Londonderry but in Strabane, has announced 200 new jobs. Some local companies, such as Fleming Agri-Products and Allpipe Engineering, are creating tens and twenties of jobs, which are very important to the local economy. We will continue to work with those companies to try to create jobs in the north-west, the south-west and right across Northern Ireland.

**Mr Cree:** The Minister referred to the great investment in the City of Culture in Londonderry and the jobs created. Can she also share with us the number of business start-ups that can be attributed directly to that investment?

**Mrs Foster:** I cannot give him a figure for those directly related to the UK City of Culture because you cannot make the direct link. However, 262 individuals resident in neighbourhood renewal areas in Foyle have set up their own business. That is, I think, probably one of the highest figures for a neighbourhood renewal area. They have been able to avail themselves of the business start grant. Thirty-eight young people aged between 16 and 24 who were not in education, employment or training have set up their own business under the NEET business start grant. Those elements were added in, as the Member may recall, by Invest Northern Ireland and me at the time of the recession. We tried to encourage people to start their own business. I am very pleased with those figures as well.



## Going for Growth

5. **Mr Beggs** asked the Minister of Enterprise, Trade and Investment for her assessment of the progress in implementing the recommendations contained in the agrifood strategy report: Going for Growth. (AQO 6249/11-15)

**Mrs Foster:** Going for Growth set ambitious targets and challenges for both Government and industry. We face the equally challenging task of balancing financing all of the actions with competing demands on budgets. My Department has, however, taken forward all of the recommendations that fall under its remit. Invest Northern Ireland continues to support companies in the agrifood sector, with a record number of agrifood projects in the pipeline. I look forward to making some important announcements in the near future.

I launched the agrifood loan scheme, which is now open for business. It is anticipated that work to provide new gas networks to the west will begin in 2015. Significant progress is also being made on finding solutions for the sustainable use of poultry litter. My Department is also carrying out a comprehensive assessment of marketing and promotion in the agrifood industry and a major review of red tape.

**Mr Beggs:** I thank the Minister for her answer. Going for Growth is vital to local producers and processors to increase their exports. In the Minister's previous answer, she said that she linked it to welfare reform. Is she now saying that it is not actually linked to welfare reform, thereby going back on what she said previously?

**Mrs Foster:** What I said was, and I will quote the answer that I just gave to the Member:

*"We face the equally challenging task of balancing financing all of the actions with the competing demands on budgets."*

I rest my case.

**Mr Wilson:** Farmers across Northern Ireland are increasingly angry at the appalling way in which CAP reform has been handled by the Agriculture Minister. Will the Minister outline what she believes to be the impact of the preference expressed so far for single farm payments to be based on land held rather than production? What impact is that likely to have on her Going for Growth strategy? What discussions has she had with the Agriculture Minister to outline those concerns?

**Mrs Foster:** I thank the Member for his question. Anyone who was on the doors at election time knows that that is a massive issue. There is not much point in talking about Going for Growth if we cannot get CAP reform sorted. I am disappointed that we have not had a paper from the Agriculture Minister on the issue, as we need to see an early resolution to CAP reform.

In particular, I am very concerned — I have had a number of phone calls about this over the weekend — about the future of our red meat sector. Beef prices have fallen week on week, and the suckler industry is in real danger of disappearing rather than growing. Of course, Going for Growth looked at growing the industry, and we need to have that link between production and payment. All this will have a long-term impact on our farming industry. However, I am particularly worried about the red meat sector at

present, because people in that sector are in distress, and we need to look at how we can assist them.

**Mr Allister:** Just to follow on from that, I am glad to hear the Minister express concern at the negative impact on the productive sector if we resort to, for example, the default position on single farm payment. Is it, in fact, so serious that it would not only grossly undermine the productive sector in agriculture but emphatically and strategically undermine the very ethos and ideas that lie behind Going for Growth?

**Mrs Foster:** I would like to shock the House by agreeing with everything that Mr Allister said. This is a fundamental issue. If we got into the default position, we would go to a flat rate immediately, and farmers would end up going out of business. All the banks have indicated that that would be absolutely the wrong thing to do for the industry in Northern Ireland. So, I do not see why we are having any further delay on the issue. I think that we should deal with this very quickly; indeed, we should do so as a matter of urgency. We will look at trying to have the slowest transition rate possible.

**Mr Rogers:** Minister, bearing in mind the potential of Going for Growth — I realise that we need to develop local as well as global markets. I am also mindful that the Irish Republic is a competitor — what discussions have you had with the Irish Government about the implementation of our agrifood strategy?

**Mr Deputy Speaker:** Minister, you will have to be brief in your answer.

**Mrs Foster:** We need to get agreement at our Executive table on Going for Growth before we reach out to other parts of the island to see what they are involved in. For my part, I have implemented all that I can in Going for Growth, and I ask others to do the same.

### 2.30 pm

**Mr Deputy Speaker:** Order. Time is up. We must move on to questions to the Minister of the Environment. Sorry, apologies. It is not so simple. I will correct myself: we must move on to topical questions, and I am sure that the Minister will be delighted that the first one is from Mr Danny Kinahan.

## Turkey: Direct Flights

1. **Mr Kinahan** asked the Minister of Enterprise, Trade and Investment how matters are proceeding with direct flights to Turkey and what markets could such a service open up for us in the future, given that we all noted last week the visit of the Turkish Ambassador and the appointment of a Turkish Consul. (AQT 1201/11-15)

**Mrs Foster:** I thank the Member for his question. I, too, was delighted to meet the Turkish ambassador and, indeed, our newly appointed Consul General. I take the opportunity to congratulate the newly appointed Consul General, Mr David Campbell, and wish him well in all that he does for Turkish citizens who are here, but also in helping us to achieve an air route to Istanbul. We had discussions about that when the Turkish ambassador was here, and we will continue to have those discussions because I think that it is a real probability. Not only would it open up Turkey for us, it would, of course, open up routes into the rest of the Middle East as well, because Istanbul

is very much a hub airport. Indeed, I have used it on a number of occasions when I have been to the Middle East on trade missions.

**Mr Kinahan:** I thank the Minister for her answer. What actions has her Department been taking to help get more flights and more work going through our airports here in the North so that we compete with Dublin and can expand here, but without the two airports competing against each other?

**Mrs Foster:** I thank the Member. We have been conducting an air connectivity study in conjunction with the Department of Finance and Personnel. The first phase of that has been completed and we are now completing the second phase, which includes engaging with potential airlines and, of course, our airports to see what we can achieve. It really is about showing them that there is a market to tap into, not just in Northern Ireland but, as I have argued, into the border counties of the Republic of Ireland, from where people can travel from Northern Ireland to further afield. I will put up that argument not only with Turkish Airlines but, indeed, with a number of other airlines that I will be meeting in the near future.

## Glen 10 Master Plan

2. **Ms McCorley** asked the Minister of Enterprise, Trade and Investment whether she, her Department or Invest NI have had any discussions about the Glen 10 development master plan in west Belfast. (AQT 1202/11-15)

Gabhaim buíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers.

**Mrs Foster:** Yes. As I understand it, Invest NI has been involved in discussions on that issue. I do not have the details here but, of course, we are always pleased to see local communities bringing forward positive plans for their communities, and we will always interact where we can to make a difference to those plans, as we have done right across Northern Ireland.

**Ms McCorley:** Go raibh maith agat. I appreciate that the Minister does not have the detail, but does she agree that it is important that jobs arise out of this development, given the high levels of unemployment and youth unemployment in west Belfast?

**Mrs Foster:** Indeed. I hope that that is very much the case. It is about forming a proposition that will attract jobs to that area and encourage those local employers to look for more jobs and to expand. In that regard, I was very pleased to be in west Belfast back in March with Delta Print and Packaging to announce 100 new very good jobs for the area. Of course, Caterpillar also put 200 new jobs in there last year. We will continue to work with the representatives of west Belfast as we do with those in all the other constituencies.

## Jobs: DVA Relocation

4. **Mr Attwood** asked the Minister of Enterprise, Trade and Investment whether, this afternoon, she can confirm that she will or will not follow the example this morning of her ministerial colleague in the Department of the Environment who announced that he had identified 50 jobs that would be moving to the Coleraine Driver and Vehicle Agency (DVA) accommodation in an attempt to mitigate the bad decision that was made by London in closing that facility. (AQT 1204/11-15)

**Mrs Foster:** I join him in saying that it was a bad decision, which I, and he, lobbied on to try and stop not only in this job but in my previous role as Minister of the Environment back in 2007. I congratulate the Minister of the Environment for what he announced this morning. I think it will make a difference in Coleraine. As I understand it, Londonderry will also benefit from his announcement.

My Department will look to the opportunities that RPA provides us, bearing in mind the plea that has been made by the Coleraine area in particular. We will look to see whether there is anything that we can do in terms of Invest NI and the Tourist Board. I think that the Member will recognise that I and my Department are not a huge employer, unlike other Ministers who are, but we will look at it in that context.

**Mr Attwood:** I commend the Minister for chiding her ministerial colleagues who, thus far, have not measured up to the standard and leadership shown by Minister Durkan this morning. It so happens that there are over 1,000 jobs in DETI and in Invest Northern Ireland. Can the Minister confirm whether she is going to identify 50 of those jobs to relocate to the Coleraine accommodation? That request was made by members of trade unions in front of this Building only two hours ago.

**Mrs Foster:** I recognise that the Minister wants to make a political point and grab the headlines; so be it. *[Interruption.]* I am sorry — the former Minister. I have a duty to my employees, and I have a duty to look at this in a strategic way, and that is how I will do it in the context of RPA. That is why I gave the answer that I did in the first instance.

## Income Crisis

5. **Mr Lynch** asked the Minister of Enterprise, Trade and Investment whether her Department acknowledges that in-work poverty is continuing to rise and, if so, how it proposes to deal with the income crisis. (AQT 1205/11-15)

**Mrs Foster:** In respect of low wages, and I presume that this is what the Member is referring to, I am very pleased to tell him that 40% of the jobs that we have brought into Northern Ireland have been above the private sector median. With higher wages, that drives the economy forward and tries to close that productivity gap. That is what we were determined to do before the recession took hold. When it did take hold, we had to recalibrate and look at creating jobs of any nature, but now we are very determinedly moving forward to make sure that we create higher value jobs and, therefore, drive the economy forward.

**Mr Lynch:** Gabhaim buíochas leis an Aire. I thank the Minister for her answer. In Question Time, she covered energy costs. However, what is required is a strategy to address living and energy costs. Will the Minister assure us that she can have a strategy to deal with both?

**Mrs Foster:** At the risk of trying to take over some of the departmental responsibilities of others, I will work with the Department for Social Development, the Department for Employment and Learning and the Department of Health and its remit to try to deal with the issues that the Member has raised.

## Labour Market Statistics

6. **Mr Maskey** asked the Minister of Enterprise, Trade and Investment for her assessment of the recent labour market statistics. (AQT 1206/11-15)

**Mrs Foster:** I was pleased that, for the fifteenth month in a row, we continued to move in the right direction. Some 800 people came off the unemployment register, which is good news, but that does not mean that we still do not have a challenge in front of us: we do. The statistics are around 7.2% of the working population at present, and I believe that we are moving in the right direction.

**Mr Maskey:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for that response. I welcome all the positive aspects of the statistics in the report. Does the Minister agree that many will see that our local economy is dominated by low-paid jobs, underemployment levels and also the spectre, unfortunately, which is not just peculiar to here, of emigration?

**Mrs Foster:** That is why, when I answered your colleague's question, I said that we need to drive more higher-level jobs into Northern Ireland so that people who are underemployed are able to find jobs to fit their qualifications.

That is very much our strategy at present. I believe that we are moving in the right direction in that regard, and, with the help of colleagues, we will continue to do so.

## Enterprise Zones

7. **Lord Morrow** asked the Minister of Enterprise, Trade and Investment for the emphasis she places on, and her assessment of, the value of the creation of enterprise zones in Northern Ireland. (AQT 1207/11-15)

**Mrs Foster:** As the Member will know, Coleraine was recently awarded the designation of an enterprise zone in a very specific area close to the University of Ulster. It was achieved after a request went forward from the Executive to the Chancellor. The Chancellor has designated that area as an enterprise zone. It is a very particular and peculiar zone, because it means that we will be able to apply capital allowances to that specific area alone. That is the benefit, particularly for capital intensive organisations such as data centres, which have to put in a lot of equipment.

**Lord Morrow:** I thank the Minister for her comprehensive answer, and I welcome it. Will the Minister consider an enterprise zone for the Dungannon/south Tyrone area, particularly in the Ballygawley area, due to its critical strategic location?

**Mrs Foster:** I thank the Member for his question. Indeed, with its road links, Ballygawley is in a very good location for investment. I certainly will look at the area to see if there are opportunities, initially, for Invest Northern Ireland to purchase land. I understand that the park at Dungannon is going very well and that there may well be a shortage of land in the near future in the Dungannon and south Tyrone area.

## Broadband: Newry and Armagh

8. **Mr Brady** asked the Minister of Enterprise, Trade and Investment for an update on the roll-out of additional rural broadband provision in Newry and Armagh. (AQT 1208/11-15)

**Mrs Foster:** I can give an update on not only Newry and Armagh but right across Northern Ireland. BT has been awarded the NI broadband improvement project. They signed the contract for that on 4 February and have commenced an extensive survey and design process that will take a number of months to complete, because it may be that, instead of putting new infrastructure into an area, they may just need to redesign the infrastructure that is available. Until that process is complete, it will not be possible to be precise as to which premises are likely to benefit. Safe to say, however, the project will bring increased and better broadband speeds to over 45,000 premises by the end of 2015.

**Mr Brady:** I thank the Minister for her answer. Is it still the Executive's intention to ensure that every household has access to 2 megabits broadband by 2015, in line with the Programme for Government commitment?

**Mrs Foster:** Of course, it is our intention to move towards the Programme for Government commitment. It would not be there if we did not want to make sure that we delivered on it. He will know that, as we get closer to getting to that 100% coverage, it gets more and more difficult. However, we hope that we can do that with the new contract that has been awarded to BT.

## Invest NI: End-of-year Performance

9. **Mr Anderson** asked the Minister of Enterprise, Trade and Investment to comment on the Invest NI end-of-year performance. (AQT 1209/11-15)

**Mrs Foster:** I am surprised that more Members did not recognise the end-of-year performance today, but there you go. Good news does not always get to the Floor. There have been almost 11,000 new promoted jobs against a target of 7,780, 6,040 of which are in locally owned companies; supported wages and salaries of £190 million, with 45% generated by local businesses; and £239 million of R&D business investment secured. Those are tremendous statistics. I commend the chief executive and all of Invest Northern Ireland for the hard work that they do.

**Mr Anderson:** I thank the Minister for that response and for that tremendous report. Does the Minister believe that that performance can continue and be repeated in the current financial year?

**Mrs Foster:** I very much hope so, and we will set targets in that regard. The offers of support that Invest NI has made to businesses across Northern Ireland are at record levels. There has been the highest number ever made in one year. That is a tremendous thing to be able to stand here and say, but we will, of course, continue to work with businesses to make sure that we continue on an upward trajectory.

2.45 pm

## Environment

### Councillors: Capacity Building

1. **Mr Boylan** asked the Minister of the Environment for his assessment of the capacity-building programmes for new shadow councillors. (AQO 6258/11-15)

**Mr Durkan (The Minister of the Environment):** Ensuring that all members of the new shadow councils are trained to deliver existing and, importantly, new responsibilities is critical to the success of the local government reform programme. I have put in place a range of capacity-building measures and have granted generous funding at a local and regional level to enable councillors and, indeed, council officers and other staff to embrace and meet the complex and demanding challenges of reform. Capacity building and training for councillors is a priority. Over the past year, my Department has been working closely with key stakeholders representing the interests of councillors, such as the local government training group, the National Association of Councillors and the Northern Ireland Local Government Association, to help to identify need and draw up practical delivery programmes.

One of the organisations that we have tasked to deliver some of the training — the local government training group — has presented my Department with a comprehensive capacity-delivery plan, with the first strands of training and induction to begin as soon as possible following the recent elections. It will include training in the new code of conduct for councillors. Future plans to be delivered via the training group include training in corporate responsibilities and governance, equality, finance and audit accountability, decision-making and council representation. The training will be rolled out comprehensively during the shadow period, with a flexible and modular approach designed to fit with the many demands that councillors are likely to face.

With planning responsibilities moving to councils, DOE planning has developed a comprehensive training programme that it will deliver on a subregional basis from September onwards. Capacity building and training will be undertaken through role-play scenarios and formal training sessions. It will make use of the experience of colleagues across the water and down South to make the training as realistic as possible. Full details of the training programme will issue to councils shortly.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. Thank you, Mr Deputy Speaker, and I thank the Minister for his answer. In the light of the capacity-building assistance, will the Minister consider extending the time frames for assistance from his Department, if needed? We have only 10 months for planning training.

**Mr Durkan:** I thank the Member for the supplementary question. The new councils kick in on 1 April next year. I certainly do not intend the training to stop there. There will be continuous professional development, if you like, and members must be supported throughout the council term as they come to terms with their new responsibilities and as areas where training might be needed are identified.

**Mr Copeland:** I thank the Minister for his answers thus far. He may be aware and, indeed, might suspect that I have recently spent some time in the close company of a recently elected councillor. Of fundamental interest to her is how she will equip herself by training for the role that she will undertake. Will the Minister detail how the £3 million secured from the Executive will be spent to ensure that new councillors are provided with adequate training to allow them to make the right decisions and in the right time frame?

**Mr Durkan:** I thank the Member for the question. As well as an allocation of over £500,000 to the local government

training group to deliver regionally based capacity-building programmes, new councils have an allocation of £100,000 each, or £200,000 in the case of Belfast. That is for the current financial year. They can use that to develop additional programmes and activities for councillors and staff that are relevant to each area. What is relevant to one area might not be so relevant to another.

I am fully satisfied that the funding will be sufficient, that it will be targeted in the right areas and that its use will be open and transparent. My officials have put in place an accountability mechanism to ensure that any capacity-building proposals my Department is asked to support will require prior approval. To date, however, the number of requests from councils for funding for local capacity building has been relatively poor. Officials are working with the new councils to help them to prepare plans that will, hopefully, allow them to access the funding and identify what it should be used for.

**Mr I McCrea:** No one doubts the importance of the training needs of many of the new "super councillors", as they are being referred to in some quarters. Can the Minister detail whether the training or certain aspects of it is compulsory? What would happen if a councillor, no matter how much flexibility was in the system, was not trained? What limitations would there be on that council or those councillors?

**Mr Durkan:** I thank the Member for the question. He makes a valid point. It is important to realise that this training should not be seen as a burden on elected representatives; it is there to assist and ultimately, I hope, to protect them. It is vital that we ensure that people do not fall through the net or, in some cases, try to dodge the net.

All councillors on existing and new councils will be strongly encouraged to attend training associated with the new mandatory code of conduct. In particular, councillors who sit on the planning committees will need to be fully aware of the planning process and the ethical obligations relating to that role.

## Housebuilding: Rural Areas

2. **Mr Ó hOisín** asked the Minister of the Environment how his Department plans to provide non-farming rural dwellers with greater opportunities to build a house in the countryside. (AQO 6259/11-15)

**Mr Durkan:** Planning Policy Statement 21 is the main planning policy for development in the countryside. In drafting PPS 21, officials sought to ensure that its policies provided sufficient opportunities for all sections of the rural community, not just those from a farming background. Therefore, although PPS 21 does not include a policy specifically for non-farming rural dwellers, almost all of its provisions provide opportunities for them.

Policies open to non-farming rural dwellers include 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. Furthermore, any farm dwelling approved under policy CTY 10 may be occupied by non-farmers and sold off without restriction. I believe that, taken together, these



policy provisions already provide significant opportunities for people from a non-farming background to continue to live in the countryside.

The issue of non-farming rural dwellers was also addressed through my predecessor's review of the operation of PPS 21. As part of his review, he met former members of the independent working group on non-farming rural dwellers. The group was established by Minister Wilson to explore options for non-farming rural dwellers as part of the draft PPS 21. The previous members reiterated their advice that planning policy should not create a special category for the non-farming rural dweller and that planning decisions for single houses should not be determined on the basis of kinship, connection or occupation. The Minister's review concluded that PPS 21 was operating effectively and that the need for a fundamental review did not arise at that time.

Although I endorsed those conclusions, I undertook to examine the issue afresh as part of the consultation on the draft single strategic planning policy statement (SSPS) to ensure that it will adequately meet the needs of current and future generations of farming and non-farming rural dwellers alike.

**Mr Ó hOisín:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra. The Minister will recognise that the majority living in the countryside are non-farming dwellers. The issue has not been addressed. Given that powers are transferring to local government, barriers will be put in the way of non-farming rural dwellers. How will he address those issues and concerns?

**Mr Durkan:** I thank the Member for his supplementary. Housing applications from non-farming rural dwellers and, on occasion, farming rural dwellers are often complicated. Many Members have brought constituents to speak to me about particularly complex cases.

I am always keen to be as flexible as possible on such occasions. This was the subject of an Assembly debate on a motion tabled by the Member's party six or seven weeks ago. During that debate, I gave assurances that I would use the SPPS as an opportunity to look at PPS 21 and at what improvements might be made and what assurances could be given to the very constituents to whom the Member refers.

**Mr Wilson:** The countryside has already been raped by extensive industrial-type wind energy projects. Will the Minister assure us that he will not relax PPS 21 further to allow the kind of open-door policy that is suggested by Sinn Féin, which will lead to even further destruction of the countryside?

**Mr Durkan:** I thank the Member for his question, although I might not necessarily agree with the first part of it. The Member makes a valid point. During that debate, Mr Agnew, I think it was, produced figures for approvals that had been granted to dwellings — it was yourself, was it? — in the countryside over the past number of years. Those figures do, indeed, indicate that PPS 21 is quite relaxed; it is certainly relaxed in comparison with its predecessor, PPS 14. We need to get the right balance between the needs of those who live in the countryside and those who want to live in it and the need to sustain our countryside.

**Mr Beggs:** I was interested by the previous question. I understand that it is PPS 18 that gives more direction on

where wind farms are located in the countryside. Does the Minister find it strange that such a question came from someone who developed that policy, which was implemented by the Minister who followed him?

**Mr Durkan:** I thank the Member for that question — I thank him very much for it actually. *[Laughter.]* No question from Mr Wilson shocks me. As the Member rightly identifies, PPS 18 deals with renewable energy. I fully expect PPS 18 to be among the policies most mentioned in the 700 responses to the consultation and for it to be one of the more thumbed sections of the draft single strategic planning policy statement.

**Mr Deputy Speaker:** The Minister might have welcomed the last question, but the Deputy Speaker did not. In future, supplementary questions will be brief and will relate to the question.

### Beaches: Quality

**Mr Weir:** Question 3. I cannot be briefer than that.

3. **Mr Weir** asked the Minister of the Environment what action he is taking to improve the quality of local beaches. (AQO 6260/11-15)

**Mr Durkan:** As regards amenity, statutory responsibility for improving the quality of local beaches lies with beach operators, who, for the most part, are the relevant local authorities in the area in which the beach is located. My Department also plays its part. I, personally, chair the good beach summit, which brings together beach operators and other organisations with an interest in healthy beaches from both an amenity and water quality perspective. This group is implementing an action plan covering water quality, beach cleanliness, facilities management and signage, public information and supporting the coastal economy.

My Department published the Northern Ireland marine litter strategy in July 2013 and is coordinating its implementation. The strategy responds to the problem of litter on our coastline and makes provision for concerted action against those who continue to drop litter through education, awareness-raising and volunteering programmes along with promoting a strong system of enforcement.

The Department is also working with Northern Ireland Water to improve sewerage infrastructure across the whole of the Northern Ireland coastline. An estimated £12 million has been allocated for the period 2013-15 to address bathing water areas with infrastructure upgrades planned for Benone, Ballycastle, Ballygally, Millisle, Newcastle and Bangor. In fact, 2013 was the best year ever for bathing water quality in Northern Ireland. All beaches passed the mandatory standard, and, what is more, 20 of the 23 beaches had water quality classified as excellent.

### 3.00 pm

**Mr Weir:** I thank the Minister for his answer, and I think we will all welcome the improvement in beach quality. Through the beach summits or any other mechanism, are specific targets on beach quality being developed that the Department is then aiming to reach?

**Mr Durkan:** I thank the Member for his supplementary question. It is important that we set targets, but realistic targets and nothing too aspirational. To that effect, we have. I do not have the detail of those targets, but I will

certainly get it to the Member. The issue of beach quality and beach cleanliness came to the fore last summer with a report by Tidy NI on the extent of littering on our beaches. Keeping them clean is something that I take extremely seriously, not just in terms of the environmental damage that litter on our beaches does but in terms of the damage it does to our image and the detrimental effect it might have on attracting tourists here.

**Mr P Ramsey:** Following on from the main question about the quality of beaches, can I ask the Minister about the quality of access for disabled people, for example? Will the Minister outline to the House any assessment or what steps can be taken to ensure that we have effective and good access to the beaches for disabled people?

**Mr Durkan:** I thank the Member for his question. The accessibility of our beaches is something that I have personally raised with my departmental officials since taking office, and it is being worked on. We have a couple of beaches — I will not name and shame — that remain inaccessible. That is something that we really need to address so that everyone can enjoy our beautiful beaches.

**Mr McMullan:** Go raibh maith agat. In your report, Minister, you talk about the environmental side of things on your beaches etc and the quality of bathing water. In the 'Keep Northern Ireland Beautiful' report, which was done in conjunction with the Tourist Board, there are two beaches glaringly omitted. When I inquired about them, I was told that the report and inspection of those beaches has not been done. They are the beaches of Cushendun and Cushendall. Secondly, Minister, Waterfoot beach is one of the few sand dune beaches, and it is not even in your Department for conservation for money to be spent on those dunes. That is a disgrace —

**Mr Deputy Speaker:** Order, please. This is a very long question.

**Mr McMullan:** Can I have your view on that, please? Thank you.

**Mr Durkan:** I thank the Member for his speech — sorry, question. *[Laughter.]* I also thank the Member for bringing that to my attention. It is not something that I was aware of, and I shall have inspections carried out on those beaches as a matter of urgency. The issue around the dunes is something I shall also make inquiries with my officials about.

### Driver Licensing

4. **Mr Humphrey** asked the Minister of the Environment what discussions he has had with the Driving Instructors Association in relation to proposed changes to driver licensing. (AQO 6261/11-15)

**Mr Durkan:** My Department has engaged and held discussions with the Driving Instructors National Association Council (DINAC) throughout the policy development in relation to the proposed changes to driver licensing and the associated graduated driver licensing (GDL) scheme. DINAC was established in 2008 as an umbrella organisation bringing together representatives from all of the approved driving instructor associations and acting as a central point of contact for communication with my Department.

A full public consultation was carried out on the proposals over the period March to July 2011. During that time,

in May 2011, a departmental official attended a DINAC meeting and provided a detailed presentation of the GDL proposals, and in November 2011 my predecessor met representatives of DINAC to discuss the consultation. In May 2012, Minister Attwood published his views on the way forward for learner and restricted drivers, which included a proposal for a graduated driver licensing scheme. Minister Attwood attended a further DINAC meeting on 25 September 2012 to discuss GDL.

In addition to that, the GDL proposals were discussed at several of the road safety forum meetings, which I chair on a quarterly basis and on which DINAC is represented. The Road Traffic (Amendment) Bill has just completed the second stage of the legislative process. I look forward to continuing to engage with DINAC, which I recognise as a key stakeholder, over the coming months.

**Mr Humphrey:** I thank the Minister for his answer. Minister, learners are not necessary young people. Many more mature members of the community learn to drive, and many young people get a licence for identity reasons. Will the new legislation not force all learners to wait for a year? Will it not discriminate against and adversely affect disabled members of our society, pregnant women, jobseekers and people from a low-income background, for example?

**Mr Durkan:** I thank the Member for his question and, indeed, recognise his concerns, which were aired at the Bill's Second Stage by Members from across the political parties. There will be and are already exemptions from and exceptions to the one-year mandatory learning period, and, as we go into the Bill's Committee Stage, they will be open to further interrogation. It is vital that people can learn to drive if needs must. I know that there will be exemptions for people with caring responsibilities, and I take on board the Member's concerns about people with disabilities.

**Mr McGlone:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as a fhreagra cuimsitheach go dtí seo. I thank the Minister for his wide-ranging response up to now.

Does the Minister accept that, aside from DINAC, which, of course, is an extremely responsible and useful organisation to consult, he also needs to consult youth organisations and, in particular, rural-based organisations, such as farming organisations? For people in the rural community, driving and the capacity to drive is more than a social event and can be an integral part of the local rural economy.

**Mr Deputy Speaker:** Order. That is another very long question.

**Mr Durkan:** I thank the Member for his question. It is vital that we consult as many people and as many stakeholders as possible, and I remain determined to do so. Over the coming weeks and months, I will engage in further consultation as I am sure the Committee will under the chairmanship of Ms Lo. I look forward to that.

The Member mentioned the farming community and rural dwellers. Again, they are on my list of people who need to be consulted. He also spoke about youth organisations, but, as Mr Humphrey pointed out, it is not just younger people who will learn to drive. However, some of the elements proposed in the scheme are specific to young people, so it is very important that we engage with them and ensure that they know that this is not about singling

them out for harsh treatment but protecting them and maybe even saving their life.

**Mr Kinahan:** I thank the Minister for his answers so far. Does he accept that driving instructors and drivers, particularly those, as we have heard, in rural areas, have different opinions and needs depending on how much public transport is available?

**Mr Durkan:** I thank the Member for that supplementary question. I am aware that people in different areas have different needs. I am also aware of many differences of opinion on the Bill, even at this early stage, and that quite a few of them have come from driving instructors. I intend to listen to all those points of view and ensure that the Bill we end up with strikes the right balance between improving and increasing road safety and affording people the liberty and freedom of movement that they require.

### Councillors: Code of Conduct

5. **Mr Hazzard** asked the Minister of the Environment whether his Department has any plans to revise the code of conduct for councillors, in light of future amendments to the MLA code. (AQO 6262/11-15)

**Mr Durkan:** I am aware of the ongoing review of the MLA code by the Committee on Standards and Privileges and of the Committee's recent consultation on the code. I have asked officials to liaise with Committee staff and prepare a report for my consideration on the outcome of that review.

I will consider whether a revised code of conduct for councillors should be drafted for 2015, when the new councils take on their full role and responsibilities, taking account of any changes made to the MLA code, any lessons learned during the shadow period and the Environment Committee's consideration of the guidance on planning matters to be issued in support of the councillors' code.

Any revised code will, of course, be laid in draft in the Assembly to give Members the opportunity to consider and debate it.

**Mr Hazzard:** Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his answer thus far. I would like the Minister to perhaps outline whether he has looked at any other Assemblies or Parliaments throughout Europe, perhaps, more specifically Leinster House, to see whether there is a TD code of conduct and whether any lessons can be learnt for the Members here in the Assembly.

**Mr Durkan:** I thank the Member for his question. My Department has been looking at what is done elsewhere, what works elsewhere and what might not work so well elsewhere. I think that it is important — again, I will go back to balance — that the code strikes the right balance and protects councillors as they carry out their functions. The issue around the MLA code and the need to get more of a synergy with that is one that I accept fully. When we debated the code last week, Mr Ross made that point, and I have now instructed my officials to make sure that they liaise more closely with the Committee on Standards and Privileges.

**Mr Campbell:** The Minister said that he will have a look to see whether a new code of conduct will be required for councillors, and that is welcome. Will he take account of the fact that, since the new election to the super-councils, there has been at least one instance, if not more, of an

elected councillor being asked about his attitude to a specific act of terrorism in Londonderry and declining to condemn it? Will he make sure that we have a very strict code of conduct and sanctions for those who might try to sign it and then usurp it later?

**Mr Durkan:** I thank the Member for his question, and I am aware of the incident to which he refers. Indeed, that councillor was in a tiny, tiny minority compared with the people of my city who came out in complete condemnation of that attack. I spoke of how the code can protect councillors, but it is important that it is there to protect the public as well. People in public office should be fit for that office and should abide by the Nolan principles and show the leadership that is required in such a position of responsibility. The gentleman Mr Campbell referred to certainly did not do that last week.

**Ms Lo:** Can the Minister give an update on the development of the revised mechanism for adjudication and appeal in relation to a breach of the new code of conduct?

**Mr Durkan:** I thank Ms Lo for her question. Quite a bit of work is still being done around the appeal on the code of conduct. It came about as the result of an amendment to the Local Government Bill here in the Assembly. I am working with the commissioner on that, and I am content that, in the coming weeks, we will, if you like, have more meat on the bones.

**Mr Deputy Speaker:** Mr Mervyn Storey is not in his place.

### Councillors: Power of Surcharge

7. **Mr McGimpsey** asked the Minister of the Environment what plans are in place to abolish the power of surcharge against councillors. (AQO 6264/11-15)

**Mr Durkan:** It was clear during the making of the 2014 Local Government Act that opinions are divided on the power to surcharge councillors and council officers deemed responsible for unlawful expenditure. Whether this power should be retained has been a matter for much discussion and debate. In light of this, section 109 of the 2014 Local Government Act has provided the Department with a power to remove the legislative provisions relating to the power of surcharge. Rather than legislate immediately for the removal of the power to surcharge, I think that there is a need to build up a body of evidence over a period of some years, while the new ethical standards regime, introduced by the Act, is in operation, to inform any decision on the possible removal of the ability to surcharge. It is only when such evidence has been gathered that I will be in a position to consider the matter fully and make the appropriate decision on whether to retain the power to surcharge. Therefore, councillors and council officers will, for the foreseeable future, continue to be subject to the possibility of being surcharged.

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

3.15 pm

### Full Circle Power Ltd: Domestic Waste

1. **Mrs Cameron** asked the Minister of the Environment whether he is aware of Full Circle Power Ltd's ability and willingness to process domestic waste at the Bombardier site in Belfast. (AQT 1211/11-15)

**Mr Durkan:** I thank the Member for the question, and I also thank her for bringing the matter to my attention. I was not aware of it, and I will make it my business to become aware of it. The Bombardier plant that was approved some months ago has tremendous capacity. However, it has been my understanding that it would be for municipal waste rather than domestic, so I will certainly look into that.

**Mrs Cameron:** Given that the relevant planning permission is in place to process commercial and household waste, which Arc21 is proposing to have incinerated at the highly controversial site in Mallusk, does the Minister agree that the Arc21 proposal is not just unwelcome but entirely unnecessary?

**Mr Durkan:** I thank the Member for that question. However, I am not really at liberty to answer it, given that a planning application for the Arc21 proposed development has been received. It has been classified and will be treated as an article 31 application. I have had quite a bit of correspondence on it already, and I am meeting elected representatives from different parties, including the Member's colleague William McCrea MP, within the next two weeks on that very issue.

### ASSI Designations

2. **Mr Rogers** asked the Minister of the Environment to reassure landowners that area of special scientific interest (ASSI) designations are not a national park by the back door, in light of comments from those who tried recently to discredit the SDLP's role in government. (AQT 1212/11-15)

**Mr Durkan:** I thank the Member for the question. As I have said before in the Chamber, I am fully aware of national parks and the benefits that they can undoubtedly bring to areas, which they have done in Great Britain and on this island. However, I am also extremely aware of opposition to national parks here in the North and landowners' concerns over what designation would mean for them. Given the level of that opposition, I have stated that I do not believe that now is the correct time to proceed with national parks. The Environment (Northern Ireland) Order 2002, as amended, which established ASSI designations, is totally different from the legislation that would be required to establish a national park, and there is no link between those separate pieces of legislation. To date, 375 ASSIs have been designated since 1995, and we have no national parks.

**Mr Rogers:** I thank the Minister for his answer. If a landowner has land along a river in a designated area and a tree or other bit of debris blocks the river, he has to ask NIEA's permission to remove it, which is a ridiculous situation. Can I have further reassurance from the Minister that the concerns of farmers and landowners within ASSI designations will be adequately addressed?

**Mr Durkan:** I thank the Member for that question. I thought that he was going to ask this: if a tree falls in a forest and there is no one there, does anyone hear it? *[Laughter.]* In the context of the example that the Member used of a tree falling in a river, I will say that Rivers Agency is responsible for the maintenance and flow of rivers, and if Rivers Agency undertakes work to remove blockages, the landowner will not be required to apply for permissions. Emergency works can also be undertaken without the Department's prior permission. However, landowners are required to inform the Department of the works as soon

as possible after their commencement. Other works that a landowner has undertaken, such as pre-emptive works, may require the Department's consent. However, since 2005, the Department has consented to over 90% of the applications received.

### Racist Attacks: Community Planning

3. **Mr Boylan** asked the Minister of the Environment, given that he will be well aware of the attacks on minority ethnic groups over the past number of weeks, whether he sees opportunities through the community planning element of the Local Government (NI) Act 2014 to try to encourage those groups to become involved in community planning and to help to address some of the issues. (AQT 1213/11-15)

**Mr Durkan:** I thank the Member for that question. I see community planning as a real opportunity for the whole community to become involved, and I am determined that the whole community does become involved, including those from ethnic minorities, if not especially those from ethnic minorities. The place that we live in has become much more diverse and has, I believe, become much the better for it. It is important that we take on board the views of all our citizens when shaping our future.

**Mr Boylan:** Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. I thank the Minister for his answer. Could he give us a timeline of when he will introduce measures for good relations and maybe equality structures in local government?

**Mr Durkan:** I thank the Member for that supplementary. It is important that we do so as soon as possible. Councils do not assume this new power until 1 April 2015, but a key part of their training and capacity building will be on issues such as community relations and equality, which I know are very dear to the Member's heart and issues that he has raised with me on a number of occasions. I expect them to be up and running by September.

### Planning: Approvals

4. **Mr McGimpsey** asked the Minister of the Environment whether he will, in the case of successful planning applications and granting approval in major and contentious applications, ensure that conditioning is a key part of the approval process and look hard at a consistent regime to ensure that planning authorities properly condition approvals in cases where there is a question of the applicant not meeting their proper obligations. (AQT 1214/11-15)

**Mr Durkan:** I thank Mr McGimpsey for that question. Consistency is the key to success in planning, whether the Department or councils are in charge, as they will soon be. However, the major applications to which the Member refers will still be dealt with centrally. As I said, consistency is the key. Conditions have a vital role in approving applications, and I believe that they should be very enforceable. If someone does not fulfil their obligations, they should not be let off the hook.

**Mr McGimpsey:** I thank the Minister for that answer. However, I will also point out to him, as I am sure that he is aware, that there are cases in which approvals go through with the conditions absent or poorly defined, particularly on noise pollution, hours of operation and so on. Does the



Minister agree with me that to get that consistency and for the benefit of planning officers, he needs to clearly define the conditions in such cases so that we get exactly the outcome that we want?

**Mr Durkan:** I concur entirely with the Member. These conditions would go some way to providing certainty for the applicant. They would provide comfort for objectors and assistance to planning officials and council officials in environmental health. As planning transfers to the councils, they will look closely at conditions in smaller applications. I will push on this in large-scale applications because a few cases have come to my attention in the not-so-distant past in which conditions were ignored or might, as the Member put it, have been poorly written. That causes me frustration, and it also causes planning officials frustration when such cases come back across their desk.

### Planning Service: Ministerial Intervention

5. **Mr McQuillan** asked the Minister of the Environment how many times he has overruled his Planning Service. (AQT 1215/11-15)

**Mr Durkan:** I thank the Member for his question. I am not sure how many times I have overruled it. There have been a few cases. I fully appreciate and respect the guidance that I am given by my highly qualified and competent staff. However, sometimes, I think that they do not take all issues into consideration, particularly public feeling and political opposition to applications where those on the ground, locally elected councillors, MLAs and community representatives, generally know what is best for their area and what will work and what will not. That is one of the huge advantages that I see in planning transferring to local councils.

**Mr McQuillan:** I thank the Minister for his answer. Could the Minister explain to the House why he overturned planning application C/2013/0078/ on Edenbane Road, Kilrea for a hairdressing salon when the Planning Service recommended a refusal?

**Mr Durkan:** I thank the Member for his question. I did not think he would have much of an interest in hairdressers. [Laughter.] I received representation from the Member, objectors and the applicant regarding the application. I believe that the service provided by that salon, along with strict conditions, can be sustainable and is sustainable.

**Mr Deputy Speaker:** Mr Clarke is not in his place. I call Mr Patsy McGlone.

### Planning: NIEA Consultations

7. **Mr McGlone** asked the Minister of the Environment what evaluation his Department has done of the efficiency of NIEA consultations, particularly on planning applications. (AQT 1217/11-15)

**Mr Durkan:** I thank Mr McGlone for his question. I am on record in the Assembly as stating that I am carrying out a root-and-branch review of NIEA and how it works or how often it does not. I have also outlined some of my ideas for improving planning. They will include, and focus largely on, NIEA through consultation responses. I will be setting timelines and timescales for consultation responses, and NIEA will be top of my list.

**Mr McGlone:** Go raibh maith agat, a Aire, as an fhreagra sin. I thank the Minister very much for that answer. Can the Minister give an indication of when those time frames and deadlines will be applicable for NIEA?

**Mr Durkan:** I thank the Member for his question. I fully intend and expect the new timelines to be fully operational by the time planning transfers to local government to make it easier for them. I do not want to be here as if I am just slating NIEA; that is your job. Often, however, applications are not done well. Good applications will get processed quickly; applications with information missing or incomplete will not. That is why, going back to my proposed planning improvements, I want to put more emphasis on pre-application discussion so that any potential problems with NIEA or any other statutory consultees can be flagged up early.

### National Parks

8. **Mr McMullan** asked the Minister of the Environment, following the question from Mr Rogers, for an assurance that, albeit that it has been temporarily shelved, the national park proposal will never come out of the box again, with the idea gone, because the majority of the people do not want it. (AQT 1218/11-15)

**Mr Durkan:** I have parked the national park project for now in light of the huge opposition to it here in the North, although I cannot give any assurances as to what future Ministers of the Environment might do. However, it is my opinion that, while recognising the benefits that some other areas have seen through national parks, the damage done to the national park brand here in Northern Ireland over the past year or so would make it extremely difficult to introduce.

There is work to be done with those who have been vociferous in opposition. We need to show them that there could be benefits to it. It should not be imposed on people against their will, and I will not be doing that.

3.30 pm

**Mr Deputy Speaker:** That concludes Question Time. I invite Members to take their ease while we change the top Table.

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

## Private Members' Business

### Transforming Your Care: Implementation Concerns

*Debate resumed on amendment to motion:*

*That this Assembly recognises the considerable public concern at the pressures on emergency departments and GP waiting times, which have arisen during the period of the Transforming Your Care change agenda; notes with concern that the implementation of Transforming Your Care has not been fully assessed; and calls on the Minister of Health, Social Services and Public Safety to review and measure the implementation of Transforming Your Care to assess its effect on patient outcomes. — [Mr McKinney.]*

*Which amendment was:*

*“;welcomes the progress made on patient waiting times, including the significant reduction in those waiting longer than 12 hours in emergency departments to be assessed, treated and admitted or discharged; pays tribute to the dedication of hard-working health and social care staff, including the 2,000 additional staff employed since 2011; and further calls on the Minister of Health, Social Services and Public Safety to reinforce across the health and social care system the necessity for transformational change to respond to the challenges of an ageing population, and to encourage and maximise involvement and leadership from health care professionals on the ground in delivering change from the bottom up at an accelerated pace.” — [Mr Wells.]*

**Mr Poots (The Minister of Health, Social Services and Public Safety):** It is good to have this opportunity to discuss this issue. All of a sudden, Mr McKinney believes that it is a very important issue. I say “all of a sudden” because, over the course of his time as a Member, with the exception of one instance, he has not posed written or oral questions on the issue of TYC. So I am glad that he recognises the importance of TYC after all this time as health spokesman for the SDLP.

I have indicated on several occasions that the implementation of Transforming Your Care is a planned journey: it is not a knee-jerk, and it is not something that was ever going to be delivered in one fell swoop. It is a journey that will take place over the course of three to five years. Many good things have already happened, and we are very pleased with much of the progress that has been made, whilst recognising that much other progress needs to be made. In some areas, progress has not been as quick as we would have liked to see.

I can report that some things have been achieved. Recommendation 86: we have created 17 integrated care partnerships across Northern Ireland. Recommendation 90: we have established a forum to take forward how technology will support the new model of care, linking the service to industry and academia through the ecosystem. Recommendation 87: we have developed population plans for each of the five LCG populations. Recommendation 47: we have conducted exploration through pilot arrangements

of budgetary integration for services to families and children, and the early intervention transformation programme has been superseded.

Many more are nearing completion. For example, recommendation 55: we have the provision of clear information on mental health services, making full use of modern technology resources, through a mental health service mapping project. Recommendation 44: we are looking to the completion of a review of inpatient paediatric care to include palliative and end-of-life care this year.

Recommendation 1: a renewed focus on health promotion and prevention to materially reduce demand for acute health services. We have the public health service framework. Recommendation 7: an expanded role for community pharmacy in health promotion. We have had the implementation of the Making it Better strategy for pharmacies.

So it is good to recognise that progress is being made, and, whilst some may wish to not do so, that is clearly the case. I regret that sometimes these debates can become whingeing sessions, with Members wanting to engage in that sort of thing as opposed to identifying where we are moving forward, identifying the positives and where we could be doing better and so forth. That is what these debates should be about, as opposed to some of what we hear. I am very pleased to report that we are making significant progress in health.

Transforming Your Care is working. When I meet real people, as I did in their hundreds on the doors of my constituency over the past month, they bring me the message, over and over and over again, that they have received good-quality healthcare. All this negativity does nothing for the staff, and I am glad that it took the amendment from the DUP to recognise the work of the staff. The SDLP failed miserably in that instance in its motion.

In a typical day, we have 5,900 outpatient attendances, £10 million spent, 1,700 inpatient day cases and so it goes on. A massive amount of work goes on in the health service, and people do not realise the pressures that are being applied.

As for many of the things that we were being criticised for, people clearly do not understand, do not have the knowledge or do not want to have the knowledge of how things are moving forward. We heard about domiciliary care. If you had listened to the speeches made earlier, you would think that there had been a cut in domiciliary care. Over the past three years, there has been a 10% increase in the hours spent on domiciliary care. That is a fact. In a typical week, a quarter of a million hours of domiciliary care are offered and provided to some 25,000 people. The number of packages has risen by 1,800 over the past three years. I see that my detractors are, all of a sudden, silent, as they are faced with facts as opposed to bluster. It is important that we stick to facts.

The death rate from strokes for the under-75s has been reduced from 14.4 to 12.6 per 100,000 of the population over the past two years. That is Transforming Your Care working. Look at breast cancer: we have an 81% survival rate, which is higher than Britain's and Ireland's. That is Transforming Your Care working. The standardised death rate from heart attack has been reduced from 79 to 61 per 1,000 of the population over the past four years. That is

Transforming Your Care working. We can do these things over and over again to demonstrate that, in so many areas of health, we are seeing real and radical improvement.

Mental health and learning disabilities were mentioned. We have made considerable progress in ensuring that fewer people have a hospital as their home address. We are working through the programme very well and seeing the numbers reduce extensively. In 2013, for example, we reduced the number of people in Belfast Trust institutions from 167 to 128. In the Northern Trust, the number of people with learning disabilities in hospital went down to zero; in the South Eastern Trust, it was the same; in the Southern Trust, it was reduced from 25 to four. You can see that real progress has been made on something that Transforming Your Care indicated, which is that hospital should not be a permanent address for people who have mental health or learning disability issues.

I listened to Mr Beggs and, indeed, Mr McCallister. Mr McCallister has disappeared; I am not sure whether he is away for a meeting with Basil or what is going on. He complained that Transforming Your Care was in crisis after two and half years: they set up a political party, and it was in crisis after two and a half months. Unfortunately, he is not here to hear the response, but he seems to want to cosy up to his former colleagues in the Ulster Unionist Party for some reason at this stage. In any event, Mr Beggs and Mr McCallister wanted to talk about residential care homes being closed. They will note that, under Mr McGimpsey's tutelage — Mr Beggs is still a member of that party and Mr McCallister supported it throughout — Foyleville, Drumhaw, Gortmore, Seymour House, Grove House, St John's House, Loch Cuan, Ravara House, Ferrard House and Grovetree House were all given the go-ahead for closure. We had Mrs Overend complaining about the closure of facilities in her constituency. Precisely who closed the facilities in the Mid Ulster Hospital, other than her own Minister, Mr McGimpsey? Not this Minister. We saw crocodile tears from people who supported those closures. Financially —

**Mr McCarthy:** Will the Minister give way?

**Mr Poots:** I think that we heard enough of you earlier.

Financially, we are looking at a situation where we have had to make savings. Over the last three years, I have never complained about the budget that we had, because there were considerable savings to be made, including the improvement of services at the same time. That has happened. That is a fact. We have more doctors, more nurses and more allied health professionals. We have more domiciliary hours and residential care packages in spite of the fact that money was constrained. However, there were savings to be made, and we made savings of some £500 million over the past three years.

Now we are in a circumstance, as we move to the future, where we have made considerable savings and have absorbed, with a 2% increase in the budget, 6% pressures each year. Now we are in a situation where people say that they want us to make more savings in the health service. That is not coming from the DUP but from the other members of the Executive. They say that we need to find an additional £160 million of savings in the incoming year. I can tell the House now that I am not capable of finding £160 million of savings in health and social care this year

without it having a real, detrimental impact on the care that we provide for people.

On top of that £160 million, a further £50 million is being requested to meet the bill for welfare reform. I say this to the people who seem to be a bit uninitiated on the subject: that money is no longer available to Northern Ireland plc. That money has gone; it is not in our budget. It is nonsense to try to con the public that, if we just go over to London to ask for it, we might get it. That is a con job. You need to be straight with people and say, "We are taking the money away from health to support welfare". I want to know this from the other Members: where do you want to see the £210 million cuts in health applied? Do you want us to remove mental health services altogether? Do you want to cut domiciliary care and just let elderly people be in their own home without getting that support? Do you want to reduce the efforts that have been made in children's services? We are identifying more and more children who are in real need and are at risk. That is good, because it means that social workers are doing their job well. There are more children in foster care now, which offers them better care and protection in a family circumstance, but do you want us to cut that? Do you want us to reduce cancer services? Do you want us to close down the 24-hour cath labs? What do you want us to do?

If you think that welfare reform is more important than health, you need to look at yourselves again. The SDLP and Sinn Féin are putting austerity on to health; they want to drag the Northern Ireland health service down to the standards of the Republic of Ireland. They want an all-Ireland health service that is poorer than the one that is currently being provided. *[Interruption.]*

**Mr Deputy Speaker:** Order.

**Mr Poots:** I know that it is annoying and irritating for people to hear the facts on the issue, but, as we move into June and we are losing money every month, the truth is that, if you and the other members of the Executive insist that welfare reform is something that you do not want to do, that is OK, but you must tell the public where you want to make the cuts. Tell them that, on top of the £160 million gap that exists in health, you want to make another £50 million of cuts to health. Tell them where exactly you want us to make those cuts and stand over it.

**Mr McKinney:** Will the Minister give way?

**Mr Poots:** We have heard enough from Mr McKinney and his opportunistic behaviour when it comes to this issue. We need to hear the facts. The facts are that we are having our funding cut, and we need to do something about it.

Transforming Your Care needs to happen, and it needs to be rolled out. We face immense pressures with our growing elderly population and more and more chronic diseases. We are providing regular care for people each day, and it is very important that we deal with all these chronic illnesses. We can and will do it if we are given the opportunity, but we cannot do it if we are going to be consistently crushed by people who are so blinkered in their approach that they are prepared to destroy this health service, which is free at the point of need to everyone in Northern Ireland, not like the Republic of Ireland where they have to pay for it. Is that what Sinn Féin wants — an all-Ireland policy under which you have to pay to see a GP? Earlier, Ms McLaughlin was complaining about GP services. There are twice as many

GP visits in Northern Ireland as there are in the Republic because people there have to pay for them. Do you want to pay for emergency departments? Do you want to have huge fees for prescriptions? That is what could and would happen if we were in a united Ireland. We do not want those policies to be imposed on us, so we need to take our stance on those issues and ensure that the health service is supported and is not destroyed by the austerity imposed on it by Sinn Féin and the SDLP.

**3.45 pm**

**Mr Principal Deputy Speaker:** The Minister must wind up his remarks.

**Mr Poots:** Thank you, Mr Principal Deputy Speaker.

**Mr D McIlveen:** I have to be honest: at the end of the debate, I fear that I agree with very little of Mr McKinney's proposal. I could probably write what I agreed with on a postage stamp. However, there was one thing that jumped out at me that, I think, was a fair point, namely that we should stay focused on the strategic nature of Transforming Your Care. On the back of that, I suppose that I have to say that, if that is the case and if Mr McKinney is genuine in his desire to see that happen — I have no reason to doubt that he is — two and a bit years into a five-year plan is probably not the strategic time to treat it as though it is already a failure. That is effectively what many of the contributions to the debate have insinuated.

In his contribution, Mr Wells made it clear that Transforming Your Care was one of the most consulted upon documents that the Assembly has seen. Mr McKinney, in one of his challenges to Mr Wells, made the point that we did not know what has caused the pressure. I would be the first to admit that I do not see myself as a prime candidate for Mensa, but, when you look at a 6% increase in demand for services and a just above 1% increase in funding, you do not need to be a genius to work out why the pressure is there. We know why the pressure is there: we have a population that is getting older and living longer and is therefore putting more demand on the health service. That is very clear.

When it comes to the contributions that have been made by Sinn Féin, I really do not think that much more needs to be said other than what the Minister has said already. I really wish that Sinn Féin as a group would grasp the fact that just because you disagree with something does not mean that it is wrong. That is where we are at this moment in time. It is not that there is a threat of money being withdrawn from the Northern Ireland Budget; that is already happening. It is not something that will happen next week or next month; it is happening today and has been happening for the past number of days throughout last month, when money was removed.

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

**Mr D McIlveen:** I am a little short of time. If I have time at the end, I will.

We have to accept that those are the challenges and facts that are upon us. I noted with interest Mr Brady's continued fear of the private sector. I could not help thinking to myself that perhaps it is not just the £80 million that is shifting left; Sinn Féin is continuing to shift left. I thought that it could not really move any further to the left than it already was.

Mrs Overend mentioned in her contribution that there were no targets or implementation plan. However, even at last week's Committee, we had Ms Catherine Daly from the Department make it very clear — interestingly enough, in response to questioning from Mr McKinney — that there has been significant progress across a number of areas in Transforming Your Care. Again, I come back to the fact that we are only halfway through the process. The Minister has already given us a fairly comprehensive list of achievements and targets that have been met. Therefore, we have to take that as a matter of fact. The debate is premature in that regard.

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

**Mr D McIlveen:** Again, if I have time at the end, I will do so.

We then had a contribution from the Member for North Antrim. I am sorry that Mr McGimpsey is not still here, because it would appear that he has a new best friend. I am sure that Mr Allister has read 'The Boy Who Cried Wolf'. The man who predicted that, by now, we would have a Sinn Féin Justice Minister and that operational policing would be controlled by Sinn Féin is now telling us that Transforming Your Care is doomed to failure. I do not know whether he expects us to take him seriously or not. What I would say to Mr McGimpsey, if he were here, is that Mr Allister used to be our friend as well, and with friends like that, who needs enemies?

**Mr Principal Deputy Speaker:** For the record, thank you Mr McIlveen for making a winding-up speech on the amendment.

**Mr Rogers:** I want to again express the SDLP's frustration with the persistent problems that have occurred in our health service, the additional pressure that has been put on staff and the increased stress and anxiety that patients and families have endured as a result. I concur with Mr McKinney's comments that, in light of recent monumental healthcare failures, we must ask whether our health service is being reformed for the better.

It is becoming increasingly evident that, although many of the aims of Transforming Your Care are valid, the way in which health service management is trying to achieve them is producing inconsistent results and often poor patient outcomes. The ongoing pressures suffered by staff on the front line and the numerous escalation measures and crisis management protocols that have been put in place are clear symptoms of the problem but not the cause.

Transforming Your Care's restructuring of the health service attempts to achieve efficiencies by taking resources out of the front line and relying on community care to balance out patient need. The problem with that is that the community care network has not been bolstered enough to cope with those pressures. Logjams experienced in emergency departments are not being addressed by Transforming Your Care. We cannot afford to allow them to get much worse. There is mounting evidence that the financial cuts experienced under TYC are not sustainable and are producing poor patient outcomes on the front line.

I call on the Minister of Health to listen carefully to staff, patients and unions when they tell him that the current system is unsustainable and the pressures on staff are intolerable. It is imperative that the Minister re-evaluates the Transforming Your Care model so that the system



does not further deteriorate and staff are not placed under further pressures. The time has come to review the path that Transforming Your Care is taking to reform the health service. The public need to be reassured that the current strategic direction is not sacrificing patient outcomes for a money-saving exercise.

In 2011, the TYC review was published with the aim of creating a long-term, sustainable and financially viable model of healthcare. The main goal for the review was to shift health provision focus away from a hospital setting and into a community-based infrastructure, with high-quality care. The result three years on is that the community care model is under-resourced and ill equipped to deal with the needs across the region.

Under TYC, resources such as hospital beds were removed. A&E units, such as the one at the Downe, have closed at night and at the weekend, and others are restricted. Indeed, the unit at the City Hospital has been closed. Implementation of the reforms, however, has been substandard. The community healthcare sector was not suitably strengthened at the outset, and now we are effectively playing catch-up. The sizeable pressures on our A&E departments are clear evidence of this. We know that 30% of people who present at A&E should not be there, but the implementation of TYC is not addressing that. People cannot see their GP quickly enough, and many have little confidence in underfunded community health initiatives, so their only recourse is to arrive at A&E. That is a critical problem.

**Mr McCarthy:** I am grateful to the Member for giving way. Does he agree that, at last week's Health Committee meeting, we were informed that there was a request for £160 million in the monitoring round and that, if that money was not forthcoming, patients' safety and waiting lists would be at risk and Northern Ireland's record on providing patients with a good service would be even worse than that of its UK counterpart?

**Mr Rogers:** I thank the Member for the intervention. He makes his point well.

The word "transformation" implies an improvement. How transforming is it when a patient from Castlewellan, on calling an ambulance, gets an Armagh crew who have been tasked from Daisy Hill and, when they arrive in Downpatrick, cannot find the hospital? That is a reflection not on the crew but on the pressure that TYC puts on them. How transforming is it when a young person with complex medical needs who needs a steady supply of electricity to live cannot get a generator and will have to leave their infection-free home environment to be taken to a hospital if there is a power cut? I can go on about those.

Many people talked about our GPs. Our GP services need to be improved. We need to attract, retain and expand the number of GPs and the number of practice staff and improve the premises from which GPs operate.

I will now come to Members' contributions. I thank everybody for their contributions. Mr Wells led off on the amendment. I will maybe ask Mr Wells the question that Mr McKinney asked him: did he read the 99 targets and where are the measures of those targets? Indeed, Mr Wells highlighted the good points. Every time I stand up to talk in a health debate, I am reminded that I am a good news story, given how well our health service looked after me in the past. Thanks to him for reminding me about that.

The Chair of the Health Committee said that the system had rumbled from crisis to crisis and that TYC lacked any measurable framework.

Mr Beggs said that TYC had a great vision but patients were not experiencing that. He talked about the waiting times and said that only 60% of our patients are treated within four hours and 127,000 people are waiting for their first appointment. He asked this question: where is transformation?

Mr McCarthy put a strong emphasis on prevention and early intervention. He said that the Bamford review must be kept on the radar in the mental health agenda. He asked whether resources would follow the need. He, too, has concerns about our GPs and about the help that they have. He said that we need properly funded GP services as they are the linchpin of Transforming Your Care.

Mrs Cameron said that now is not right time to review, and that has come from the Minister as well. She said that more needs to be done to ensure that we have fewer problems in A&E.

Mr Brady said that Transforming Your Care was an important transformation for people and services. He said that the health service must be protected at all costs and that staff must get their pay in time. He mentioned the Royal College of Nursing, which summarised TYC as "vision without action".

Mr Dunne talked about TYC being a road map but said that funding must be in place to deliver the changes. He, too, highlighted the important role of our GPs. He said that our expectations are high. However, we would expect to be seen within four hours in an A&E, and you would not expect to have to wait over 15 weeks for your first appointment.

Mrs Overend talked about many mid-Ulster issues and made some very good points, particularly when she asked the Minister to take more care in his health transformation.

Mr McCallister commented that the Assembly was getting some level of accountability from the Health Minister and stressed that much of the £83 million that was moved from acute to domiciliary care has caused the problem because acute is in crisis.

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

**Mr Rogers:** I will, yes.

**Mr Wells:** It is interesting that Mr McCallister sat through the Health Committee during almost the entire drawing up of Transforming Your Care and did not raise any of his concerns at that point. I do not know if Mr Rogers has been listening to the Minister, because the Minister outlined a raft of the proposals in TYC that have been implemented, such as recommendations 86, 87, 90, 47, 44 and 55. The Minister made that clear, yet the Member is still rabbiting on about the fact that there has not been delivery.

**Mr Principal Deputy Speaker:** Interventions should be short. The Member's time is almost up.

**Mr Rogers:** There are many good points, but we have to get better. We must improve.

Mr McIlveen said that we need to have a strategic focus but, if we have a strategic focus, we must have targets to

measure it. There is no point waiting five years to measure targets; we need interim targets as well.

Mr Allister said that Transforming Your Care is not a shining light any more. He said that, if you reduce the number of beds, you will cause a logjam in our service. That is the problem that we have with A&E.

#### 4.00 pm

Finally, I think that it is a sad reflection that the Minister demeaned the debate by comparing it to a whingeing session. Just ask the 40% who are waiting for more than four hours for A&E or the 19,000 people who are waiting for more than 15 weeks for an appointment. Minister, you must listen to the large number of concerns about the current model that patients, staff and unions have expressed and order an independent, evidence-based review of the implementation of Transforming Your Care. Transforming Your Care must meet community needs —

**Mr Principal Deputy Speaker:** I am sorry, the Member's time is now gone.

**Mr Rogers:** — and it must not just be financially driven.

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

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly recognises the considerable public concern at the pressures on emergency departments and GP waiting times, which have arisen during the period of the Transforming Your Care change agenda; notes with concern that the implementation of Transforming Your Care has not been fully assessed; and calls on the Minister of Health, Social Services and Public Safety to review and measure the implementation of Transforming Your Care to assess its effect on patient outcomes; welcomes the progress made on patient waiting times, including the significant reduction in those waiting longer than 12 hours in emergency departments to be assessed, treated and admitted or discharged; pays tribute to the dedication of hard-working health and social care staff, including the 2,000 additional staff employed since 2011; and further calls on the Minister of Health, Social Services and Public Safety to reinforce across the health and social care system the necessity for transformational change to respond to the challenges of an ageing population, and to encourage and maximise involvement and leadership from health care professionals on the ground in delivering change from the bottom up at an accelerated pace.*

## Racial Attacks

**Mr Principal Deputy Speaker:** Order. Before we move to the next item of business, I remind Members of the Speaker's ruling on the need for good temper and moderation in debate. Members will be well aware of the seriousness of the issue that we are about to debate and the attention that there will be on it. I will also mention that the debate will be streamed live. Members on all sides of the House will, of course, want to express their views on the issue, but let us ensure that we do it in an appropriate way that does not exacerbate feelings outside the Chamber.

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

**Ms McGahan:** I beg to move

*That this Assembly condemns the recent racial attacks and firmly opposes racism, discrimination and intolerance of any kind, wherever it occurs; embraces the growing diversity within our society; emphasises that there is no room for racism or stigmatisation; and calls on all political parties to provide leadership on this issue.*

I support the motion and the amendment. As hard as it is to believe, it may be fair to say that the events of the past week here in the North have been bittersweet. There is nothing that I can do or that we can do as a society but regret the comments of Pastor McConnell and Peter Robinson for the wounds inflicted on our ethnic minority community. However, it has brought all sides of the community and nationalities together. We saw that last weekend in Belfast, where over 4,000 people attended a protest.

I also welcome and acknowledge the fact that Pastor McConnell visited the families of two Pakistani men who were attacked in their homes in north Belfast last weekend. That is a step in the right direction.

I think that it is sad that our ethnic minority population has never felt more insecure regarding its vulnerability to crime. That is a challenge for policing and for the criminal justice system, and it is a challenge that must be met without prejudice and with respect for human rights.

Racism is prevalent in our communities, and we need to show political leadership in tackling the problem. According to the PSNI's crime statistics, racist incidents have increased by almost one third in the past year. There were 982 racist incidents in the 2013-14 financial year, which is an increase of 30.9%. The PSNI recognises that there is more work to be done to build confidence in those communities to tackle hate crime.

Sadly, when it comes to addressing hate crime, sound bites will not be enough. There was no justification for Pastor McConnell's comments during his sermon in the first place. We need real solutions to the problem of hate crime. Otherwise, we will leave the problems unchanged or even worse. We need political courage, political strength and the political will to deal with these problems.

No one should think that they are the chosen religion. An important tool, which was included in the Good Friday Agreement and, subsequently, put into legislative form, is a statutory equality duty on all public authorities. It is known as section 75. All public bodies are obliged to promote equality across a range of categories, including religion, politics, race and ethnicity. Everyone living in the North of Ireland has the right to equality before the law and the right to equal protection and benefit of the law without discrimination on the grounds of race, colour, ethnic origin, nationality, gender, gender identity, sexual orientation, disability, age, social or economic status, marital or family status, residence, language, religion, belief or political or other opinion.

There is an obligation on all in society to respect the rights of others and to uphold just laws. There is an obligation here in government to protect and promote the rights of all and to ensure that all in our society are aware of, and able to assert, their rights. The question is this: are we doing that? Despite legislation outlawing hate crime, which was introduced in 2004 to enable courts to determine additional penalties for crimes aggravated by religious, racial or other hate motives, particular difficulties remain. Clearly, there is still a view within the minority communities that religious hate crimes will not be taken seriously, and so it is that we have the alleged under-reporting or, indeed, non-reporting of such crimes. That seems to have become an established practice. We need to ask how many cases have been prosecuted under the legislation, whether the courts have, in fact, applied additional penalties to those found guilty of religiously motivated hate crime, and how those numbers compare with the police statistics recording religiously motivated hate crime?

The racial equality strategy has been agreed by Martin McGuinness. It should be agreed, urgently, by the First Minister and go out quickly for public consultation. The strategy is an essential part of the overall equality agenda. It demonstrates the Executive's commitment to eliminate discrimination, promote equal opportunities and develop good relations. The strategy will identify the needs of our ethnic minority population, promote racial equality, tackle racism and increase awareness of the issues in that area. The strategy will foster good relations, thereby promoting greater social cohesion and equality of opportunity for everyone.

Sinn Féin has been at the forefront of pushing for positive change to transform the delivery of equality on the island of Ireland, but our work is far from done. Sinn Féin 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 for all contained in the agreement.

The Programme for Government reflects the Executive's commitment to improving community relations and building a united and shared society. The Together: Building a United Community strategy outlines a vision based on equality of opportunity, the desirability of good relations and reconciliation. It provides a framework for government action in tackling sectarianism, racism and other forms of intolerance while seeking to address division, hate and separation.

We all, as a community and as political leaders, need to be extremely careful in our language and discourse. Sometimes, we say things that may seem OK, but, in the

eyes of others who have come to this country to settle and contribute to society, our language can be hurtful, negative, unwelcoming and, bluntly, racist in tone.

In conclusion, Pierre Berton said:

*"Racism is a refuge for the ignorant. It seeks to divide and to destroy. It is the enemy of freedom, and deserves to be met head-on and stamped out."*

By supporting the motion today, the Assembly can give a strong message that prejudice, discrimination and intolerance must be rejected. Go raibh maith agat.

**Mr Lyttle:** I beg to move the following amendment: Insert after "stigmatisation;"

*"notes with concern the delay in the delivery of the racial equality strategy; affirms the urgency of addressing racial inequality; calls on the First Minister and deputy First Minister to ensure that the racial equality strategy is robust and is brought forward as a matter of urgency;"*

The Alliance Party will, of course, support the motion. I welcome the opportunity that it gives to all MLAs to take a clear, united and unequivocal stand against racism and to consider how we work together to eradicate prejudice from our community. It is right that we condemn racism, stand united against it and show leadership, but it is also vital that we see real action. I ask the Assembly, therefore, to support the Alliance Party amendment, which calls on the DUP/Sinn Féin Office of the First Minister and deputy First Minister to urgently deliver the long-overdue racial equality strategy, with a clear action plan and an adequate budget.

Some people in our society claim that the issue of racism has been exaggerated or manipulated for political ends. They need to get their head out of the sand and face up to reality. It should be no surprise that a society ripped apart by sectarianism will have to defeat its close friend racism. We, of course, have made serious progress towards peace and prosperity. The Office of the First Minister and deputy First Minister needs to get serious about tackling sectarianism and racism if we are to build a united Northern Ireland. In a political stalemate and with a lack of political leadership, the vacuum is often filled by sinister elements. That is what we have seen to be the case in recent weeks. There has been a 30% increase in racist attacks in the past year, 27% of which have been in north Belfast, 23% in east Belfast and 16% in south Belfast. There was more race hate crime reported in Belfast in 2013 than in the whole of Northern Ireland in 2003.

Unfortunately, I have had first-hand experience of racist attacks on Filipino families serving our health service, where swastikas were painted on their homes. I have seen windows smashed in the homes of African families. Families, including people serving as scientists in our universities, have been put under serious strain. Polish families serving the community and working hard to integrate have been attacked. We have also seen the recent racist attacks against Pakistani families. We know that paramilitaries, including the UVF, have been involved in the attacks. My colleague Anna Lo has been subjected to vile racist abuse and threat, the veracity of which has been questioned by political parties, including UKIP. She has been called racist by a DUP councillor. Anna and I, as, I am sure, she will agree, do not agree on everything, but we are colleagues in a political party working for a safe

and shared society for everyone. I stand firmly with Anna and all victims and survivors of racism in our community. It is wrong, and it has to stop.

It is unfortunate that, in that context, a number of unhelpful high-profile interventions have been made. Christian pastors should absolutely have the religious freedom to preach the gospel of Christ. They are absolutely right to campaign for religious freedom in other parts of the world where it is being so brutally and inhumanely denied as we speak. They should also be free to challenge doctrine in a robust manner, but they should make that challenge in love. They must stand clearly against prejudice and hate. I sincerely respect the service of Pastor James McConnell and his congregation, but the assertion that all members of a group of people are untrustworthy is a prejudicial and dangerous generalisation that he should retract. The language used by the First Minister, Mr Robinson, in an attempt to qualify the comment, whatever the intention, was ill conceived and demeaning. I welcome the private apology that the First Minister is understood to have given on the matter and the public apology that, I understand, was given today by junior Minister Bell for offence caused by the DUP on these matters, but I believe that it is the duty of the First Minister to ensure that all people are safe and welcome in Northern Ireland. A clear, unambiguous public retraction of the comments by Mr Robinson remains urgently required. Indeed, it is a missed opportunity that the First Minister is not here to make a contribution on the issue.

#### 4.15 pm

It is clear that many people in this community, from all backgrounds, stand firmly against racism. That was evidenced by the demonstration attended by people of all backgrounds outside City Hall at the weekend and the planned Unite Against Racism march this weekend, as well as by the many interventions that we have seen from people across our society during the week. That response gives me hope, and I believe that, out of what is a negative situation, we can seize an opportunity to renew and reactivate our commitment to build a united community.

I welcome the action taken by the PSNI to establish a dedicated hate crime unit and helpline, which can be accessed by dialling 101. In May, Operation Reiner saw 20 hate crime-related arrests in Belfast — 11 relating to race — and 15 searches on premises. Six people have been charged with a range of offences as a result; four have been reported for prosecution; and 10 have been bailed for further inquiry. Between 20 and 31 May, the dedicated hate crime helpline received 53 reports of racist hate crime. I believe that the PSNI is taking its responsibility seriously, but we need others to do the same if we are to tackle the root causes of racism and maximise the positive contribution that people of ethnic minority background make to all elements of our society, whether in business, research, health, public services or culture.

Most importantly, we need to see leadership from the Office of the First Minister and deputy First Minister in the delivery of the devolved racial equality strategy for Northern Ireland, which was scheduled for publication by the end of 2013 in the Together: Building a United Community strategy. As I understand it, the last direct rule racial equality strategy finished in 2010, which begs this question of the Office of the First Minister and deputy First

Minister: "Why the delay?". The racial equality strategy, if supported by a good and sound assessment of current key inequalities and containing clear actions and timelines, has real potential to deliver improved racial equality in Northern Ireland.

The Equality Commission has made a significant contribution to work on the strategy and has listed key areas that we should see in it. In the area of legislation, it recommends a single equality Bill and a bill of rights or that the Equality Act 2010 be extended to Northern Ireland. On community safety, it recommends that we address the under-reporting of race hate crime; endeavour through early intervention to prevent low-level hate crime escalating; improve our operational response to hate crime; and provide improved support for victims of racist hate crime. We should also publish clear data to allow us to make end-to-end tracking of hate crime cases.

On education, the commission recommends that ethnic minority children see their culture and language reflected in the classroom and school curriculum; that we provide adequate support for newcomer children in our schools; and that we respond to prejudice-based bullying. On employment, we should see initiatives aimed at tackling the exploitation of migrant workers; reducing ethnic minority disadvantage in employment; raising awareness of the rights of migrant workers; and maximising migrant workers' access to the labour market. On housing, we need a more strategic response to the accommodation needs of asylum seekers and refugees in Northern Ireland. On healthcare, we need to see a coordinated approach to known inequalities among ethnic minorities.

We should also see the OFMDFM emergency fund and minority ethnic development fund made available on a more sustainable and long-term basis to ensure that there are adequate resources at grass-roots level in our community to respond to the issue.

In the upcoming Community Relations Week 2014, which starts on 16 June, the Community Relations Council will urge us to finish the job of the peace process. I hope that the Assembly will today send out a clear message to the Office of the First Minister and deputy First Minister that racial equality must be a fundamentally important part of that job.

**Mr Moutray:** Racism should have no place in our society. I am unequivocal in my condemnation of attacks that have happened in recent days, as are all my colleagues. It is deeply concerning when we look at recent figures released by the PSNI and see that there has been a 30.9% increase in racist incidents in the last 12 months. The high number of race hate crimes is highlighted further when we see that there have been almost 700 racially motivated attacks over the last 12 months. In the Craigavon area in my constituency, 45 racially motivated attacks have occurred in the last year. I am sure that Members will agree that statistics like these are unacceptable.

Those who inflict hate crimes on members of ethnic minority communities should be ashamed of their actions. It is only right that they be subject to the full force of the law and that the punishments are appropriate. I am pleased that, in recent days, the PSNI announced a telephone line for reporting and providing information on race hate crimes, which is some progress in the PSNI's efforts to deal with these issues. It is my hope that people



who have been victims of these crimes or, indeed, those who have witnessed them will feel comfortable coming forward to the police and helping them as they carry out their investigations.

We, as a society, must not allow the small section of our community who carry out these hate crimes to tarnish the name of Northern Ireland. The overwhelming majority of our population is tolerant and respectful of those from other cultures and backgrounds. They recognise that people from ethnic minority backgrounds should be allowed to live peaceably and to make a positive contribution to our society as a whole.

Northern Ireland has been moving forward in recent years, and we want that to continue. According to the Alliance Party amendment, Northern Ireland has been idle in this regard, with claims made regarding a seven-year delay in providing a strategy. That is clearly not the case, because a strategy was in place from 2005 to 2010. Since then, the Department has been working to tackle the problem with the setting up of the racial equality panel. Work by Ministers is ongoing to progress a new strategy that will undoubtedly provide a robust and effective framework to tackle hate crimes.

This Government have been to the fore in combating racism and sectarianism through their Together: Building a United Community strategy. The strategy provides the framework for government action in tackling sectarianism, racism and other forms of intolerance while seeking to address division, hate and separation in our society. I am aware that consideration is being given to the possibility of incorporating the United Against Hate campaign and building on its achievements to date. In addition, government has been to the fore in investing in communities through the minority ethnic development fund, with £1.1 million having been allocated this financial year on top of the £1.1 million last year from tier 1 alone.

As I draw my remarks to a close, I want to again utterly condemn racist attacks. We in this Assembly have a responsibility, and we are certainly not shying away from it. We remain committed to stamping this out and providing legislation and policies that work towards that end. We cannot allow a very small number of people in Northern Ireland to halt the progress that Northern Ireland has made in recent years and will hopefully continue to make in the years to come. Government alone cannot eradicate the problem of racism. Combating racism is an issue for all sections of society. As we move forward, it is up to society as a whole to promote good race relations and to make it clear that there is no place for race hate crimes in Northern Ireland.

**Mr A Maginness:** This is a very timely debate given the events of the past week or more: the comments by Pastor McConnell; the unfortunate defence of those comments by the First Minister; the outrageous racist attacks on Anna Lo, our colleague and a Member of the Assembly; and the egregious attack on two Pakistani residents of Parkmount Street in north Belfast.

Given the fact that we have an opportunity here to put to bed the evil of racist attacks and intolerance in our society, I have to ask the House this: where is the First Minister? Why is the First Minister not here? Why is he not making a statement to the House to clarify his position in relation to Pastor McConnell and in relation to racism? His absence

hangs over the debate, and I have to say that it is deeply regrettable that he is not here. There is an empty chair there where the First Minister should be. I believe it is his duty to come to the House and clarify his position. It is the duty of all of us to give leadership in relation to that evil within our society.

Sectarianism and racism are simply two sides of the one coin and the one evil, which is intolerance and bigotry. It is incumbent on all of us, particularly those in high office, to show leadership. If we do not show leadership, then we are letting down the whole community and letting down those from an ethnic background who come to live here as our guests and our citizens and who make a great contribution to our society.

I believe that there is a crisis of confidence among those in our community who come from an ethnic background, and that has shown in the events of the past week. It is clear from the comments, not only by Anna Lo, who has given great articulation to the fears and concerns of the ethnic communities in our society but by the most articulate and dramatic words of one of the victims of the attacks in Parkmount Street — one of the Pakistani gentlemen — who said that the words of the First Minister had set a “fire in the jungle”. Those were very poignant remarks, and I believe they highlight the real fear that exists in our community. Given that, those who have been affected in such a tragic and evil manner deserve all of our support.

It is not right for the First Minister to hide away, given the opportunity that the debate has created to clarify his position. It is not right, and he should come to the House even now in order to clarify his remarks. It is a dereliction of duty not to come to the House. We have been given the task of leading this community, and we should do so in a forceful manner. We should directly attack the intolerance, bigotry and racism that have caused so much hurt to people in our society.

**Mr Kinahan:** I am extremely pleased to speak today to support both the motion and the amendment.

I want to start with a story. I am lucky enough to have travelled a great deal earlier in my life. I met an American who had worked on the Alaskan pipelines for a year. Every year he worked on the Alaskan pipelines, he then travelled around the world. When I asked him where the best place in the world was, he said, “Northern Ireland”, not knowing that I was from here. He said, “Those were the friendliest, loveliest people of any country I have been in”. That is what we want to get back to. We want to get back to the world realising what a great place Northern Ireland is. Let us get back to what we saw around the Giro d'Italia and the Olympic torch — Northern Ireland all pulling together, all celebrating, all happy. That is what this place should be.

#### 4.30 pm

Is it really that bad? We have just heard from Chris Lyttle how appalling it is for some. We have to take that and change it. I am proud to be on the all-party group on ethnic minority communities, when I can get to it, and to have chaired it. However, I have not been proud of the fact that we cannot achieve half the things we want to achieve because we are not getting it back down from OFMDFM. We need that racial equality strategy today and everything coming back down to us so that we can actually get on with making Northern Ireland a better place. The statistic

that shows that four out of 14,000 cases have actually been prosecuted shows how bad we are at protecting those whom we should protect.

Last night, when we went to the Islamic centre, I was appalled to hear that the two people who had been attacked at the weekend were too frightened to go out and get food, and I am really impressed and glad to hear that the pastor has been there today. We have to change this society, and it is up to us, as the politicians, to do so. It is all of us, from the First Minister downwards. It is leadership. That leadership is not just in press releases and statements but in our parties and communities and particularly in challenging those who disagree with us and who have a warped mind and feel that it is all right to attack or intimidate somebody. Let us make sure that we challenge it.

I particularly enjoyed meeting the people last night in the Islamic centre, because they are exactly what I expected to find. They are people who came to Northern Ireland with fantastic skills. They are heart surgeons and scientific specialists. If you look all the way through Northern Ireland, on the back of the £1.4 billion that is brought in by ethnic communities, you will see the skills that make Northern Ireland the great place that it is. Whether it is the nurses or those in industry, we want to make them welcome. Let us see that they are all very much part of our society.

**Mr Agnew:** I thank the Member for giving way, because I may not get the opportunity to speak later. Will he agree with me that, while I agree with him about the skills and expertise we get in through immigration, regardless of why anyone finds themselves in Northern Ireland, no one, in whatever circumstances, should be subject to racist attacks?

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

**Mr Kinahan:** Thank you very much, indeed. I full-heartedly agree with you. That should not happen to anyone in any country anywhere but especially not in our country. It should not happen anywhere in the world. Thank you.

Last week, I was pleased to see the British Council here. One of the other great changes we have to get in place is in our education system, and, with the visit of the British Council, we were able to see excellent examples of schools learning about foreign cultures and differences, schools with classroom connections with Uganda and Spain and people teaching how to paint or draw Chinese letters and, equally, how to learn Arabic. There is so much that we all need to learn at school, and it should start right at the beginning and go all the way through. As we heard from someone else, we especially need to learn about each other's cultures. I know one school in my constituency that has 16 ethnic groups, and I know that it makes sure that everyone understands all those communities.

I was sad to hear the comments of the First Minister and really sad to hear his begrudging apology. What we need is a clear apology. When I put out a press release on the back of that last week — I wish that I had not had to do it — within 20 minutes, someone from the Middle East sent me a text to say, “Well done”. That is how quickly that little bit of bad language in describing us in Northern Ireland in a way that we do not want to be seen had gone around the

world. That is what we have to change, and that is why we need a public and heartfelt apology.

Last week, I was also lucky enough to be at the event with the Turkish ambassador to launch the new consul.

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

**Mr Kinahan:** Thank you very much. I want to make one more comment. The more we push this and publicise it the worse it will get. Let us all work together to calm it all down and never see it happen again.

**Mr G Robinson:** I will commence my contribution by unequivocally condemning every racist attack as unacceptable and an affront to Northern Ireland society. Despite recent media hype, I believe that firm leadership has been clearly shown in Northern Ireland by the House. I also believe that certain sections of the media, in some cases, could cause division and increased fear by continual coverage of stories that suit their agenda. Have the proposers asked the media what leadership they are giving in these circumstances? When we read our newspapers and hear on our radios and televisions about incidents of race hate, I know that the vast majority of our citizens totally condemn these despicable attacks.

It is a sad fact that Northern Ireland is not the only part of the United Kingdom to suffer from racist crimes, which should be unequivocally condemned. Indeed, the UK is not the only country in the world where these crimes occur. This is by no means a justification for these attacks but simply a factual observation, and they should not happen. Racist attacks are only one part of the overall category of hate crime, and I believe that it is dangerous to make single aspects of hate crime a special case. All hate crime is abhorrent and must be totally condemned. It is up to all of us to ensure that perpetrators are adequately punished for their dastardly crimes. In the past, crimes such as these were treated as sectarian. I should know, because I was on the receiving end of them. I condemn them all, as I deeply understand the untold distress caused to the victims who have been targeted. It is also important to understand that, in some cases, crimes do not attract a strong enough sentence to act as a deterrent.

Let us all join together and encourage anyone who has any evidence of racial abuse or, for that matter, any crime directed towards victims to report that to our Police Service in Northern Ireland. Ironically, Northern Ireland has a reputation for the warmth of the welcome that people choosing to live here receive no matter what country they come from. I stress again my total opposition to racist or hate crimes and ask the media to examine the extensive coverage that they give to these stories and whether it is contributing to the problem. I urge anyone who knows the perpetrators of such crimes to ensure that they are taken off our streets.

In conclusion, it is worthy of note that, in April, OFMDFM stated in an answer to my colleague Mr David McIlveen:

*“The mainstreaming and promotion of racial equality remains a strong commitment of our Department”.*

Leadership is being given, and all Members here should support that leadership. I also urge support for the “A Sense of Belonging” initiative, which is aimed at uniting

communities and increasing tolerance for those of different ethnic backgrounds.

**Ms Ruane:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Maya Angelou died last week, and the world mourned the loss of a wonderfully strong feminist African-American writer and poet who lived a very full life. Part of that life included daily political activism against racism in all its forms. She said, amongst other things:

*"The plague of racism is insidious, entering into our minds as smoothly and quietly and invisibly as floating airborne microbes enter into our bodies to find lifelong purchase in our bloodstreams."*

The past few weeks and, indeed, months have been difficult for many in our communities, those who have come to live in the North to make a better life for themselves and their families. Those people deserve a future in our country in the same way as Irish people who have travelled and worked abroad in every continent also deserved a future. Sinn Féin brings this motion to the Assembly because we understand the importance of sending out a clear, unambiguous, strong message that there is zero tolerance of racism in all its forms in our society. Where it surfaces, it needs to be challenged and action taken, whether it is on social media, on our streets, in the workplace or in our communities.

I join Bronwyn McGahan in supporting all the work that is being done to deal with racial prejudice in our society. On behalf of Sinn Féin, I say to our ethnic minority communities directly that we value you and we want you to feel safe here. We thank you for all the hard work that you have done in workplaces, in businesses, in communities and in your families. We want to say to you that your children are beautiful, that we want them to get a good education and that they enrich our classrooms. We want you to have access to housing, jobs, welfare and entitlements throughout your life. We also value and celebrate the diversity that you bring to us: your beautiful languages, your music, your dances, your food, your creativity, and your differing religious beliefs, and none. It is that diversity that enriches us. Whether you are Muslim, Jewish, Buddhist, Christian or atheist, we celebrate your humanity.

This morning, I left my little grandson off at his crèche here in Belfast. He is growing carrots with his granda, and he has watched them grow every single week when he comes to visit us, watching the little green tops coming. He went out and picked them last night. They were very small, because he picked them far too soon. He arrived into his crèche this morning to show a carrot to the rest of the children. He is three. I looked at the lovely faces of the children in that crèche examining that tiny little carrot — African, Asian and European faces looking at it — and I felt very, very sad at some of the public commentary that has been made in the past few weeks. I join Bronwyn in condemning Pastor McConnell and Peter Robinson's comments. I hope that Mr George Robinson did not try to shift the blame on to the media — let us put blame clearly where it belongs.

I also very publicly say to Anna Lo that the Assembly is a far better place because you are here. I know that the vast majority of people on the island of Ireland believe that, too. There are some who are going on the airwaves and, in a very insulting way, are accusing Anna of making

things up or exaggerating. That behaviour is indefensible, and I put on record that I have lodged a formal complaint to the Policing Board about a racist attack on Anna Lo at an International Women's Day event way back in March, which was long before any of the more recent statements were made. That attack was by some of the flag protesters from a person who witnessed it.

I welcome Martin McGuinness's leadership on this matter —

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

**Ms Ruane:** — and I am going to give the last word to Maya Angelou:

*"We all should know that diversity makes for a rich tapestry, and we must understand that all the threads of the tapestry are equal in value no matter what their color."*

**Mrs Hale:** I welcome the opportunity to have an input into the debate on what is a very serious issue and one that I know that all Members in the House condemn at all levels. From the outset, I make it clear that I and, indeed, my party firmly oppose racism, discrimination and intolerance whenever and wherever it occurs, and I put on record my personal condemnation of the recent racist attacks.

The unprecedented growth of inward migration in recent years presents us with challenges and opportunities. We either show a strong, united voice on the issue or we create a vacuum in which people draw their own conclusions, which can often end in the most damaging consequences. We must ensure that the primary concern of community safety is addressed, but we also need to recognise the complexities of ensuring that, to build a united community on the issue, everyone must feel safe and secure and not feel threatened by intolerance or prejudice.

Collectively, as political representatives, we must show leadership on these issues. The media must also show leadership by ensuring that sensitivities and protections are not sacrificed just for a big story. Community representatives and organisations also have an active role to ensure that they support everyone while helping to lead on integration-based projects and programmes. Most notably, as individuals, we all have an important leadership role to play in ensuring that we do all in our power to break down barriers and challenge actions that lead to racism and intolerance. Fundamentally, we all have important leadership roles to play in showcasing the positives that come from tolerance and diversity.

#### 4.45 pm

My colleague Mr Moutray spoke of the £2.2 million invested through the minority ethnic development fund. In the past number of months, I have met a group called the Horn of Africa, a local charity with the aim of supporting and integrating people from countries such as Somalia who have come to set up home in Northern Ireland. Namely, I met Suleiman Abdulahi, who raised a number of issues with me and suggested solutions to help to meet the needs of asylum seekers and immigrants coming to Northern Ireland.

The group's projects include a youth football team and a ladies' basketball team, in which young people from south Belfast and the Horn of Africa come together to share

and to educate each other through the medium of sport. It also provides English classes and special homework sessions for children, supported by our local teachers who volunteer their time to help. The House needs to do more to showcase and support the excellent work of organisations such as the Horn of Africa in providing the synergy and foresight needed to bring our diverse communities together, and to recognise the work that they do in breaking down cultural and religious barriers.

I hope to host an event later this year to showcase the positive impact that people coming from this region of Africa have in Northern Ireland. I will look to how we can do more to embrace and support the growing diversity in our society, and I hope to see many MLAs at the event. It is my view that we cannot be the champions of tolerance, acceptance and forbearance today and become the aerators of intolerance, narrowness and bigotry tomorrow, whether that applies to Orangemen, ethnic minorities, people attending their place of religious worship or those with a particular disability. We cannot afford to send out mixed messages because we are happy to be tolerant of some but not others.

As I stated at the start, and I reiterate, individually and collectively, we all have a responsibility to challenge intolerant attitudes and behaviours, and we all have a responsibility to show leadership on these destructive issues. We have a responsibility to create a Northern Ireland free from racism or sectarianism.

**Mr McKinney:** I welcome the opportunity to speak in the debate, although I am saddened that we have to debate the issue at all. I will take a moment to apologise for the departure of my colleague Alban Maginness, who has to attend a meeting on human trafficking.

If there is one thing that Ireland, North and South, knows about intimately, it is emigration. Over 150 years ago, a million fled our shores in the famine. Part of our shared history is finding ourselves as displaced Irish people. As a result, those from both traditions found themselves, not too long ago and on foreign soil, subject to the same discrimination as we speak of today. Even today, many of our people are forced — through economic circumstances — to leave our shores. Family members are emigrating in their thousands, and we naturally wish them to receive the warmest welcome wherever they are.

It is, therefore, extremely unsettling that the same conditions that many of us fear for our loved ones are being inflicted on others who come here. There was only one place that I wanted to be last week when I heard of the pastor's highly inflammatory comments and the First Minister's distasteful commendation of them, and that was at the Islamic Centre in south Belfast to stand shoulder to shoulder with those who felt victimised. Their welcome to me and SDLP leader, Alasdair McDonnell, was in stark contrast to the comments of the DUP. When we get it wrong, Mr Principal Deputy Speaker, we must say that we got it wrong.

We were accepted warmly, with grace and dignity, and we were left in no doubt that those belonging to the Islamic Centre in Belfast were angry and hurt, but, importantly, they were dignified. One was a highly respected health service consultant who had given a lifetime of consultancy to our people here — a life of service that was far from going to the shops. It is not exactly going to the shops,

given the investment that the Islamic community has made in ours.

I was interested to see just how subdued our Enterprise Minister was earlier when asked about the impact of the First Minister's comments on her good efforts to bring tourism, investment and overseas sales here. Interestingly, as a result of this furore, the one thing that we are not talking about is the 4% drop by the DUP in the polls. On top of over 900 racist attacks in the past year, we have just heard of the horrific and deplorable attacks on two Pakistani men in north Belfast. It is also worth noting that racist attacks are most definitely under-reported.

I would accept the emotion that the junior Minister demonstrated on the radio this morning if mountains of work had been progressed by the DUP on racial discrimination and attacks. We do not need emotion on our airwaves; we need leadership, vision and ambition for all living and visiting here. However, the stagnation around the racial equality strategy not only highlights one of the fundamental problems of the two-party stranglehold but how a lack of appropriate Executive urgency around fundamental matters can act to the detriment of people here and those who visit.

The last strategy under direct rule had 260 actions. It was reflected at the Committee for the Office of the First Minister and deputy First Minister by members of the Department that many of those actions did not improve the lives of ethnic minorities here. The Committee was united on the need to progress a new strategy. Given recent events, I have no doubt that the strategy is needed now more than ever. The unprecedented rise in racial attacks, the inflammatory comments of Pastor McConnell and the subsequent endorsement by Peter Robinson are clear evidence of that.

The First Minister has had an apology accepted and welcomed by Muslims. He should now apologise to the rest of us. I endorse the comments of my colleague Mr Alban Maginness that he should be here this afternoon to do so.

**Mr Nesbitt:** I apologise for missing the beginning of the debate; I was called off-campus by an urgent matter.

As Mr Kinahan made clear, last night, some of the Ulster Unionist Party visited the Belfast Islamic Centre as part of an ongoing engagement programme for us with our so-called ethnic minorities. I am not going to pretend to the House that it was anything other than fast-tracked because of the events of recent days. I made that clear, and it was not an issue for our hosts. What was an issue was the building, the Islamic Centre. It has passed its use-by date as a cultural centre and, as a mosque, it was never fit for purpose.

Given that we as Christians take such great pride in our network of chapels, churches and cathedrals that populate — some might even say dominate — our built environment, surely we do not need to be convinced of the importance of having an appropriate place in which to worship our God. Yet between 4,000 and 8,000 Muslims in this country do not have an appropriate place to worship. They do not have that facility.

Inside the centre, we met a group of people whom I can best describe as high achievers: successful businesspeople and they doctors and consultants who are



driving forward our health service. They are ratepayers and, let us not deny it, high-end taxpayers, good, corporate citizens of this country who describe themselves as British Muslims or, in one case, as an Irish Muslim — but I assure the Members opposite that I am working on that.

With a variable population of students and the hospitals in south Belfast, that is a key geographic area for the Islamic community. Why would we deny them a single appropriate place in which to worship, where they might give thanks for successful operations that saved the life of some of our loved ones or maybe even of a Member of this Chamber? All they want is a level playing field in the support and resources given to ethnic minorities by the Assembly and our councils. They just want to receive the same respect that they show to others. Does that not sum up the values that make at least some of us describe ourselves as British, values of tolerance, openness and fairness?

Northern Ireland in particular was known around the world, even though we had our own internal difficulties, as a place that was very welcoming to strangers, as Mr Kinahan pointed out with his anecdote. That some of our citizens seem incapable of accepting others is to their eternal shame, and it is our pressing challenge as politicians.

Never forget that Britain is a melting pot of nationalities. The United Kingdom is basically made up of the English, the Scottish, the Welsh and the Irish. Modern Britain was formed by the descendants of ancient Britons and Celts, who were joined by Romans, Saxons, Danes, Normans, Huguenots and Jews, who came to Britain prior to the 20th century. Since the war, Britain has seen further immigration from former empire and Commonwealth countries, from the West Indies and the Indian subcontinent. That has been in addition to the traditional migration from the island of Ireland, which led to the creation of large Irish communities in places such as London, Glasgow, Manchester, Birmingham and Liverpool. That is something that we all celebrated recently with the state visit to Great Britain of President Michael D Higgins. Although uncontrolled immigration can put strains on social cohesion, we have proved in the past that Britain can handle it.

It is part of the human condition to distrust difference and fear the other. I am reminded of President Abraham Lincoln, who once said of a man:

*"I don't like that man. I must get to know him better."*

It is our challenge as politicians to make it easy for our citizens to get to know better our ethnic minorities, and that begins with a new racial equality strategy and the action plans that will ensure that the strategy makes a difference on the ground.

We support the motion, the amendment and the idea of supporting a new Islamic cultural centre in Belfast.

**Mr B McCrea:** I was in Belfast for the rally and the flash mob afterwards at Tesco, and I was struck by the sheer diversity of the people who were there. One of the problems was that the size of the crowd exceeded the strength of the PA system, and there was quite a lot of huddling around to see whether we could hear what was going on. It is important to recognise the spontaneity that was involved. People chose to be there because they were outraged — I was going to use the word "disappointed",

but "outraged" is perhaps more appropriate — about the shame that has been brought upon our part of the world.

From listening to the debate around the Chamber, you would almost think that there was no problem, because everybody is singing from the same hymn sheet. We are all condemning racist attacks and any form of xenophobia, yet clearly we do have a problem.

A week previous to the rally, I was in a Filipino shop on the Lisburn Road that is a wonderful example of self-help and working together. I was surrounded by approximately 100 — perhaps 150 by the time that the evening had finished — happy, friendly folk who just wanted to get on with their lives and be part of our society. There was a discussion about what is was to be Northern Irish. My view was that it was not about birth, culture or any of those things but that it was about wanting to be Northern Irish. It is a self-declaration, where someone says, "I believe in being Northern Irish". They were quite taken by that.

I move on to some of the issues raised in the Chamber that we have not managed to deal with, in particular a racial equality strategy. It is worth pointing out — I know that other Members have mentioned this — that the last one that we had covered the period 2005 to 2010. For four years, we have failed to update our racial equality strategy. That is something that we need to look at, and not just for it to be done with a tick-box mentality or a section 75 approach; rather, we need something that will make a difference. We are looking for something other than fine words.

I note also the PSNI's most recent crime statistics, which show an increase in racist incidents of almost 31% and an increase in homophobic incidents of 14%. There is something going wrong in our society that we have to deal with.

So, when it comes to where politics itself is actually making a difference, one cannot help but look at the election results across Europe, where there has been a dramatic swing to the right. A lot of people are talking about being anti-Europe, anti-immigration and anti-freedom of movement, yet those are some of the most basic tenets of our democracy.

#### 5.00 pm

Look then at the response that has come from our political leaders and the furore of the past few days about what Mr Robinson did or did not say about what the pastor said. What you are really looking for is an unequivocal stance on this, not dancing on the head of a pin or saying, "If you really understand what I am saying, you will understand that I am saying the right thing", but some clear leadership that we can all believe in and say, "This is what our country stands for". An unfortunate message has gone out throughout the rest of the world. That message is that Muslims and ethnic minorities are not welcome here. That is not a good message to put out. It does not do us justice. It is not the Northern Ireland that I know and believe in. Collectively, we have to do something about that. If we do not do something about it, the racists and xenophobes will take comfort from the language that has been put out. I do not think that that is something we want.

The Northern Ireland identity must be flexible and broad enough to encompass, acknowledge and celebrate the different communities that have joined us from across the European Union and the wider world, people who are proud to call Northern Ireland home. We should welcome

them all, because they strengthen our society and make our communities better.

**Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister):** I thank my colleagues and fellow Assembly Members for their contribution to the debate. I want to take the opportunity, at the outset, to totally condemn the appalling attacks that we have seen take place over recent weeks and months. I want to send our support to our colleague Anna Lo from the Alliance Party, who herself has been a victim of racist abuse and threats. We are very proud of the way that you have handled that, Anna. I am pleased to be able to respond positively to the original motion and the amendment. It has been good to hear so many Members speak out about their sense of outrage at attacks, without equivocation or any attempt at justification, and about some of the inflammatory comments that have been voiced in our community over recent weeks.

On the racial equality strategy, it is clear that we need to act and take a united stand against the attacks and in how we deal with them. All of us, particularly those in leadership roles, whether they are political leaders, community leaders, church leaders or any other type of leader, need to take a united stand and show our support for our ethnic minority communities, many of whom are vulnerable at the moment. People mentioned the rise in racist attacks over the past year. We should be very mindful that there are real people behind those statistics, real people who have families and who, every day, have to leave their home. I have spoken to many of them over the past months, including a young woman with three young children who is now living in a hostel far away from the schools that her children go to. There is a human cost to this type of abuse and those attacks. We also need to ensure that support is given to the PSNI to make sure that those responsible are brought before the courts. We all need to do more in supporting victims of racist violence and in reducing the number of racial attacks.

I turn then to the amendment proposed by Alliance Party Members, which calls on the First Minister and deputy First Minister:

*"to ensure that the racial equality strategy is robust and is brought forward as a matter of urgency".*

I am pleased to be able to say today that the deputy First Minister has already agreed and signed off on a draft strategy to go out to consultation. We are asking that that be put out as soon as possible, preferably over the next few days. The strategy's provisional title is "A Sense of Belonging" because we want everyone, especially people from minority ethnic backgrounds, to have that sense of belonging to this place. We want that sense of belonging to be acknowledged and valued by people from all backgrounds.

Someone mentioned earlier that many Irish people down throughout the centuries have emigrated to other countries. We would be outraged to see people from our families and communities being treated in the way that these people are being treated in our country today.

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

**Ms J McCann:** Yes.

**Mr Allister:** Speaking of outrage and hate crimes, does the Minister have any reflection on the hate crime towards foreigner Thomas Niedermayer in his kidnapping or the hate crime of the murder of Jeffrey Agate in Londonderry? What about her own hate crime of shooting a police officer? Does that rank as a hate crime?

**Ms J McCann:** I expect nothing more from you than to try to degenerate this very important debate into what you have just said. I am not even going to comment on it at this stage.

The consultation document was drawn up jointly by OFMDFM and its racial equality panel, which includes the main service delivery Departments, the Equality Commission, the Human Rights Commission, the Community Relations Council and the minority ethnic representatives. We will use the same partnership process when it comes to drafting the strategy itself and the ensuing programme of work. The consultation will last for the normal period, and officials will work hard over the next few months to ensure that the views and opinions of everyone who has an interest are taken on board. As well as staging open consultation events, we intend to commission a few minority ethnic representative organisations to undertake their own consultations in their respective language communities, and they will then make those results available to officials.

With the events of recent weeks and months, the focus has been on bringing forward the new strategy. We are pleased, as I said, to be taking that first step with the launch of the consultation document. However, we should make no mistake about this: the consultation is only the start, not the finish. Making a reality of the vision we have proposed in the consultation document will require sustained effort by all sections of society over many years. We have heard the voices that have said to us that we must take action now. Because of that, we are also finalising details of a package of measures that we hope to bring forward in the next week or so to tackle the spike in attacks, particularly in and around Belfast. A bid has been submitted in the June 2014 monitoring round to tackle these issues that will be over and above the £1.1 million per annum that we are already distributing through the minority ethnic development fund.

I will conclude by saying that this strategy and the package of measures will not solve the issues of racism and sectarianism in our society, both of which breed on intolerance, bigotry and a lack of respect for anyone who is different, whether they are of a different colour, race, religion, culture, gender or sexual orientation. We need to change people's attitudes in our society, because we must be sure that we do not inflame the situation by insulting or degenerating a whole community with careless words. Everybody in the community has the right to be treated with dignity and respect, and we have to send a very clear, united message from this Chamber that hatred, bitterness and intolerance will not be accepted by any of us. It is very clear from the debate so far that we are all going to send that clear message, and I am very glad to hear that.

**Ms Lo:** I want to thank all the Members who supported our amendment, and I welcome the Minister's announcement that the consultation document will be published shortly. I would like to let those who do not believe that I have received racist comments know that last night, yet again, I was visited by a police officer, who told me that there was another racist slur against me on social media. Luckily,

this time, it was easily traceable, and a man was arrested yesterday afternoon.

I would like to say to Members that I am probably the only politician in the House to have been involved in the drafting of the first racial equality strategy before it was published in 2005. Right enough, it was a strategy for five years. However, in 2007, it was effectively shelved at the same time as the shared future document. It was seen as a sister document of 'A Shared Future'. Ethnic minorities, who had great hope about a new strategy that might improve their lives, saw only an action plan for one year. It is correct to say that from 2007 until now, seven years on, we have not seen the work of a racial equality strategy.

I remember that, at that time, in 2007, I tried to explain this to ethnic minority people. I said that it was fair enough because the Assembly was now in action and it wanted to put a stamp on its own document and have ownership of a revised document. However, a delay of seven years is just unacceptable. Clearly, in those seven years, there has been lack of emphasis and focus on revising the document. How on earth was the Department, with so many staff, unable to revise that document? There is a document already; we are talking about simply updating it to call it a Northern Ireland Assembly document. It has taken seven years. I certainly question the emphasis in the Executive, particularly in OFMDFM, on tackling racism.

Clearly, when there is no document, there is a vacuum, as my colleague said. There is a vacuum in the lack of leadership and direction from OFMDFM to provide actions and resources to tackle racism. When there is no action, when there is inertia, there is a vacuum in which racism can flourish and re-emerge, as we have seen in the past six or seven months.

Muhammad Khattak was right. He talked to me yesterday. He was really upset. He was right to say when he was interviewed that the pastor and Mr Robinson's remarks had:

*"lit the fire in the forest and it is not going to stop".*

We need to stop it. We must stop it. We must stop the tide of racism in Northern Ireland. We need political leadership from the House. All of us need to unite and stand together. Local councils also need to do so because the Race Relations (Northern Ireland) Order 1997 places a duty on them to promote good relations. All of us need to stand together to fight racism; otherwise, ethnic minorities will continue to feel unsafe in their homes and on our streets.

The racial equality strategy must be properly resourced. Work is needed on the ground in communities where racist incidents are rife. I am sick and tired of condemning racism in Northern Ireland. Every time a journalist phones me and I condemn it, I see no action from anywhere. It is time that we had the proper resources to ensure that the work is done, particularly in the areas where the attacks happen.

#### 5.15 pm

**Mr Maskey:** Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I support the motion in the names of my party colleagues, and I support and endorse their comments earlier in the debate. On behalf of Sinn Féin, I very much welcome the amendment tabled by the Alliance Party. So, we call on all Members to support the amended motion.

First, I welcome the assurance from Jennifer McCann that the Department will publish a racial equality strategy fairly soon. Of course, it is really important that we have such a strategy, which seeks to identify the problem and all the issues; to educate people on the issues of diversity, respect and equality; and, of course, to attach the relevant resources to the solutions that we have identified as needing to be brought into being. However, I do not accept the notion that we need a racial equality strategy before we can do anything else. I just do not accept that we need such a strategy to do that.

In my view, nobody in the Chamber needs a racial equality strategy, although I think that it is important that we have such a strategy, and I welcome the announcement that we will have one fairly soon. In fact, I would go as far as to say that there is an opportunity arising next week with refugee week and community relations week, in that perhaps the strategy could be launched at one of those very significant events. That is just an idea. So, I very much want to see a racial equality strategy promoted very quickly and given the attendant resources following the consultation.

Pleasingly, every Member here this afternoon supported the amendment and the motion. Every Member in the House and all the parties rejected racism, embraced the need to work with and support all our communities, ethnic or otherwise, and condemned all attacks on people from communities that are perhaps different from ours. I think that it is very important to recognise that.

We all know that, in all our communities and constituencies, there are many brilliant examples of schools, community organisations, ethnic minority representatives and many others taking the lead without a racial equality strategy to give them guidance. So I simply make the point that, although we need a strategy, we also need to understand that it is about having good manners and respect, that there is legislation in place and that there is a way of doing our business. So I do not accept that Members in the Chamber and in this Building who have been vested with political leadership can be paralysed without having such a strategy at their disposal.

I shamelessly refer to a project in my constituency — I know that all Members can refer to others — that is about creating a cohesive community. The project is organised jointly by the South Belfast Roundtable on Racism and LORAG, the Lower Ormeau Residents' Action Group, which is a local community organisation on the Ormeau Road funded by OFMDFM. It is a brilliant project that, like many others, struggles for funding. We need to redress that, because the people at the coalface are tackling problems and are making sure that, when new communities come into often hard-pressed communities, that is managed in a way that respects the culture and rights of the existing communities and the new communities coming in. I think that those examples are tremendous; they are beacons. I have no doubt that many Members in the Chamber are involved in such projects. So, again, I stress the point that — I hear this far too often — nobody in the Chamber needs to have a racial equality strategy to know how to behave themselves.

I do not believe that we can in any way justify, under the guise of free speech, the type of language that we have heard in recent weeks. I do not think that freedom of speech affords pastors or politicians the right to utter the type of disgraceful, insulting, offensive and racist

remarks that we have heard. I think that those who refuse to withdraw and take themselves back from that type of remark or commentary continue to further seriously and dramatically diminish themselves in the eyes of the vast majority of people in our community. I call on all those people, whether pastors or politicians, to consider the remarks that they have made in recent times and to withdraw them in whichever way they think is best. Those who continue to refuse to see the writing on the wall need to understand that they have been and will continue to be diminished in the eyes of the vast majority of the people we collectively represent, unless they redress that glaring problem, which they have created and which they and only they, personally and individually, can correct.

I simply say to all Members of the House that I am delighted that every Member from each of the parties has been forthright in their rejection of racism, their condemnation of all attacks and their commitment to work with all the communities in our society. I also say that, yes, we do need a strategy. I want to see a racial equality strategy published very soon, and I want to see the necessary funding to deliver that strategy and its wishes. I want to see respect given to people, and, on the basis of that respect, I want to see solidarity and support given to all the communities that we represent. The legislation that we have in place is woefully inadequate or is not being enforced.

It would be very foolish for us to ignore the reality. It is worth my while reminding the House that the motion was tabled long before the events of the past week. It was not intended as a response to Pastor McConnell or Peter Robinson's remarks or to the fallout from any of that. It was tabled well in advance of the past week or two, because we know that we have a problem. Why would we not have a racism problem when we have had a sectarianism problem for, as far as I can remember, all my life and, I presume, throughout the lives of every Member? We have had sectarianism, so why would we not have racism? They are both a scourge and are the two sides of the one coin. It is not that long ago that we heard remarks against the Catholic faith from pulpits and all the rest of it. I do not care whether it is against the Catholic faith, Protestant faith or any other faith: there should be no insulting remarks against any faith under the guise of freedom of speech. I am approached on a day-to-day basis by people who say to me, "I have not heard such and such commenting about this". I am talking also about mainstream Churches. I want to hear from the pulpits, and I want to hear from every politician about their rejection of racism, their tolerance of all religious faiths and their refusal to challenge or to bad-mouth, as we say locally, people of other faiths under the guise of some theological or doctrinal difference. I do not accept that any of that is valid. Certainly, religions will have theological and doctrinal differences. That is all very well, and I totally and utterly respect that. I do not respect those who use that as a guise to mask their bigotry or small-mindedness.

All of us in this society need to step up to the mark. We have legislation, but, as far as I can see, it is not being enforced. As a former member of the Policing Board, I know, as other Members can confirm, that we have a situation here where a lot of the attacks, whether they are sectarian, homophobic or racist, are not reported in the numbers that they are happening. We all know that. Maybe part of the reason is because people are still afraid that, if they report something, they will highlight the problem. In the past, they have often

been advised, "Don't report it. Keep your head down. It will go away". We know that it does not go away. Intolerance has to be driven out. We can no longer say that we will have zero tolerance of this type of bigotry; we have to do something about it. I am very clear in my mind that, sometimes, we cannot change people's mindset, but we can change their behaviour. So, legislation has to be enforced. The police have to do their job, the PPS has to do its job and the courts have to do their job.

So, I call for a racial equality strategy and a reaffirmation from all the political parties, particularly those in leadership positions. We need to make it very clear that we all not only reject racism but are seen to be rejecting it. We should not all simply condemn attacks but show solidarity with the victims of attacks. We should visit their homes, share with them, see them and be seen shoulder to shoulder with them. I suggest that, if a racist attack happens in any constituency tomorrow night, an MLA from each party should join those victims. That might be a little act of solidarity, but it would show that we are all singing from the one hymn sheet, to use that analogy.

There is a responsibility on all of us to show political responsibility, and there is a responsibility on all others in civic leadership to show that leadership in a way that is inclusive and respectful. So, I call for religious tolerance that is based on respect for other faiths.

Finally, I thank all the Members for the manner in which the debate has been conducted this afternoon. It has not been so much a debate as an affirmation from all of us that we are against racism and want to do something about it. So, I commend all the Members for the mature way in which we have managed to deal with this. I again call for, as I said, a strategy with the necessary funding to support it. We want to make sure that we all demonstrate in practical ways our support for and solidarity with people who are victims of attacks such as those that we referred to and that, if the legislation that is in place is inadequate, we improve it as a matter of urgency —

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

**Mr Maskey:** — and make sure that we enforce it.

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

*Main Question, as amended, put and agreed to.*

*Resolved:*

*That this Assembly condemns the recent racial attacks and firmly opposes racism, discrimination and intolerance of any kind, wherever it occurs; embraces the growing diversity within our society; emphasises that there is no room for racism or stigmatisation; notes with concern the delay in the delivery of the racial equality strategy; affirms the urgency of addressing racial inequality; calls on the First Minister and deputy First Minister to ensure that the racial equality strategy is robust and is brought forward as a matter of urgency; and calls on all political parties to provide leadership on this issue.*



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

*Motion made:*

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

## Adjournment

### Invest NI: Business Park and Job Creation in Strabane

**Mr Deputy Speaker:** The proposer of the topic will have 15 minutes. All other Members who wish to speak will have seven minutes.

**Ms Boyle:** Go raibh maith agat, a LeasCheann Comhairle. I am very grateful to have the chance to debate the low level of economic activity — in other words, jobs — and the lack of employment or future prosperity for everyone living in the Strabane district.

This Adjournment debate came about because the 40-acre Invest NI business park in Strabane remains empty. The debate may give us, as an Assembly and as local representatives, the impetus to do something about that. I am delighted to see the Minister of Enterprise, Trade and Investment present this evening. Hopefully, together, we can improve employment opportunities in the Strabane district and give people the chance to stay in their locality and contribute to the local economy and community.

Since 2006, Sinn Féin has spearheaded a campaign to redress the shortage of available industrial land in Strabane. The development of the 40-acre business park was the outcome, with 19 acres of serviced sites for inward investment and business expansion projects. The park opened over a year ago, and we have yet to see any benefit as it remains empty. In recent years, economic investment, inward and indigenous, has been lost to the district because of the lack of industrial land. I have been engaged in a long-term lobbying campaign, alongside Pat Doherty MP and other Sinn Féin MLAs and councillors in the area, with the Department of Enterprise, Trade and Investment to rectify this structural problem.

Throughout the years, we have met Invest NI, DETI, the local chamber of commerce and others several times in a bid to progress the business park. At this stage, the people of the district feel deflated by the lack of development and investment on the site. The chief executive of Invest NI, Mr Alastair Hamilton, has assured us on several occasions that Invest NI was proactively marketing the park to foreign and indigenous investors as an investment location and that the body was, at that stage, dealing with expressions of interest from the agrifood, manufacturing and IT sectors.

We have also been assured by the Department of Enterprise, Trade and Investment that there was formal interest in the new land from several businesses and that they would continue to work closely with them to develop those growth projects further. However, I feel that the Executive as a whole need to place and sell Strabane as a priority on the basis of its need for employment. In the West Tyrone constituency, Strabane represents over 50% of the unemployment figure. The business park needs to secure large employers to alleviate the pain and improve the social and economic issues that Strabane suffers

today, has suffered for many decades, but will not suffer in future.

#### 5.30 pm

Just last week, Pat Doherty MP and I met Mr Hamilton again. He informed us that the seven businesses that expressed an interest in the park were still interested. He has confirmed that this will be a slow process. However, he is hopeful that it will all come to fruition very shortly.

Strabane, like other places across Ireland, has been badly affected by unemployment and by the high levels of emigration of young people to countries such as Australia, America and Canada. The next few months will see many people graduate from Irish universities. It is a sad prospect that many of those highly skilled and educated young people will have no option but to go abroad to look for work.

Strabane has suffered economically over the past few years with the closure of Linton and Robinson, Adria, Barratts shoes, Co-operative Travel and various small local businesses and, most recently, the announcement of job losses at the Quantum clothing group. Closures such as those result in unemployment figures unfortunately rising and people having to leave their home town to go elsewhere for work.

Through a recent research request to the RalSe team here at the Assembly, I discovered that, since 2007, it has been estimated that, throughout County Tyrone, almost 10,500 people have emigrated, 2,000 of whom were from the Strabane district alone.

There is a serious lack of investment in Strabane; it has the reputation of being an unemployment black spot, and there are high levels of child poverty. Those issues are all the more obvious when you look at the local levels of debt. Debt figures show that almost 900 local people have dealt with, or are dealing with, a combined arrears total of almost £7 million.

We are positioned on the north-west corridor and the gateway to Donegal. Strabane is very well placed with its neighbours in Donegal, and there is an opportunity that needs to be developed further. The A5 is a strategic must for the region and a massive influencer on the decision of an investor to the region. That is highlighted as an essential criterion of Invest NI.

All over the North of Ireland, cities and towns such as Strabane and Castlederg are crying out for investment. I hope that we will soon see the benefit of the business park in Strabane being put in place in the very near future. I look forward to visiting the first firm that sets up base there, and I hope that the Minister of Enterprise, Trade and Investment can provide us with an update on what efforts have been made to stimulate inward investment and on what is being done to maximise the investment potential of the new business park in Strabane.

Given its yearly placing in the top three unemployment spots in the North, resources surely need to be targeted now. We are possibly at the start of a new economic upturn, and Strabane does not want to get left behind this time. I trust that the Minister will work alongside Invest NI to ensure that this significant investment in the economic infrastructure of Strabane district is delivered in the shortest possible time frame. Sinn Féin will continue to keep the issue on the agenda, as this site is vital in

securing inward investment, business expansion and, most crucially, the creation of new jobs.

**Mr Byrne:** I welcome the opportunity to speak on the Adjournment debate, and I thank Michaela Boyle for bringing it to the Assembly. I also thank the Minister for being present.

Strabane is an area that has suffered from high unemployment for decades, and anything that can help to improve employment opportunities for the area needs to be addressed. The business park will be welcomed, but only if it can be used to attract investment to the area. I know that some companies have expressed an interest, but, until the people of Strabane see jobs in the 40-acre park, they will not feel that they have been listened to.

I have spoken to many of the local skills providers. They are concerned that they are providing young people with skills, but that the young people have no opportunity for full-time employment, as a result of so little new investment in jobs in the area, particularly through foreign direct investment (FDI) projects. A number of weeks ago, the South West College, which has a catchment area including Strabane district, was, following an inspection by the inspectorate, awarded a grade 1 and assessed as being one of the top three further education establishments in the UK. The area is also serviced by North West Regional College, which has a campus in the town of Strabane.

We have the facilities locally to skill potential employees, but Strabane needs inward investment to address the historical unemployment issue. People need job opportunities.

Despite a very small drop in the unemployment figures in recent months, Strabane remains an unemployment black spot, with approximately 7.4% claiming benefits. That is the second highest figure in Northern Ireland after Derry city. The biggest problem in the area is youth unemployment. The youth of the area have two choices: to emigrate in search of work or to become unemployed permanently. Youth unemployment in the area needs to be addressed. Strabane has a talented young workforce that needs work to change the spiral of high historical youth unemployment in the area. Strabane has a high percentage of young graduates who cannot find a job locally. That is the most depressing thing. Parents will say that they encourage their young son or daughter to stay on in education and get a post-secondary school qualification, such as a HND or a degree, but they then find themselves totally at a loss, because, despite all the effort, they end up with no job.

Manufacturing jobs in the past have dropped dramatically at times owing to the closure of employers such as Herdman in Sion Mills and Adria and, more recently, the Quantum Clothing company in Strabane. I pay tribute to the current employers who have invested heavily in the area: organisations such as O'Neills sportswear, which employs over 400 people; Frylite, which employs over 120 people; McColgan's foods; and Allstate insurance, which is a US company with over 500 employees. It was helped by Invest Northern Ireland, and the Minister has been supportive of it. I also pay tribute to the retail sector, in which over 25% of those in the area are employed. However, only 5% of employment is in public administration. That shows the government neglect of Strabane since 1921. It is a border town that has suffered disproportionately because of partition.

The refusal of the Agriculture Minister to consider seriously Strabane for the DARD Civil Service jobs was a missed

opportunity. It would have shown the Strabane people that they were valued, and the extra income to the area that could have been earned would have had a major impact in the Strabane and surrounding areas. That is the grossest government disadvantaging decision taken in recent times. Over £750,000 has already been spent on the site. It appears that it is only the start of a DARD relocation to Ballykelly.

Some of the existing premises in Strabane are ready for occupancy. I appeal to the Minister to give serious consideration to supporting purpose-built office accommodation that could be used to make Strabane even more attractive to a potential inward investor. The closure of the railways in 1964 greatly decimated Strabane. It made it more peripheral than it should have been. The A5 road project has the best potential to make Strabane an attractive location. It is a fundamental peace dividend project that we want to see realised. I hope that the House and the Executive do not resile from the commitment that they made to it. I, along with other Members for West Tyrone, have continually lobbied on the issue. I put on record the importance of the road for safety reasons and as an economic driver for the north-west.

Strabane is a border town that has suffered government neglect for a long time. It has been famous for the wrong reasons, such as being the economic black spot of Europe. I hope that the Executive and the Assembly can do something positive and invest in the young people of Strabane.

**Mr McAleer:** Go raibh maith agat, a LeasCheann Comhairle. I thank my colleague Michaela Boyle for bringing this important Adjournment debate to the House today. I agree with all the sentiments that have been expressed. I cannot stress how important it is for us to increase job opportunities in Strabane to prevent the brain drain and to prevent our young people being forced into emigration in search of jobs in other parts of the world.

Unfortunately, Strabane has traditionally been referred to as an economic black spot. I looked at figures provided by NISRA about what that actually means. I looked at them on a ward-by-ward basis, and NISRA estimates that 63.2% of children in the east ward are living in poverty. In Ballycolman, it is 48.7%. Those are startling statistics, given the fact that the average in the North is 22.2%. They are incredible. It is the same in the Derg area, where 44% of children live in poverty. In the east ward of Strabane, 72.6% of people are on low income or benefits, and, in Ballycolman, it is almost 60%. We need to address those startling statistics. Living in poverty means that those children will go on to have fewer opportunities and life chances than their peers. That is unfair and underlines the importance of us delivering and investing for the people of that area.

We have been doing our part, as was rightly referred to earlier. Infrastructure investment is crucial, and the A5 scheme is important to all of us. When we met business leaders in the north-west recently, we were told that that was perhaps the biggest, inhibiting factor to investment in Strabane, Derry and the wider north-west of Ireland. The economic assessment when that project was being worked up reckoned that it could be worth as much as £1 billion to the local economy through investment, job creation and its construction. That is notwithstanding the fact that it will make our roads safer.

I also welcome the fact that our Minister is following one of our priorities in trying to decentralise jobs into the west and other parts of the North. To that end, I commend the fact that Minister Michelle O'Neill has announced her intention to create a DARD Direct office in Strabane. I understand that work will begin on that this year and that it should be operational by 2016. The DARD Direct office there will bring together veterinary services and administrative staff and will be a welcome boost to the Strabane area.

There is a dispersed rural hinterland in and around the town of Strabane. Take, for example, the Sperrins, which have been endorsed by 'National Geographic'. DETI recently announced its intention to create 10,000 jobs in the tourism sector by 2020. I sincerely hope that many of those jobs will be created in the West Tyrone constituency and, indeed, in Strabane and the wider area.

I also note that the agrifood sector has expressed an interest in the business park. That is also welcome because of the dispersed rural hinterland. I welcome the fact that there has been progress on the agrifood loans scheme, but there is a lot of work to be done in the Executive, particularly on pillar 2 of the rural development programme. The EU contribution to the rural development programme is substantially depleted thanks to the Tories' negotiating skills with the EU. The Executive need to work on that if we are to realise the Going for Growth strategy's goal to create jobs in the area.

I also welcome the fact that the rural development programme that we are currently in has created 500 jobs and has the potential to create upwards of 900 jobs, many of which are in the Strabane area and in the West Tyrone constituency. These are critical for the area because of the large rural hinterland there and in how that will support the town itself.

In conclusion, I congratulate my colleague Michaela Boyle for bringing this important subject to the House today to put a focus on Strabane and the economic needs of the area.

**Mr Elliott:** I am not from west Tyrone or Strabane, but I live close enough to the area to at least be able to make a few comments. Having visited Strabane on several occasions and played football there in my early career as a footballer — maybe not very well — I have at least had the opportunity to get to know a lot of people from the town. Indeed, I am still good friends with many of those people.

We have heard from colleagues here today about the depressing situation in the Strabane area and of how the high unemployment figures make it a difficult place to live and work or at least to even to find work in. Many will point the finger and ask who is to blame. I am not pointing the finger at any of these people, but I am sure that some will say that it is DETI's fault for not putting more jobs there, central government's fault for not spreading the weight of government jobs out there or the local council's fault for not doing enough to develop jobs. Some may blame the terrorist campaign of years gone by and the bombing and murdering of people in the area. I almost heard a latent blame being attached to the Irish Government from colleagues who said that the A5 road was not going ahead, so maybe the Irish Government are also to blame for not putting that funding into it.

#### 5.45 pm

Irrespective of all that, look at the business park, which the debate is broadly about. I understand that a number of businesses have shown interest in developing in the business park. Maybe the Minister can give us some information on how much of an uptake there has been in the last couple of years from the businesses that have shown an interest. As regards those that have not followed up their interest, is there any reason why? Is there any opportunity to assist them to bring their business and development there?

You cannot just say to the Department, "Let us create business opportunities there"; it has to be a partnership. I am sure that the Department will want to help those people, but initiatives also have to come from those in the wider business community who want to go to Strabane and take up the opportunities in the business park. It is about giving the best opportunities that we can, wherever that comes from — the Department, the council, central government or the wider business community — to go there. There may be opportunities for central government to look at expanding the decentralisation of government jobs. I am not saying a whole Department, but there may be an opportunity to bring an agency of a Department to Strabane. That would help the local community in general and give a degree of confidence to businesses that may show an interest in going to Strabane.

Again, I welcome the opportunity to speak on this. Hopefully, in the not too distant future, Strabane's workforce can be improved and the unemployment reduced.

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** I, too, welcome the opportunity to speak on what is obviously a very important issue for the west Tyrone area. As a representative of Fermanagh and South Tyrone, I am fully aware of the economic challenges facing the most peripheral parts of Northern Ireland. It was as a direct response to those challenges that Invest NI procured the 43 acres at Melmount Road in February 2011, which we have heard about today, and subsequently developed the business park in Strabane. It was designed to address the shortage of available industrial land and support economic development by enhancing the economic infrastructure in the Strabane council area. As you know, Invest becomes involved in an area only if the private sector is unwilling or unable to do so. That was our assessment in relation to Strabane and why Invest Northern Ireland became involved in the Strabane business park. We continue to proactively market the site to foreign and indigenous investors as an investment location.

Mr Elliott made reference to it maybe being the Department's fault that we do not have more jobs in Strabane. Jobs are created by businesses. We can assist those businesses, and we try to provide them with the infrastructure to come. However, at the end of the day, it is about whether businesses decide to locate or expand in Strabane. That is the key element and the answer to all this. If we work in partnership with the council and elected representatives, we can give out a strong message about the positives of investing in Strabane and locating your business in the Strabane area.

At the moment, there are a number of formal interests and we are still working with those interests to try to develop them further. I am sure you will appreciate that it

can take a long time to progress some of those interests and convert actual sales into investment. Issues such as providing and securing the necessary funding or achieving all relevant statutory approvals are outside Invest NI's control. However, they are all important in determining whether an investor will be able to implement their project in a particular area.

Taking all these factors into account, I am confident that Strabane business park will prove to be an attractive investment location and will promote economic development in the Strabane area.

Turning to the wider issue of economic development in Strabane and across the West Tyrone constituency, between 2008-09 and 2012-13, Invest NI made 860 offers of support to businesses in West Tyrone. That support amounts to £15 million and will lead to associated total investment in the constituency of £84 million. In Strabane specifically, Invest NI made 284 offers of support to businesses, amounting to £5.3 million. That will lead to associated total investment of just under £30 million in the area. Invest NI's most recent figures for 2013-14 are being validated, and I hope that they are going to be released very soon.

The support of Invest NI has led to the promotion of over 1,400 new jobs across the constituency, including those from the Regional Start initiative, and 481 new jobs promoted in the Strabane area. Many people living in the region have benefited, directly or indirectly, from the new employment opportunities that are being created by Invest NI. One such company has been O'Neills Irish International, which is creating 61 new jobs in the area over the next couple of years. The chief executive visited that firm a number of months ago.

It is clear that we are far from complacent about seeking to work with businesses in the area or, indeed, those outside our city centres in general, and we are engaging regionally to help businesses in more remote locations to grow and develop. Of course, our help and support extends beyond job creation. It has many programmes and interventions aimed at improving the overall competitiveness of the economy. For example, over the past five years in West Tyrone, more than 160 offers of support to help companies engage in research and development or invest in improving the skills of their workforce have been put in place.

As with most regions, Strabane and the wider West Tyrone constituency have not been immune to the impact of economic downturn. Indeed, Members here today would say that that area has been hit far worse than other areas. A number of businesses have had either to reduce the size of their workforce or take the unavoidable decision to close completely. Through initiatives such as the jobs fund, Invest NI has been attempting to be proactive and address situations like that. We have sought to provide fast-track support to help companies across Northern Ireland to deliver new jobs on the ground as quickly as possible.

In Strabane, the jobs fund has promoted 91 jobs, with 72 jobs actually created. There is always a debate in the Chamber about "promoted" versus "created" so it is good to give the number of jobs created. In the West Tyrone constituency on a wider basis, the jobs fund has promoted 200 jobs, with 165 created as of December last year. We do not have more up-to-date figures. Under the jobs fund, 30 young people not in education, employment or

training have also been given assistance to start their own businesses. In Strabane, nearly 350 new locally owned businesses have been set up and 11 young people not in education, employment or training have been given support to start their own businesses.

Of course, we also work with local councils, and we have been working with Strabane council on a range of new initiatives under the local economic development measure to improve the capability of local businesses in the areas of sales growth, financial management and procurement.

We have worked in a collaborative way with the council, and I look forward to continuing to do that with the new Strabane and Londonderry council. We will continue to engage with the council and the Chamber of Commerce and Industry to progress important issues like the Strabane business park and how we can bring business to the area. Actually, a meeting is being arranged with the Strabane chamber of commerce, and Invest will present at the next council development committee on 23 June. So, Invest will be going up to Strabane District Council on that date.

**Mr Byrne:** I thank the Minister for giving way. Minister, it is fair to say that Omagh Enterprise Company and Strabane Enterprise Agency have been extremely successful over the past 10 or 12 years. In the future, with economic development being even more rigorously pursued by the new district councils, does the Minister or the Department intend to provide more resources to those local enterprise companies to help them to drive local, small and medium-sized businesses, particularly young start-ups?

**Mrs Foster:** I am very glad that you mentioned Omagh Enterprise Company even though this is a discussion about Strabane. I have been working very closely with Omagh Enterprise Company and Nick O'Shiel, in particular, on the Fermanagh and Omagh Smart region project, through which Omagh and Fermanagh are working together, particularly on the data analysis of what is happening in the Fermanagh and Omagh area and how we can bring more jobs to that area. That is a very good example of how a locally inspired enterprise centre can work with another enterprise centre in Fermanagh to try to do something about the peripheral nature of where we are in the west of the Province. The Smart region has been given pilot funding by Invest NI to progress that initiative, and it is the first time that such an initiative has come forward. We will continue to work with Nick and his team in Omagh Enterprise Company.

It is only through proactive working, like the Member has pointed out, that we can successfully rebuild our local economy, particularly the economies outside of Belfast and Londonderry, and seek to ensure that all areas of Northern Ireland benefit from economic growth. Clearly, we are actively engaged with businesses of all sizes across the region to do whatever we can to assist with their growth and development. We will continue to do so in Strabane and West Tyrone in particular. Thank you.

*Adjourned at 5.57 pm.*





# Written Ministerial Statements

The content of these written ministerial statements is as received at the time from the Ministers. It has not been subject to the official reporting (Hansard) process.





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## Culture, Arts and Leisure

### **Fish Kill at the ESB Power Station on the River Erne at Ballyshannon**

*Published at 12:00 noon on Wednesday 21 May 2014*

**Ms Carál Ní Chuilín (The Minister of Culture, Arts and Leisure):** I wish to advise members of this Assembly of my concerns in relation to a recent fish kill involving the loss of a substantial number of juvenile eels (elvers) at the Ballyshannon power station operated by the Electricity Supply Board (ESB).

The ESB hydro-electric plant at Ballyshannon on the River Erne represents a significant barrier to the passage of migratory fish including wild Atlantic salmon and the European eel. In order to mitigate against the risk ESB is required by European law to manage methods to ensure safe fish passage and to comply with the EU Eel Management Plan (EMP's) for the catchment.

As part of its commitment ESB, manages a "trap and truck" eel conservation fishery on the Erne to by-pass the dams. While the arrangements agreed with Inland Fisheries Ireland (IFI) and my Department have worked well in the past, I am aware that there was an incident last year which resulted in elver mortalities at Ballyshannon, as a result of a failure by ESB to maintain the fish trap.

I have been advised of a further incident at Ballyshannon, which occurred over Easter, with the reported loss of approximately 100kgs of elvers from the Erne system. This has happened at a time when eels stocks are under considerable pressure throughout Europe and the loss is significant bearing in mind that the total elver run in the Erne system for 2013 was only 215kgs.

When informed of this incident, my officials immediately raised their concerns with the Department of Energy, Communications and Natural Resources (DECNR) and IFI and requested an urgent report from ESB. The responsibility for this fish kill lies solely with ESB and I am far from satisfied that the company is carrying out its responsibilities in relation to compliance with the EU Eel Management Plan.

My Chief Fisheries Officer met with ESB and IFI officials in Ballyshannon on Wednesday 7 May and the IFI is currently undertaking a formal investigation and is assessing what sanctions are appropriate in the circumstances.

I have also written to Mr Fergus O'Dowd TD, Minister of State at the Department of Energy, Communications and Natural Resources to express my concerns and calling on ESB to be held to account. I have also sought his support in formalising protocols with ESB to ensure that the arrangements on all fish passage issues on the Erne are in place.

I will keep members of this Assembly updated on developments.



## Health, Social Services and Public Safety and Justice

### Mental Capacity Legislation for Northern Ireland

*Published at 12.00 noon on Tuesday 27 May 2014*

#### Mr Poots (The Minister of Health, Social Services and Public Safety) and Mr Ford (The Minister of Justice):

We are today launching a public consultation exercise on the preparation of new mental capacity legislation for Northern Ireland.

The consultation document includes the draft clauses of a new Mental Capacity Bill which apply to the civil population, alongside policy proposals relating to those subject to the criminal justice system.

#### Background

At present, there is no specific legislation governing mental capacity in Northern Ireland. Instead, the common law continues to be the main source of law governing mental capacity issues in relation to health and welfare interventions. New capacity legislation is needed to clarify the law but also to introduce additional protections for what are some of the most vulnerable people in our society.

Currently, separate legal authority is provided under the Mental Health (NI) Order 1986, to detain persons for the assessment and/or treatment of mental disorder provided certain criteria are met, regardless of whether or not they have capacity. This, the Bamford Review of Mental Health and Learning Disability concluded, has a stigmatising effect on persons with a mental disorder.

A key recommendation of the Bamford Review, therefore, was the development of a single legislative framework for the reform of mental health legislation and the introduction of capacity legislation in Northern Ireland. It is precisely this that the new draft Mental Capacity Bill sets out to achieve. It will introduce, for the first time anywhere, a single statutory framework governing all situations where a decision needs to be made in relation to the care, treatment (for a physical or mental illness) or personal welfare, of a person aged 16 or over, who lacks capacity to make the decision for themselves.

The current Mental Health (NI) Order 1986 will therefore no longer apply to persons aged 16 or over. In terms of scope, this new framework will have a very wide application, covering routine matters such as helping to wash and dress a person, right up to the most serious things, like depriving a person of their liberty for their care or treatment.

This is an innovative approach. No other jurisdiction has taken this major step towards equal treatment for people with mental disorder, giving them the same rights as anyone else in society. The proposals published by the Department of Justice will take us even further, by extending the framework to those subject to the criminal justice system.

#### Draft Civil Provisions

The key civil aspects of the proposed new framework include:

- The enshrining in statute, of what is referred to as the common law presumption of capacity. This is the general rule that all persons, aged 16 or over, are presumed to have capacity to make decisions for themselves, unless it is established otherwise.
- Promoting the need to help and support people to exercise their capacity to make their own decisions where they can.
- Enabling people who have capacity to put in place future decision making arrangements (such as a new Lasting Power of Attorney) to make not only financial decisions on their behalf, but also health and welfare decisions, should they lack capacity to do so themselves at some point in the future.
- Putting on a statutory footing the common law doctrine of necessity which applies where a decision needs to be made about the care, treatment or personal welfare of a person lacking capacity and no alternative decision making arrangements have been put in place by the person. This provision will provide those carrying out health and welfare interventions with protection against civil and criminal liability provided they have properly established that the person concerned lacks capacity, they act in the person's best interests, and other applicable safeguards are met.
- Requiring significant additional safeguards to be put in place where the intervention proposed is serious. These safeguards are designed to protect the person who lacks capacity and go beyond the best interests test currently provided for under common law. Extra safeguards must also be put in place for 16 and 17 year olds in recognition of the fact that they are considered a "child" under international law and the Children Order (which will continue to apply).

#### Department of Justice proposals

Department of Justice proposals are for the three key stages of the criminal justice system to be brought into line with the capacity-based approach. They are designed to ensure a consistency in approach between the health, civil and criminal justice systems.

The three key stages covered in the proposals are:

- The police's ability to remove persons from a public place who are in need of care or control to a place of safety;
- Courts' ability to deal with those either unfit to plead or in need of particular healthcare based disposals; and
- Prisons' ability to transfer prisoners in need of in-patient treatment to and from hospital along with the responsibility for them when they are in hospital.

These are the key means by which persons are either diverted from a criminal justice pathway or more properly located in a healthcare or treatment environment where that is the most appropriate way forward.

In terms of accepting or rejecting treatment at each of these stages, it is proposed that where a person can make such a decision, that decision will be recognised. Where the person lacks the capacity to make such a decision,

the principles of the Bill will be applied. The rights of those lacking capacity will be protected in the same way as they would for a person in the community.

The Bill's proposals are about capacity to make decisions about care, treatment or personal welfare – not around capacity to choose, for example, arrest, imprisonment or another court disposal. Persons who have carried out an offence are not in a position to determine whether or not they ought to be detained for the offence itself. That is a matter for the courts and detention for offences carried out can still be imposed regardless of capacity.

The criminal justice system will therefore retain its overarching statutory powers and independence around the detention of people who have carried out offences. Risk and public protection will remain a key feature of the criminal justice proposals alongside our duty of care to vulnerable people within the justice system.

The draft Bill also contains a number of important civil justice proposals which flow from the Bamford Review. These include an enlarged jurisdiction of the High Court in relation to the welfare and healthcare of persons lacking capacity. The Bill will also create a new Office of the Public Guardian, which will supervise court-appointed deputies; register Lasting Powers of Attorney; and deal with representations about how deputies and attorneys exercise their powers. The Bill will also make some changes to the functions of the current Mental Health Review Tribunal. The Tribunal will, for example, be able to hear applications about the appointment of a nominated person in certain cases. It will also have a wider scope than at present, beyond applications in relation to the detention of persons with mental disorder.

#### Children under 16 years of age

The consultation paper also contains a section dealing with issues relating to children under 16 years of age (to whom the draft Bill does not apply). We acknowledge concerns raised by some stakeholders to date, including some members of the Health Committee who, while generally supportive of the need to progress this legislation, question whether children under the age of 16 will be adequately protected.

We wish to make it clear, that the Mental Health Order will be retained, as a temporary measure, for children under the age of 16 who need to be detained for the assessment and/or treatment of mental disorder. That Order will be amended to strengthen the important protections it already contains, drawing where appropriate on those available in the draft Bill for those aged 16 and over subject to the same intervention while making them more child-focused. Work on these additional protections is currently ongoing and stakeholders have been fully engaged in that work.

It is right to acknowledge that emerging capacity in children should be given careful consideration but we hope the Assembly will appreciate that the position in relation to children is even more complex and indeed, deserving of particularly careful consideration. That is why it is proposed that a separate project to consider the wider legislative framework relating to children in light of the Bill should be taken forward in the next Assembly mandate.

That said, the principles of the Children Order as they currently stand should not be underplayed. They made very significant changes to developments in child welfare

practice and are still as relevant today as they were in 1995. Indeed, the provisions and protections of this existing framework which, not least, require a child's welfare to be given paramount consideration, will remain in place when the draft Bill is enacted.

We would like to assure the Assembly of our commitment to consider any proposal brought forward by stakeholder groups during this consultation that would better protect children pending the outcome of the proposed separate project.

#### Conclusion

It would be remiss of us not to acknowledge that getting to this point has been a collaborative effort involving many people and organisations. We are very grateful for the significant contribution made so far by those in the community and voluntary sector, other government Departments and the wider health and social care and criminal justice families. We are confident that the benefits of having adopted such an inclusive approach will be evident for all to see in the draft legislation.

This is a once in a generation opportunity to reform this important area of law and we would encourage everyone with an interest, to contribute any ideas and views through this consultation process that will strengthen the draft Bill in any way, prior to its introduction into the Assembly. It is important that we get as many views as possible to make it a sound and operable piece of legislation in Northern Ireland for generations to come.

This consultation exercise will run for a period of 14 weeks and will close on 2 September 2014. During this time there will be a number of public consultation events held across Northern Ireland, the details of which will be published in due course. Thereafter, we hope to introduce the Bill in the Assembly in early 2015, and for it to have completed its Assembly stages by the end of the current mandate. We encourage all those with an interest or role to play to engage with us to meet this important deadline, in order to provide additional protections for vulnerable members of our society.

The consultation document is available on both the DHSSPS and DoJ websites at the following links:

[http://www.dhsspsni.gov.uk/index/consultations/current\\_consultations.htm](http://www.dhsspsni.gov.uk/index/consultations/current_consultations.htm)

[www.dojni.gov.uk/current-consultations](http://www.dojni.gov.uk/current-consultations)

# Health, Social Services and Public Safety

## Cardiovascular Health and Well-Being

*Published at 12.00 noon on Wednesday 28 May 2014*

**Mr Edwin Poots (The Minister of Health, Social Services and Public Safety):** I wish to make a Written Statement to the Assembly to advise Members of the publication of the revised Service Framework for Cardiovascular Health and Wellbeing.

The Service Framework for Cardiovascular Health and Wellbeing was originally launched in June 2009. It set out standards in relation to the prevention, assessment, diagnosis, treatment, care, rehabilitation and palliative care of individuals and communities who currently have, or are at greater risk of developing, cardiovascular disease.

At the end of its three-year life cycle, the Regulation and Quality Improvement Authority (RQIA) commenced an independent review of the Cardiovascular Service Framework in April 2012. The review assessed the implementation of the Framework in terms of its effectiveness and impact.

The RQIA report was very positive, indicating that the implementation approach had been highly successful in underpinning a number of key service improvements and developments including the:

- Establishment of a new consultant post for adults with congenital heart disease;
- Introduction of a screening programme for abdominal aortic aneurysms;
- Expansion of arrangements for fast tracking of thrombolysis for stroke; and
- Roll out of programmes of brief interventions in primary care.

It concluded that the Framework had led to improved coordination and prioritisation of actions to tackle cardiovascular disease.

As part of the review process and during the fourth year, Service Frameworks are also subject to a Fundamental Review. This is conducted to consider whether any of the individual standards or associated performance indicators should be updated, amended or replaced. The Cardiovascular Service Framework has been subject to a successful Fundamental Review conducted by an extended membership of the Cardiovascular Health and Wellbeing Commissioning Group, a representative from the British Heart Foundation and the NI Chest Heart and Stroke Association.

Following the success of both the RQIA and the Fundamental reviews, the Framework itself has now been revised. The revised version contains 42 standards relating to a number of specific cardiovascular conditions such as:

- Hypertension;
- Hyperlipidaemia;
- Cardiology;
- Stroke;
- Vascular disease; and
- Renal disease.

It also includes standards relating to:

- Communication;
- Patient and public involvement;
- Health improvement and protection;
- Medicines management;
- Palliative and end of life care; and
- Research.

A specific standard relates to raising awareness of, and improving access to, emergency life support skills in order to improve the survival rate for out-of-hospital cardiac arrests. In support of this aim I have asked my Department to lead the development of a Community Resuscitation Strategy, working with Health and Social Care bodies, other government departments and public bodies, and partners in the voluntary and community sector. The draft strategy has been out to public consultation and I expect to be in a position to publish the strategy in the near future.

A further standard states that all patients suffering from an acute cardiac event (ST elevation myocardial infarction (STEMI)) should have treatment within the agreed clinical timelines. This is also included as a Programme for Government commitment to expand cardiac catheterisation capacity to improve access to diagnostic intervention and treatment and the development of a new primary PCI (percutaneous coronary intervention) service model for Northern Ireland by 2014/15.

The introduction of this service (at Belfast and Altnagelvin) will mean that patients having a heart attack will be taken to a cath lab centre that is capable of undertaking the procedure 24/7. Patients bypass ED (Emergency Department) and are taken directly to the cath lab where they should have their procedure within 120 minutes from first call for medical help before transferring back to their local hospital for subsequent care.

Following a pilot at the RVH (Royal Victoria Hospital), the service became 24/7 from 30 September 2013. It is planned that the Altnagelvin service will provide a daytime primary PCI service later in the spring, with a 24/7 service in place from the summer.

The revised Cardiovascular Service Framework together with a press release will be published on 28 May 2014. It came into effect on 1st April 2014 and will build on its earlier achievements in continuing to deliver service improvements for cardiovascular disease sufferers.



# Committee Stages





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# Northern Ireland Assembly

Committee for Agriculture and Rural Development  
3 June 2014

## Reservoirs Bill [NIA 31/11-15]

### Members present for all or part of the proceedings:

Mr Paul Frew (Chairperson)  
Mr Joe Byrne (Deputy Chairperson)  
Mrs Judith Cochrane  
Mrs Jo-Anne Dobson  
Mr William Irwin  
Mr Declan McAleer  
Miss Michelle McIlveen  
Mr Oliver McMullan  
Mr Ian Milne  
Mr Robin Swann

### Witnesses:

Mr Kieran Brazier                      *Department of Agriculture  
and Rural Development*

### In Attendance:

Ms Roisin Kelly                      *NIA Bill Office*

**The Chairperson:** I welcome to the Committee, as always, David Porter and Kieran Brazier. Thank you very much again for your attendance. You are no strangers to the Committee. You may as well be paid-up members of the Committee, if there is such a thing. You are very welcome to the Committee to discuss this very important issue.

David and Kieran, will you now explain the proposed amendments, which include an additional clause? The amendments to clauses 36 and 49 can be found at pages 3 to 12 of tabled papers. The amendments to clause 106 can be found on pages 13 to 15. If it is in order, will you please quickly take us through the proposed amendments in sequence? Thank you.

**Mr David Porter (Department of Agriculture and Rural Development):** Thank you, Mr Chair. We will deal first with the amendments relating to clause 36. We have discussed those related to a human rights issue in that reservoir managers needed to be able to deploy a defence that what they were being asked to do was not causing them to infringe some other legislation. We have accepted that, and you will see that those amendments have been made. That was just a little bit of legal tidying up. It was certainly not a significant issue, so, unless the Committee wants me to, I do not intend to go through it in much more detail than that.

What is much more significant is what we have done to clause 106. At the last Committee session, clause 106

was in the category of, "We have considered but are not minded to make a change". What I am presenting to you today is a significant change to that position. We listened to what the Committee said to us previously and re-emphasised at the last meeting. We took that away and really thought about a way of dealing with it that satisfies the issues that you are raising and delivers what we need. We got to a point where we recognised that there are two elements to this issue. The first is the cost of engineering services and the second is the over-engineering. You will see that we have tried to deal with both issues. We have dealt with them in two different ways, and I will explain why we have had to do that.

First, on the cost of engineering services, we continued to reiterate that we were not prepared to introduce a regulated system, but that, administratively, we were quite happy to publish the cost of engineering services, possibly the average cost and the range, as we had discussed. That is really where clause 106A came from. We have added the provision that the Department may publish information on the range of costs for the provision of relevant services by engineers. This allows us to publish the range of costs, probably based on the average costs and then the outliers, to give people an indication of what they should expect to pay. They can then look at it and say whether they are getting a good deal or a bad deal; it allows them then to ask that question. We feel that this is consistent with the legal advice we got in that we are not entering into the realm of dealing with the contractual relationship between an individual and their engineer. It allows us to publish information without being embroiled in the contractual relationship.

As I said, we took a slightly different approach to over-engineering. Again, we thought long and hard about it. Initially, we were thinking primarily about an organisation that would administer the process. However, when we thought about it, Rivers Agency and the enforcement authority will be doing more than just administering a process. In the absence of the reservoir manager carrying out his duty, we would step in and carry out the engineering work. The first thing we would do in that situation would be to ask, "Does what we are about to step in and do actually need to be done?". Our defence, or power, is that we can step in in the interests of public safety. So, the first thing that we, as a Department, would say is, "Right, this person has not done this. We are going to spend public money on it. Is this a reasonable step to

take?” We recognise that our role in that situation is to question what the engineer has recommended in order to satisfy ourselves that it is reasonable for us to step in and spend public money.

**The Chairperson:** I will stop you there. As regards the mechanics of the Bill, when a reservoir manager gets a supervising report and is told to do a, b and c, how can he question that?

**Mr Porter:** That is exactly what this clause is going to do. Instead of there just being reference to the “quality” of the reports, we have added the words “and content”, which are very important. The word “quality” could relate to just the format and type and whether it is in the right paragraphs or covers roughly the right issues. We have gone a significant step beyond that in that it is not just the look and feel of the report that is covered but what the report actually says. This is what we mean by dealing with over-engineering. Where a reservoir manager is concerned about over-engineering, we will have an interest in that as the reservoir authority. This then gives us the power to be concerned about not only the quality of the report but its content, which could be either good or bad.

We are specifically steering away from using the term “over-engineering” because there may well be poor quality reports or poor content reports that we want to address. It is not just about gold-plating. That is why we felt that it was best to keep it like that. So, there is reference not just to “quality”, which is what was in the clauses previously, but “and content”. We hope that the words “and content” will allow us to address reservoir managers’ concerns about over-engineering.

**The Chairperson:** I will just stop you there. We will take this in bite-size chunks. Do members have any comments about clause 106 and proposed new clause 106A? On page 15 of your tabled papers, you can see how it affects the clause when that is added. The words “and content” have been added to the first line, and then there is a whole new clause 106A. Any there any comments, members, before we allow David to move on?

**Mr Byrne:** Again, Chairman, it is a welcome change, given what we said last week.

**The Chairperson:** OK. Do Members have any other comments? On the practicalities, David, it says, “The Department may”. Sometimes, we worry about the word “may” because it can mean all sorts of things and sometimes can be more forcibly put, as the word “will”. Sometimes we want it to be a “will”; sometimes a “may”. For more reassurance, would you be minded to change the word “may”?

**Mr Porter:** There are lots of “mays” throughout the Bill. They give us permissive powers, so that where we see that a problem is developing, we have the ability to step in. We tend to keep the “musts” to the absolute fundamentals, the things that we must do or else the system will not work. If the system is working well, and we have no reason to step in, the “mays” give us the flexibility to reserve that position. So, the power is there, and what I would say is that if there is evidence that we were not using that power then the Committee has the ability to challenge the Minister and say that, in this particular case, the Department has permissive powers and really should be using them. In that way, you can challenge the Department and Minister and say: “You really need to be using the power in this case.”

**The Chairperson:** How will you know that there is a problem with over-engineering? How will you know that supervising engineers are making visits needlessly and recommending work that is on the safe side and not really practicable?

**Mr Porter:** I think it came out of our discussions about the case of a reservoir manager flagging this up as a problem. That is the most likely place that it will come from. However, it is not necessarily the only place, because, obviously, we will be getting the reports in on a regular basis and, if we see a disparity between work required on reservoirs of similar structure, where some have more onerous requirements than others, it will prompt the question as to what is going on. However, I think it is more likely to be a case of a reservoir manager posing the question or wanting to have a discussion with us about whether the things he is being asked to do are reasonable. He will say, “The Department, the reservoir enforcement authority, will require me to do these. If I do not do them, it is over to you guys in the Department to do it.” That is where there would be a greater role for us. It is not just about receiving reports and giving somebody a tick to say that they are complying; there is an enforcement role that requires us to bring some intelligence to this as well.

**Mrs Dobson:** I apologise for missing last week’s session; I know that you went through this in detail then. It is a good idea to assess the content of a report. As we know, this issue was raised by many owners. You have said that the Department would do it, but who exactly would be expected to undertake the assessment primarily?

**Mr Porter:** Which assessment do you mean?

**Mrs Dobson:** The assessment of engineers’ reports and everything in clause 106.

**Mr Porter:** In a case where a reservoir manager is not content, they can first have a discussion with us and, hopefully, we can allay their fears. That can be informal. If we then find that there is something wrong with it, we can use the clause to say to the reservoir engineer, “We are not content with the quality or content of your report.” So, there is an informal step that we could take, as the enforcement authority, because a person may well get it wrong.

**Mrs Dobson:** So, it is at first informal, but the clause is there for protection?

**Mr Porter:** This is the formal power to actually do something.

**The Chairperson:** There are amendments to clause 49. Are they similar in effect to the amendments to clause 36?

**Mr Porter:** Yes.

**The Chairperson:** Can you just clarify it for us?

**Mr Kieran Brazier (Department of Agriculture and Rural Development):** Clause 36 is about compliance with inspection reports written by the inspecting engineer. Clause 49 is about compliance with instructions from a construction engineer. They are parallel to one another, and the same approach has been taken for both. The consequential amendment to clause 70 is necessary because it refers to clauses 36 and 49. So, the same approach has been taken for both.

**The Chairperson:** Do members want to say anything on the amendments to clauses 36 and 49? There are no comments on that.

Before we start the clause-by-clause scrutiny, I would like to go into closed session for a period. It would be better, though, to go through this in open session before we start. Thank you very much, David and Kieran, for the time being.

Members should have the informal clause-by-clause matrix open and the Hansard report from the meeting of 27 May in order to refer to the comments received from Rivers Agency on issues raised during evidence sessions. You will also wish to ensure that you can quickly reference the letters at pages 114 and 115.

We will take a formal vote on each clause in, and schedule to, the Bill. The options available to the Committee are to agree that the Committee is content with the clause, agree that the Committee is content with the clause as amended, or agree that it is content with the new clause. That is basically three contents but meaning different things by way of whether the clause was agreed as it was, as amended, or whether it was a new clause. The fourth option is to agree that the Committee is not content with a clause or a new clause. Within that, you can vote that you are not content with a clause or agree that a Committee amendment is required. We will basically vote on whether we are content with a clause or, if not content, whether we simply vote it down or agree that a Committee amendment is required. I will probably end up reading all that again. If we decide that we are not content with a clause, I remind members that, in advance of Consideration Stage, we have the option of registering our formal opposition to the Question that a clause stand part of the Bill. This will ensure that the clause is debated at Consideration Stage.

If a member is not happy with something and wants to vote against a clause or propose an amendment, they will need Committee agreement. For a Committee amendment, they need to be very clear about what they do not like about the current clause, what the policy objective of an amendment would be, or what they want the amendment to do. This is purely so that the staff — the Clerk of Bills and the Committee Clerk — know exactly what they need to write up by way of an amendment. Members know that they always have the option, as individuals, to put down their own amendments to the Bill, and the Bill Office staff will assist with that.

I intend to group clauses where there have been no queries during the informal clause-by-clause scrutiny or no proposed amendments. Again, please shout or bring to our attention the fact that you are not happy, even with the way in which they are grouped. If there is one clause in a grouping that you are not happy with, please shout.

Before we start the clause-by-clause scrutiny, I want to go into closed session, if that is in order.

**Mr Byrne:** Chairman, in relation to the process and the mechanics of bringing this forward, obviously we want to get to a stage where the Minister and the Department present the Bill — is that right? — and then there would be debates on certain matters. Does the Committee want to agree as much as possible before the Bill re-enters the Assembly or do we want a debate in the Assembly? That is our job.

**The Committee Clerk:** The Bill is at Committee stage. The Committee is undertaking a detailed scrutiny of each clause. The Committee report will inform all Members. However, the Bill will come back once its Committee Stage is finished and it is scheduled for Consideration Stage

debate. That scheduling is at the Minister’s discretion. That is when the debate will take place in the Assembly on the Bill, at Consideration Stage. The next debate will be in the Assembly at Consideration Stage, to be scheduled at the Minister’s discretion.

**Mr Byrne:** What is the timescale? Does the Committee or the Department have a view on whether to have accelerated passage?

**The Committee Clerk:** No. It is too late; we cannot have that now. It is a completely different procedure that would have needed to have been agreed quite a while back, and we would not have gone through the process that we are engaged in.

**The Chairperson:** Remember that the onus is on the Department to bring forward the Bill.

**Mr Byrne:** So, the Department can determine the pace of passage of the Bill.

**The Committee Clerk:** Yes, after it comes out of Committee.

**The Chairperson:** Our responsibility is to scrutinise the Bill, and our report will reflect that scrutiny.

**The Committee Clerk:** The debate in the Chamber — Roisin will keep me right here — will be on the clauses with proposed amendments or groups of clauses that are to be amended. If the Committee decides that it is not content with a clause and wants to debate it, that is when it registers that it is not content with a clause and intends to vote it down. So, if there is not an amendment or something but you are not particularly happy with a clause, you should register that now, and you will have a debate on that aspect of the Bill. OK?

**The Chairperson:** Are members content to go into closed session for a brief period to have a discussion?

*Members indicated assent.*

*The Committee went into closed session from 2.37 pm until 3.26 pm.*

#### **Clause 1 (Controlled reservoirs)**

**The Chairperson:** The Committee sought clarification on how the cubic capacity of a reservoir would be measured, and the response is in the matrix. The Committee also considered changing the 10,000 cubic metre threshold, but the evidence suggested that this would make minimum difference.

*Question, That the Committee is content with clause 1, put and agreed to.*

**The Chairperson:** Clauses 2 to 5 can be grouped, as no issues with them were identified.

*Question, That the Committee is content with clauses 2 to 5, put and agreed to.*

#### **Clause 6 (Reservoir managers)**

**The Chairperson:** The Committee requested clarification of where the Department has performed the work on a designated watercourse that flows to, through or from a controlled reservoir that may have involved works to the dam structure, as specified under clause 6(8). The response from the Department is on the matrix.



*Question, That the Committee is content with clause 6, put and agreed to.*

*Question, That the Committee is content with clause 7, put and agreed to.*

**Clause 8 (Duty of multiple reservoir managers to co-operate)**

**The Chairperson:** The Committee sought clarification on the offences and associated levels of fines. The Department's response is in the matrix.

*Question, That the Committee is content with clause 8, put and agreed to.*

**Clause 9 (Controlled reservoirs register)**

**The Chairperson:** The Committee requested an explanation of what information may not be included in the register if the Secretary of State considered it would affect national security. The response from the Department is in the matrix.

*Question, That the Committee is content with clause 9, put and agreed to.*

**The Chairperson:** Clauses 10 to 14 can be grouped together, as no issues were identified.

*Question, That the Committee is content with clauses 10 to 14, put and agreed to.*

**Clause 15 (Registration: supplementary)**

**The Chairperson:** The Committee expressed concern at the onus placed on a retiring reservoir manager to inform the Department that there was a new reservoir manager. The response from the Department is in the matrix for clause 15.

*Question, That the Committee is content with clause 15, put and agreed to.*

**Clause 16 (Offences: registration)**

**The Chairperson:** The Committee expressed concern about the impact that clause 15 would have on clause 16(5), and the response from the Department is in the matrix.

*Question, That the Committee is content with clause 16, put and agreed to.*

**Clause 17 (Giving a risk designation)**

**The Chairperson:** I will group clauses 17 to 23. The Committee expressed concern around the term "risk" and the unfairness that this creates around the risk designation process. The response from the Department is in the matrix. The Department is not proposing to amend this clause. However, it has proposed an amendment to clause 25(2)(k) that will reduce the minimum number of visits that will be required by the supervising engineer. I am grouping these from clause 17 to clause 23.

Are there any comments, members? I will raise one. I am still concerned that there is no fairness in this system. I have a concern around the word "risk" being used as a designation when there is absolutely no chance of a reservoir owner or manager being able to change or reduce that. I do feel that "high consequence" would be better terminology, because, at the end of the day, there would be high consequences if there were a breach. I do believe that there should also be a secondary designation

whereby a reservoir could be high consequence and then either high risk or low risk depending on the investment that the manager has put into the structure and also the advice that he was given, either from the inspection engineer or the supervisor engineer. That would bring, I believe, a degree of fairness into the system. It would mean that the reservoir owner, when encouraged to invest in his structure, would get some gain — more gain than the amendment at clause 25(2)(k) — and that the stigma attached to a designation being high risk would be minimised.

I think that I have covered all of my concerns there. Now, that would make it a lot more complicated. You would not just have the three designations: high, medium and low risk. It would mean that you could well have high consequence, high risk; high consequence, low risk; medium consequence, high risk; and medium consequence, low risk. You could have five. Whilst a reservoir manager could not affect whether it is high consequence, medium consequence or low consequence, he could affect whether it is high risk or low risk. I know that we have been through the arguments with Rivers Agency and the engineers, but there is just that degree of unfairness there that, no matter how much a reservoir manager looks after his structure and his land, and whatever investment he puts into it and whatever probability there is for a breach of that dam, it is not being measured and there is no real reward for someone looking after their structure. Whilst we would not want anybody to be negligent in their actions — we all have responsibilities — I think that there is a very high degree of unfairness in this clause and the clauses associated with it — clauses 17 to 23.

Are there any other comments, members?

**Mr Irwin:** I have similar concerns. We have always had concerns about this. As it stands, it leaves a degree of unfairness for the reservoir owners.

**Mrs Dobson:** I also am concerned. I feel, as you and William Irwin have said, that the concerns raised by the reservoir owners and us have not been adequately taken on board by Rivers Agency. I do not feel that they are adequately covered in clause 25. I share your concerns about clauses 17 to 23. I do not think that they suffice. To agree with it would not be fair at all to the reservoir owners. I echo your sentiments.

**Mr Byrne:** I can see the merits in having a differentiated position between the risk factor and the consequence factor if capital improvements have been done on the foot of advice from an engineer. I can see that it would be sensible and practical to recognise that.

**The Chairperson:** If there are no further comments, I will put the Question.

*Question, That the Committee is content with clause 17, put and negated.*

**Mr Milne:** In the light of what you said, I am very much of a similar mind.

**The Chairperson:** Are members content to vote that we are not content with the clause?

**Mr Byrne:** Not content as currently drafted.

**The Chairperson:** If we vote that we are not content, which we have, and there are no contrary voices of that

mind, we will get the Committee Clerk to draft a form of words for the Committee report, as we have indicated here today. This has been a thread throughout the whole debate on that. What more, Stella, do you need, then, at this stage?

**The Committee Clerk:** Indicate intention to vote against the clause stand part at Consideration Stage.

**The Chairperson:** Yes, and that the Committee will indicate its intention to vote against the clause, as it sits, standing part at Consideration Stage of the Bill. Are members content?

*Members indicated assent.*

**The Chairperson:** Can we also write to the Minister outlining the concerns and the desired course of action?

**Mr Byrne:** Yes, I think that it is only fair to the Department that we write to it formally.

**The Chairperson:** OK? So that covers clauses 17 and 23.

**The Committee Clerk:** That is clauses 17 to 19, but there is another decision to be made at clause 21, if you do not mind.

**The Chairperson:** I can go down each question. We have said that we are not content with clause 17 to 19: are members clear that we are not content?

**The Committee Clerk:** Clauses 19 to 20, sorry.

**The Chairperson:** We are not content with clauses 17, 18 and 19.

**Mr Byrne:** We are not content with clause 17 and consequently, we are not content with clauses 18, 19 and 20. Is that right?

**The Committee Clerk:** Yes.

**The Chairperson:** Yes. Are all members agreed? I will put the Question again.

*Question, That the Committee is content with clauses 18 to 20, put and negated.*

**Clause 21 (Appeal against Department's decision in a review under section 20)**

**The Committee Clerk:** There are two issues here: there is one about not being content with the clause, but there is also this issue about clause 21(9).

**The Chairperson:** Yes, which I think we need to go through. Clause 21 will be part of the grouping with clause 17, so we will not be content with that either. However, there is an additional aspect to this, which is the appeal against the Department's decision in a review under section 20. The Examiner of Statutory Rules recommended that the responsibility for making the regulations in clause 21(9) should rest with the Office of the First Minister and deputy First Minister rather than the Department in order to avoid a conflict of interest. An amendment is therefore required to clause 21(9). For clarity, clause 21(9) deals with the regulations to make provisions for the appeal and the awarding of costs of the parties in an appeal.

There are also amendments proposed to clauses 73(6), 74(2), 77(2), 79(7), 82(8), 84(6) and 86(4). These amendments are rather technical in nature. We have been informed that amendments to this and the other clauses

have been drafted by the Department but still require the approval of the First Minister and deputy First Minister. This has been sought and has not yet been received. We therefore do not have sight of the series of amendments. I understand that amendments here will result in new clauses later in the Bill.

We have two options: we can finish today at clause 21 and hope to have these amendments at the meeting next week. If they are still not available next week, we will have to continue with the formal vote on the clause regardless. Or we can register our discontent and say that we are content with the clause as drafted as we have not had sight of the amendments. Members will be aware that undoing such a decision at a later stage will be very complicated and messy, but it can be done.

Again, one of the options is to finish today at clause 21 and hope that the proposed amendments are before us next week. There is no guarantee in that, because their destiny is not in River Agency's or DARD's hands; they are in the hands of the Office of the First Minister and deputy First Minister. Certainly, we cannot blame the Rivers Agency for that. However, we could also simply register our discontent and say that we are not content with the clause as drafted as we have not yet had sight of the amendments. Again, that can come out in our Committee report to say that the reason we are not content is because we did not see the amendments at the formal clause-by-clause scrutiny stage. We can then carry on. I am entirely in your hands, members.

**Mr Byrne:** Personally, I believe that we should pull the handbrake at this point until we have the amendments presented to us, because I think that we are working in the dark.

**The Chairperson:** Are members content, then, that we finish today at clause 21 and hope to see the amendments at the meeting next week? Are members content? Can we do 22?

**The Committee Clerk:** No.

**The Chairperson:** Right, OK. So are members content, then, to leave it at 21 and hope that the amendments come forward, and no matter what, next week we carry on, whether we see the amendments or not?

*Members indicated assent.*

**The Committee Clerk:** We have no choice, we are out of time.

**The Chairperson:** We will just register our discontent because we have not seen them, which is fair enough. That is what we will have to do. We cannot scrutinise something that is not in front of us, and we cannot be content with that, so we will put it in our report.

Members, we will have a long meeting next week because there are so many other clauses to get through. I am happy enough with the attendance that we have this week to go through clause-by-clause scrutiny at this point, but, if we could have the same next week that would be great. OK, members, content to leave it at that?

*Members indicated assent.*

**The Chairperson:** Thank you.





# 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 2 May 2014

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### **Social Media: Incitement to Hatred**

**Mr Boylan** asked the First Minister and deputy First Minister, given their responsibility for fostering good relations and tackling hate crime, how the use of social media to incite hatred over recent events can be addressed.

**(AQO 3121/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** We remain committed to fostering good relations and to tackling issues of hate crime.

Social media has developed very quickly over the last number of years and as such is a largely unregulated area. It is clearly the duty of those using such sites, and the owners of such sites, to ensure they are used in a legal and responsible way.

Educating young people on the responsible use of social media forms an aspect of one of the projects funded under the Contested Spaces Programme. We will look closely at what lessons can be learned from that project and how they might be applied on a wider stage.

#### **UK Council for Child Internet Safety**

**Mrs Overend** asked the First Minister and deputy First Minister what discussions have taken place between their Department and the Department of Health, Social Services and Public Safety to maximise the effectiveness of the Northern Ireland representation on the Executive Board of the UK Council for Child Internet Safety.

**(AQW 31636/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Department of Health, Social Services and Public Safety currently represents the Executive on the UK Council for Child Internet Safety (UKCCIS).

We are of the view that DHSSPS is best placed to represent the Executive's interests on the Council given its overall responsibility for child protection and its oversight of the work that Safeguarding Board NI is taking forward on Child Internet Safety.

Attendance by DHSSPS officials helps to ensure that that work is informed by and consistent with policy developments and best practice in the other jurisdictions and we fully support DHSSPS's continued representation. Any discussions which have taken place at official level have served to underline that position.

#### **Civil Service: Gender Balance**

**Mr McGimpsey** asked the First Minister and deputy First Minister for their assessment of the gender balance of senior civil servants within their Department.

**(AQO 5824/11-15)**

**Mr P Robinson and Mr M McGuinness:** The current gender balance of senior civil servants within OFMDFM is 22.7% female and 77.3% male (5 females out of 22 staff).

While slightly below the NICS average for the grade (32.5% at 1 January 2012), this figure tends to fluctuate as senior staff transfer in and out of the Department and has been recorded at higher levels in the past.

It is important to recognise that the senior civil service is a corporate resource for the NICS. At departmental level, given the small numbers of staff involved, the transfer of one or two staff can have a disproportionate impact on the overall position. It is therefore our assessment that the gender balance at senior level within OFMDFM is broadly in line with the rest of the NICS.

#### **Social Mobility and Child Poverty Commission**

**Mr Agnew** asked the First Minister and deputy First Minister why Northern Ireland does not have representation on the Social Mobility and Child Poverty Commission.

**(AQW 32335/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Welfare Reform Act 2012 amended the Child Poverty Act 2010 to create the Social Mobility and Child Poverty Commission. The Assembly must give its consent for Northern Ireland to be represented on this Commission. This matter is under consideration.

We continue to report against the targets in Child Poverty Act 2010 and are consulted in the development of the UK Child Poverty Strategy.

### Superinjunctions

**Mr Allister** asked the First Minister and deputy First Minister whether at any time their Department has funded or contributed to the costs of legal proceedings brought in the High Court of Justice in Northern Ireland, or elsewhere, involving the prohibition of publicity on the granting of injunctive relief, commonly referred to as super-injunctions.  
**(AQW 32485/11-15)**

**Mr P Robinson and Mr M McGuinness:** Our Department has not funded or contributed to costs for any such legal proceedings.

### Maze/Long Kesh Project: Unspent Funds

**Mr Lunn** asked the First Minister and deputy First Minister (i) how much funding was allocated to the Maze/Long Kesh project, including the peace centre; (ii) how much of this funding remains within their departmental budget as a result of the full regeneration project not being pursued; (iii) how much of the unspent funding will be available in their budget for 2014/15; and (iv) how much of the unspent funding was allocated to other Departments for spending in the (a) 2013/14; and (b) 2014/15 financial year.  
**(AQW 32537/11-15)**

**Mr P Robinson and Mr M McGuinness:**

- (i) In 2013/14 the Maze/Long Kesh Development Corporation (MLK DC) was allocated a budget of £7.3m from our Department. £974k has been spent on the Peace Building and Conflict Resolution Centre project primarily made up of EU funding and Heritage Lottery funding. £540k EU funding which had been drawn down has since been repaid.
- (ii) As a result of the full regeneration project not being pursued at present, the remaining Departmental budget the MLK Development Corporation had for 2013/14 was £3.4m.
- (iii) Unspent funding for 2013/14 is not carried forward to the 2014/15 allocation.
- (iv) Our Department surrendered £3.5m to the Department of Finance and Personnel in 2013/14 for their reallocation. The remainder was reallocated within this Department.

Please note, rounding applies to all the figures cited above.

## Department of Agriculture and Rural Development

### Water and Sewerage Services (Northern Ireland) Order 2006

**Mr Swann** asked the Minister of Agriculture and Rural Development, prior to bringing forward the Reservoirs Bill (NIA 31/11-15), why she did not utilise legislation that is currently in place under Article 297 of the Water and Sewerage Services (Northern Ireland) Order 2006 which enables the making of regulations with respect to the construction, inspection, maintenance and repair of reservoirs and dams.  
**(AQW 32876/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Article 297 of the Water and Sewerage Services (NI) Order 2006 was considered prior to the decision being made by the Executive for my Department to bring forward the Reservoirs Bill. This Article was discounted for two reasons. Firstly, as the 2006 Order deals with the provision of water and sewerage services, it could be argued that Article 297, which provides the Department for Regional Development with powers to bring forward regulations, could only be used to regulate the safety of reservoirs used for water supply purposes. This Article may not have been able to be used to regulate other public sector, private or 3rd sector reservoirs. Secondly, the scope of Article 297 is limited to construction, inspection, maintenance and repair. It does not cover such issues as enforcement, either civil or criminal; emergency powers; powers of entry; or Grant aid. It was therefore considered to be insufficient to enable a comprehensive reservoir safety regime to be introduced in the north.

### DARD Headquarters: Relocation

**Mr Elliott** asked the Minister of Agriculture and Rural Development how much, in financial terms, will the development of Ballykelly cost regarding the relocation of her Department's headquarters.  
**(AQW 32877/11-15)**

**Mrs O'Neill:** The estimated cost of development at the former military barracks in Ballykelly to facilitate the construction of my headquarters is approximately £19.9m. This represents new accommodation for 600 workstations and the provision of a new access road to the site.

### Single Farm Payment: Review of Decisions

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development for an update on the management of Single Farm Payment Review of Decisions at (i) Stage One; and (ii) Stage Two.  
**(AQW 32897/11-15)**

**Mrs O'Neill:** My Department has reviewed the management of both Stages of the Review of Decisions process and changes to improve performance have been implemented. In 2013, targets for clearing both Stage 1 and Stage 2 reviews were exceeded and during the period 1 January and 31 December 417 Stage 1 and 82 Stage 2 cases were cleared.

### Single Farm Payment: Review of Decisions

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development how her Department has improved the timescales involved in the Single Farm Payments Review of Decisions process.  
**(AQW 32898/11-15)**

**Mrs O'Neill:** My Department has reviewed both the resources and systems involved in processing Review of Decisions applications.

As a result of changes made, in 2013, the Stage 1 timescales have reduced to an average of 149 days and the Stage 2 timescales have reduced to an average of 536 days. The total number of days includes weekend, public and privilege holidays.

### Single Farm Payment: Review of Decisions

**Mr D McIlveen** asked the Minister of Agriculture and Rural Development to detail the current average waiting times between lodging an appeal and determination at (i) Stage One; and (ii) Stage Two reviews of Single Farm Payments Review of Decisions.  
**(AQW 32899/11-15)**

**Mrs O'Neill:** In 2013, the average time between lodging a request for review and final determination is 149 days at Stage 1 and 536 days at Stage 2.

This represents an improvement on the average time taken to clear reviews, which in 2012, averaged 186 calendar days for Stage 1 and 1,383 calendar days for Stage 2. The total number of days includes weekends, public and privilege holidays.

### Bovine Tuberculosis

**Mrs Dobson** asked the Minister of Agriculture and Rural Development how successful her Department has been in tackling and reducing the incidence rates of bovine TB in cattle.  
**(AQW 32966/11-15)**

**Mrs O'Neill:** In the past 16 months TB herd incidence has fallen from 7.46% to 6.34% at 28 February 2014. While there has been a 12.7 % reduction in the number of new herd breakdowns during 2013 when compared with 2012, there has been an even greater 24.1% reduction in the number of animals removed as reactors in the same period. During 2013, there were 1,479 new herd breakdowns and 8, 271 animals removed as reactors, which is significantly less than 1,695 new herd breakdowns and 10, 897 reactors in 2012.

This reduction demonstrates the effectiveness of my Department's response to TB. However I am not complacent and it is my aim to achieve a sustained and progressive reduction towards the ultimate eradication of TB in cattle here.

### Bovine Tuberculosis: Eradication Programme

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the (i) number of cattle slaughtered; and (ii) the money spent on compensation, for bovine TB infection and prevention measures over each year since the eradication programme began.  
**(AQW 32968/11-15)**

**Mrs O'Neill:** The eradication programme including the compulsory tuberculin testing of cattle began in 1959. As such a long period is covered the data sources are different and in some places incomplete. Unfortunately no data is available for the first 2 years of the programme.

- (i) The numbers of animals slaughtered were recorded by financial year from 1961/62 to 1993/94, and by calendar year since 1995. See Table 1.

Considerable caution is required in interpreting this data over the long term due to changes in both the programme and the financial environment over time.



In terms of the numbers of cattle slaughtered it is important to recognise that the programme has never been static. It has evolved continuously over this time to adapt to new international requirements, disease patterns and scientific advancements.

**Table 1: Number of animals slaughtered for TB control in the north of Ireland between 1961 and 2014.**

Year	Reactors	Negative in Contacts	Total number slaughtered
1961/62	3,288	12	3,300
1962/63	1,515	15	1,530
1963/64	958	6	964
1964/65	644	4	648
1965/66	417	15	432
1966/67	621	12	633
1967/68	724	243	1,267
1968/69	329	7	336
1969/70	318	4	322
1970/71	229	3	232
1971/72	161	2	163
1972/73	462	0	462
1973/74	616	7	623
1974/75	819	24	843
1975/76	1,264	198	1,462
1976/77	1,430	107	1,537
1977/78	1,448	175	1,623
1978/79	984	118	1,102
1979/80	1,243	31	1,274
1980/81	1,668	425	2,093
1981/82	1,282	320	1,602
1982/83	1,406	337	1,743
1983/84	1,451	164	1,615
1984/85	1,361	275	1,636
1985/86	1,250	177	1,427
1986/87	908	122	1,030
1987/88	1,022	235	1,257
1988/89	1,542	235	1,777
1989/90	n/a	n/a	n/a
1990/91	2,510	281	2,791
1991/92	4,371	611	4,982
1992/93	4,479	763	5,242
1993/94	6,115	865	6,980
1995	3650	n/a	n/a
1996	4080	n/a	n/a
1997	5063	n/a	n/a
1998	7188	n/a	n/a
1999	8,604	551	9,155
2000	9,498	437	9,935

Year	Reactors	Negative in Contacts	Total number slaughtered
2001	8,493	514	9,007
2002	15,028	506	15,534
2003	16,062	259	16,321
2004	15,082	673	15,755
2005	10,479	1208	11,687
2006	9,380	689	10,069
2007	7,299	589	7,888
2008	8,391	611	9,002
2009	8,198	707	8,905
2010	6,404	740	7,144
2011	8,136	484	8,620
2012	10,896	1,394	12,290
2013	8,271	565	8,836

n/a = data not available

**Sources:**

1961/62 – 1985/86: TB Expenditure Report (DARD internal document)

1986/87 – 1988/89: Annual General Reports of the Department of Agriculture 1987,1988,1989

1990/91 – 1993/94: TB Expenditure Report (DARD internal document)

1995 – 2013: Animal and Public Health Information System (APHIS)

(ii) The compensation paid has been recorded by financial year from 1961/62 to present. See Table 2.

In respect of compensation costs, caution is again required. These costs are subject to both changing relative values in monetary terms and also to change in the individual components that make up these figures. These components alter not only in direct relation to disease levels, but also in reflecting the market value for each animal pertaining at the time of removal.

**Table 2: Money spent on compensation each year between 1961/62 and 2013/14.**

Year	Compensation (£)
1961/62	reported as zero
1962/63	5
1963/64	reported as zero
1964/65	35,240
1965/66	25,290
1966/67	38,935
1967/68	55,897
1968/69	24,040
1969/70	25,929
1970/71	19,036
1971/72	14,991
1972/73	54,960
1973/74	89,350
1974/75	98,000
1975/76	170,787
1976/77	332,391

Year	Compensation (£)
1977/78	426,797
1978/79	370,070
1979/80	394,901
1980/81	663,100
1981/82	558,780
1982/83	692,252
1983/84	661,330
1984/85	642,060
1985/86	576,890
1986/87	399,014
1987/88	538,208
1988/89	856,254
1989/90	n/a
1990/91	n/a
1991/92	n/a
1992/93	n/a
1993/94	n/a
1994/95	n/a
1995/96	2,234,388
1996/97	2,262,142
1997/98	2,920,205
1998/99	4,895,826
1999/00	5,776,774
2000/01	7,921,489
2001/02	8,587,921
2002/03	16,255,611
2003/04	15,408,521
2004/05	12,586,405
2005/06	9,225,891
2006/07	7,887,123
2007/08	8,547,534
2008/09	11,192,593
2009/10	9,910,768
2010/11	8,593,038
2011/12	12,910,656
2012/13	16,157,933
2013/14	12,500,762

n/a – data not available

**Sources:**

1961/62 – 1988/89: Annual General Reports of the Department of Agriculture.

1995/1996 – 2013/14: Animal & Public Health Information System.

### Bovine Tuberculosis: Eradication Programme

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to detail the incidence rates of bovine TB for each year since the bovine TB eradication programme began.

(AQW 32969/11-15)

**Mrs O'Neill:** The eradication programme including the compulsory tuberculin testing of cattle began in 1959. As such a long period is covered different sources have been required to collate this data. See Table 1. Unfortunately no data is available for the first 2 years of the programme.

Animal incidence figures are available for each year since 1961. Herd incidence figures are not available for the years before 1995 as herd period prevalence was the measure used by DARD from 1969 to 1994. Herd incidence figures have been used since 1995 as this is the international standard for monitoring TB trends.

Considerable caution is required in interpreting this data over the long term due to changes in the Programme that will influence them. It is important to remember that the Programme has never been static, and has evolved continuously over this time to adapt to new international requirements, disease patterns and scientific advancements.

**Table 1: Herd and animal levels of bovine tuberculosis in Northern Ireland: 1961-2013**

Year	Annual animal incidence	Annual herd incidence	Herd period prevalence
1961	0.39	n/a	n/a
1962	0.18	n/a	n/a
1963	0.10	n/a	n/a
1964	0.07	n/a	n/a
1965	0.08	n/a	n/a
1966	0.09	n/a	n/a
1967	0.12	n/a	n/a
1968	0.06	n/a	n/a
1969	0.06	n/a	0.81
1970	0.04	n/a	0.50
1971	0.04	n/a	0.54
1972	0.07	n/a	0.81
1973	0.11	n/a	1.11
1974	0.13	n/a	1.51
1975	0.17	n/a	2.76
1976	0.19	n/a	2.43
1977	0.17	n/a	2.57
1978	0.14	n/a	1.89
1979	0.12	n/a	1.65
1980	0.18	n/a	2.41
1981	0.14	n/a	2.03
1982	0.12	n/a	1.88
1983	0.10	n/a	1.77
1984	0.09	n/a	1.61
1985	0.08	n/a	1.65
1986	0.06	n/a	1.39
1987	0.07	n/a	1.25
1988	0.09	n/a	1.71
1989	0.15	n/a	2.81
1990	0.17	n/a	3.07



Year	Annual animal incidence	Annual herd incidence	Herd period prevalence
1991	0.22	n/a	3.25
1992	0.24	n/a	4.18
1993	0.32	n/a	4.51
1994	0.26	n/a	3.81
1995	0.22	4.09	n/a
1996	0.24	4.07	n/a
1997	0.30	4.27	n/a
1998	0.42	5.47	n/a
1999	0.51	6.39	n/a
2000	0.57	6.84	n/a
2001	0.62	6.82	n/a
2002	0.91	9.92	n/a
2003	0.94	9.56	n/a
2004	0.81	9.17	n/a
2005	0.59	7.22	n/a
2006	0.55	6.23	n/a
2007	0.45	5.35	n/a
2008	0.53	5.58	n/a
2009	0.51	5.61	n/a
2010	0.40	5.12	n/a
2011	0.51	6.00	n/a
2012	0.66	7.32	n/a
2013	0.51	6.44	n/a

n/a = data not available

#### Sources:

1961-1991: NIAO (1993) Northern Ireland Audit Office. Department of Agriculture: animal health measures. Report by the Comptroller and Auditor General for Northern Ireland. 27 May 1993. HMSO: London.

1992-1994: Progress in the eradication of TB in cattle in Northern Ireland, Table 2 (DARD internal document).

1995- 2013: DARD Veterinary Epidemiology Unit monthly TB statistics. <http://www.dardni.gov.uk/index/statistics/animal-disease-statistics/statistics-tuberculosis.htm>

#### Bovine Tuberculosis: Eradication Programme

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for a breakdown of the total cost of the bovine TB eradication programme in each year since it began.

(AQW 32970/11-15)

**Mrs O'Neill:** The eradication programme including the compulsory tuberculin testing of cattle began in 1959. As such a long period is covered the data sources are different and in some places incomplete.

The figures available until 1994/95 are limited to the total expenditure and, in most cases, the cost of compensation. See Table 1. The total expenditure is net of carcase salvage payments.

More detailed records are available from 1995/96 to present. See Table 2.

I would recommend caution in the interpretation of Tables 1 and 2 as this covers such an extended time period. Apart from the changing relative value in monetary terms over time, several components of these costs are also variable over time. This includes the continuous development of the programme to adapt to new international requirements, disease patterns and scientific advancements. The compensation element in particular is not only altered in direct relation to disease levels, but also in reflection of the market value for each animal pertaining at the time of removal.

**Table 1: Expenditure on the TB eradication programme in the north of Ireland from 1959/60.**

Year	Compensation (£)	Total Expenditure (£)
1959/60	n/a	1,650,948
1960/61	n/a	2,204,324
1961/62	reported as zero	1,841,452
1962/63	5	1,662,450
1963/64	reported as zero	1,514,841
1964/65	35,240	1,309,661
1965/66	25,290	686,906
1966/67	38,935	336,806
1967/68	55,897	268,411
1968/69	24,040	292,033
1969/70	25,929	338,446
1970/71	19,036	295,487
1971/72	14,991	266,926
1972/73	54,960	356,034
1973/74	89,350	404,781
1974/75	98,000	697,183
1975/76	170,787	925,840
1976/77	332,391	1,305,487
1977/78	426,797	1,605,223
1978/79	370,070	1,626,160
1979/80	394,901	1,989,497
1980/81	663,100	2,792,848
1981/82	558,780	3,246,508
1982/83	692,252	3,933,655
1983/84	661,330	4,482,225
1984/85	642,060	4,709,545
1985/86	576,890	5,059,638
1986/87	399,014	4,900,000
1987/88	538,208	5,000,000
1988/89	856,254	5,600,000
1989/90	n/a	7,500,000
1990/91	n/a	8,493,047
1991/92	n/a	9,621,309
1992/93	n/a	10,832,282
1993/94	n/a	13,39,5029
1994/95	n/a	n/a

n/a – figure not available

#### Sources:

Compensation data: Annual General Reports of the Department of Agriculture.

Total Expenditure data:

1959/60 – 1985/86: TB Expenditure Report (DARD internal document)

1986/87-1989/90: NIAO (1993) Northern Ireland Audit Office. Department of Agriculture: animal health measures. Report by the Comptroller and Auditor General for Northern Ireland. 27 May 1993. HMSO: London.

1990/91 – 1993/94: TB Expenditure Report (DARD internal document)

**Table 2: Breakdown in total cost of the bovine TB eradication programme from 1995/96 – 2013/14**

Year	VSD Costs	PVP Costs	Comp-ensation	Staff Costs	DARD Funded Research	Haulier Costs	Misc	Tuberculin	Salvage	Total Expend-iture
1995/96	117,604	3,626,196	2,234,388	4,927,036	317,410	70,588	32,795	387,346	-1,296,179	<b>10,417,184</b>
1996/97	135,928	3,922,112	2,262,142	4,207,662	331,181	82,643	15,513	318,827	-1,195,081	<b>10,080,927</b>
1997/98	178,950	4,042,605	2,920,205	4,258,372	432,080	111,014	4,319	322,079	-962,458	<b>11,307,166</b>
1998/99	195,677	4,733,137	4,895,826	4,491,549	465,768	145,017	15,613	439,458	-1,070,843	<b>14,311,202</b>
1999/00	193,992	4,865,775	5,776,774	4,983,310	436,845	180,587	84,675	464,063	-1,658,875	<b>15,327,146</b>
2000/01	219,441	5,333,056	7,921,489	4,107,182	376,229	208,927	185,105	439,249	-2,080,344	<b>16,710,334</b>
2001/02	206,417	4,879,726	8,587,921	3,501,933	368,929	211,388	193,065	363,889	-1,763,691	<b>16,549,577</b>
2002/03	260,210	5,876,873	16,255,611	3,474,625	325,957	282,565	579,463	609,754	-5,655,431	<b>22,009,627</b>
2003/04	367,728	6,517,861	15,408,521	4,174,111	405,431	255,414	203,380	698,229	-3,603,560	<b>24,427,115</b>
2004/05	564,899	7,514,183	12,586,405	4,167,069	965,388	242,492	214,122	836,074	-3,298,454	<b>23,792,178</b>
2005/06	845,012	6,285,277	9,225,891	5,424,182	566,196	199,020	231,718	862,766	-2,019,455	<b>21,620,607</b>
2006/07	624,001	6,806,600	7,887,123	6,451,488	567,899	169,578	204,310	989,315	-941,392	<b>22,758,922</b>
2007/08	740,061	6,311,631	8,547,534	4,700,904	526,786	169,918	183,916	793,476	-738,509	<b>21,235,717</b>
2008/09	726,042	5,917,344	11,192,593	5,286,418	349,575	200,280	125,734	969,758	-1,207,629	<b>23,560,115</b>
2009/10	844,369	6,500,752	9,910,768	5,581,846	289,723	135,326	139,734	724,205	-1,079,579	<b>23,047,144</b>
2010/11	1,045,583	6,286,278	8,593,038	5,792,472	457,385	57,527	132,233	558,740	-826,347	<b>22,096,909</b>
2011/12	1,185,654	6,540,225	12,910,656	6,181,800	452,695	71,685	136,491	560,740	-1,381,225	<b>26,658,721</b>
2012/13	1,474,255	7,379,000	16,157,933	6,480,431	289,300	178,169	509,524	560,124	-2,143,760	<b>30,884,976</b>
2013/14	n/a	6,526,762	12,500,762	n/a	n/a	n/a	n/a	n/a	n/a	<b>Estimate: £25.98m</b>

Source: Animal and Public Health Information System (APHIS)

### Woodburn Ward

**Mr Beggs** asked the Minister of Agriculture and Rural Development why parts of the rural Woodburn ward are not included in the maximising access in rural areas scheme.

(AQW 32991/11-15)

**Mrs O'Neill:** The Maximising Access Rural Areas (MARA) Project uses a NISRA list of all Super Output Areas (SOA's) and the Urban Rural Classification for each assigned from the Statistical Classification of Settlements Report. The MARA Project is active in each of the 286 rural SOA's. This does not include the Woodburn SOA which is classified as Urban but does include Blackhead and Whitehead SOA's in the Carrickfergus Borough Area.

### Rural Jobs

**Ms McGahan** asked the Minister of Agriculture and Rural Development what action her Department is taking to protect and create jobs in rural areas.

(AQO 6016/11-15)

**Mrs O'Neill:** The protection and creation of jobs in rural areas is a key consideration in the delivery of Rural Development programmes by my Department and I am pleased to report that in the period of my Ministerial tenure and that of my predecessor there has been significant success on this front. For example:

The agri-food processing sector is important to the rural economy and my Department has provided financial support to the sector towards capital investment in factory premises and the purchase of plant and equipment through the Processing & Marketing Grant Scheme. Since 2008 we have committed funding of £22m to over 100 projects. This support equates

to a minimum investment by the companies of £55m in the rural economy and has helped to sustain jobs and create new employment opportunities.

Under Axis 3 of the Rural Development Programme, we have so far created over 500 jobs, but more importantly we have helped rural businesses sustain existing jobs through the tough economic downturn. We have provided funding specifically to 820 rural business projects including 487 farm diversification projects. This funding has helped create 158 new rural businesses.

The CAFRE Rural Enterprise Team run bespoke business training programmes for farmers and others from the rural community. To date over 2,000 people have participated in these programmes contributing to the establishment of over 400 new businesses and almost 1,000 new full time and part time jobs, thus adding valuable additional income streams in rural areas.

The Supply Chain programme has, through experienced facilitators and financial support towards study tours, business tools and specialist mentors, assisted 64 groups to date. Of these groups around 25 have developed either new products or introduced new techniques, thus enhancing employment opportunities.

### Poultry Litter

**Mr Buchanan** asked the Minister of Agriculture and Rural Development what progress has been made on addressing the issue of poultry litter.

(AQO 6007/11-15)

**Mrs O'Neill:** DARD and DETI are working jointly on a project for the Sustainable Use of Poultry Litter. In December 2012 the departments progressed a Small Business Research Initiative (SBRI) to develop technology options to treat poultry litter in the north of Ireland.

Nine contracts were awarded for Phase 1 of the SBRI to develop proof of concept and feasibility of technologies. These contracts concluded at the end of November 2013 and the final reports have been reviewed by the cross departmental Project Team.

Over the past 3 years, there have been significant developments in at least three potential technological approaches for the sustainable use of poultry litter. The SBRI funding has helped providers proposing these to overcome technical hurdles, which had previously prevented these technologies from being used at large scale for poultry litter.

Government officials involved in the poultry litter project are currently preparing a support package which aims to fast track the development of the most promising technologies and are engaging with the poultry industry and potential technology providers.

Government is working to identify and support long term sustainable and viable options to deal with poultry litter. It is the responsibility of the poultry industry to commit to implement sustainable solutions for poultry litter and meet its obligations arising from EU Environmental Directives.

### Rural Development Programme

**Mr McCrea** asked the Minister of Agriculture and Rural Development for an update on the Rural Development Programme 2014-2020.

(AQO 6013/11-15)

**Mrs O'Neill:** Considerable progress has been made in developing the proposals for the 2014-2020 Rural Development Programme. A public consultation was carried out on DARD's proposals for the future programme between July and October last year. There was considerable interest in the consultation and my department's response has been published on the DARD website. As part of the public consultation we also sought views on the Equality Impact Assessment and the Strategic Environmental Assessment.

A Stakeholder Consultation Group was established in November 2012 to provide a forum for key stakeholders to discuss and influence the development of the next programme. This Stakeholder Group has met six times and my officials will continue to work with this Group to develop the proposals further over the next few months.

My officials will begin informal discussions with the EU Commission later this year on the proposed content of the next programme.

### Rural Development Programme: Boundaries

**Mr Sheehan** asked the Minister of Agriculture and Rural Development whether the Belfast hinterlands will be included in the new Rural Development Programme boundaries.

(AQO 6014/11-15)

**Mrs O'Neill:** The Rural Development Programme is aimed at improving the economic, social and environmental conditions in rural areas throughout the north. It brings together a wide range of support schemes and programmes for the farming, forestry and primary processing sectors, rural enterprise and business development, diversification and rural tourism. I want the next RDP to be a balanced Programme that will improve the competitiveness of farm and agri-food businesses, protect and enhance the environment and countryside and improve the quality of life in our rural communities. The Programme is a key vehicle to support rural communities who often face unique difficulties due to the dispersed nature of rural settlements and their more remote geographic locations which can be a barrier to accessing key services and markets.



Within the existing RDP, areas with a population size of 4,500 or less are deemed to be rural and can therefore avail of support under the Programme. We are looking to ensure that all potential rural areas are included in the next RDP. Whilst Belfast on the whole falls well outside of this definition of rural, there are a number of smaller settlements in the Belfast Metropolitan Area Plan that may fall within the definition and I have tasked my officials to look at how we could support these settlements.

### Lough Neagh Report

**Mrs Cameron** asked the Minister of Agriculture and Rural Development for an update on the Lough Neagh Report. (AQO 6015/11-15)

**Mrs O'Neill:** The Interdepartmental Working Group was reconvened on an informal basis and officials considered the additional information in the DCAL report and provided me with a revised report and recommendations. I circulated these to Ministerial colleagues on the 2 April 2014 with an Executive paper for consideration at the next Executive meeting.

### Beekeepers: Licensing Scheme

**Mr Lunn** asked the Minister of Agriculture and Rural Development for an update on establishing a licensing scheme and register of bee-keepers. (AQO 6017/11-15)

**Mrs O'Neill:** There is no legislative requirement for beekeepers to be registered and therefore there is no licensing scheme in the north of Ireland. However, my Department does maintain a voluntary register of beekeepers primarily for the purpose of disease control and I would encourage all beekeepers to provide their details if they have not already done so. There are currently some 800 beekeepers recorded.

It is intended that in the longer term the new NI Food Animal Information System (NIFAIS) will include a register of beekeepers. The EU is considering the requirement for a register as part of new animal health law.

### Animals: Free Movement

**Mr Brady** asked the Minister of Agriculture and Rural Development for an update on the progress made towards the free movement of animals throughout the island of Ireland. (AQO 6018/11-15)

**Mrs O'Neill:** Movement of animals between the north and south of Ireland is governed by EU Trade Regulations which aim to prevent the spread of animal disease. A new EU Animal Health Regulation is currently being negotiated in Europe in which the Commission is considering some relaxation of the conditions regarding the movement of animals between Member States in accordance with the assessment of risk. My officials feed into the development of the new Regulations in consultation with DEFRA to ensure our interests are represented during the informal Working Group discussions in Europe, and liaise with officials in DAFM to agree common negotiating positions where possible, including on animal movement Articles.

In addition, Ministers have agreed to an all-island Animal Health and Welfare strategy, the key aim of which is to develop policies which facilitate the free movement of animals on the island of Ireland within current EU Regulations. This aim has the wide support of the industry on the island.

Close co-operation between Departments is essential in developing animal health and welfare policy to ensure compatible and complementary policies are in place. Both Departments are also working closely with their respective industries and key stakeholders.

### Cattle: Republic of Ireland Origin

**Mr Rogers** asked the Minister of Agriculture and Rural Development what steps she is taking to address the issue of cattle bred in the Republic of Ireland not being able to be sold to slaughterhouses and meat factories in Northern Ireland. (AQO 6019/11-15)

**Mrs O'Neill:** I share your concerns about the current problems in the beef industry. I want to see a strong, profitable red meat sector and that can only be achieved if farmers see a fair return for their quality and traceable produce. I also want to see free movement of cattle between the north and south of Ireland.

I am aware that meat plants in the north had been planning to make significant changes to the pricing structures for in-spec and out-of-spec cattle from the start of this month. Amongst other things, animals born in the south and subsequently fattened and/or slaughtered in the north, or so-called "nomads", may be considered out of spec and subject to penalty by the processing industry.

Commercial decisions taken by individual abattoirs are outside DARD's remit. However, given the significant concerns in the farming industry, and my own reservations that farmers were being penalised unfairly on this and other issues, I have already met with representatives of the local processing industry and informed them that they need to re-think these proposed changes. I have also asked the industry to strive for timely and transparent communication with both farming representatives and the wider beef industry, when any changes in specification are being proposed.

In addition, my officials are working with counterparts in the south on a project to develop a north-south data exchange for cattle. That will allow full movement histories for cattle traded between the north and south to be available electronically in both jurisdictions providing the information essential to the effective marketing of all our animals.

I am continuing to monitor the position on "nomad" cattle and discussed this and a range of other issues affecting the beef sector with Minister Coveney at our recent NSMC meeting. We agreed to continue to work together in this area.

## Department of Culture, Arts and Leisure

### An tUltach: Foras na Gaeilge

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure how much funding has been cut from An tUltach by Foras na Gaeilge. (AQW 32700/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Over the last five years, Foras na Gaeilge funding provided to An tUltach is shown in the table below:

Year	Amount	% Change
2009	£21,026	-
2010	£18,427	12.40%
2011	£18,200	0.90%
2012	£17,108	6.00%
2013	£16,554	3.25%

The reduction in funding provided each year is shown as a percentage of the previous year's total.

Foras na Gaeilge have stated that from 1 July 2014 funding for An tUltach will cease.

### Commonwealth Games, Glasgow 2014

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 29399/11-15, what proposals for activity have resulted from the liaison between departmental officials and their counterparts in Scotland in respect of the Glasgow 2014 Commonwealth Games; and to detail the departmental resources available to support such proposals. (AQW 32820/11-15)

**Ms Ní Chuilín:** Previously I had advised you that my Department was constantly considering opportunities surrounding the Glasgow 2014 Commonwealth Games.

I am aware that officials from Sport NI, the Sports Institute NI and the NI Commonwealth Games Council have met with the Commonwealth Games Sports to discuss preparation for the Games. At those meetings, a number of sports indicated that they were considering holding training camps prior to travelling to the Games in Glasgow, however, these plans have yet to be confirmed. Sport NI has not committed any resources to these camps outside of potential funding to support preparation of athletes from the north of Ireland for the Games through the Athlete Investment Programme.

Officials from my Department have liaised with Scottish counterparts to explore opportunities for the north of Ireland to become involved in the Glasgow 2014 Cultural Programme.

A number of choirs from the north of Ireland have signed up for the 'Big Big Sing' which aims to inspire thousands of people across the UK to sing to celebrate the Glasgow 2014 Commonwealth Games.

The Arts Council of NI has provided additional support towards the New Music Biennial which is a Music Foundation initiative and a strand of Culture 2014, the Glasgow Commonwealth Games Cultural Programme.

My Department will continue to consider the wider cultural opportunities around the Glasgow 2014 Commonwealth Games.

### Libraries NI

**Mr Swann** asked the Minister of Culture, Arts and Leisure for her assessment of how the service to Libraries NI customers has been affected during the introduction of the new computer system. (AQW 32874/11-15)

**Ms Ní Chuilín:** Since the new public libraries computer system (e2) began to be introduced in May 2013, Libraries NI (LNI) customers have benefited from enhanced and new services including access to free Wi-Fi, Superfast Broadband, improved public ICT and on-line facilities, better book catalogue programmes and more integrated marketing systems. Self-issue machines have also been put in place in the twenty largest libraries. This has freed up more staff time for customer outreach work.

The introduction of e2 is, of course, a large and complex task which involves the replacement of an existing and outdated ICT system. This work is still on-going and it was always anticipated that customers would experience some disruption during the present implementation period. For example, there was a limited, but essential, temporary shut-down of some LNI on-line customer services in December 2013 to facilitate migration from the old ICT system to the new. Whilst e2 went 'live' successfully in the same month, some customers have experienced initial problems with logging into sections of the new LNI web site. Customers have also been advised that they may encounter some delays as LNI staff become fully familiar with new systems. Whereas the network in some libraries slowed during the change to Wifi in March 2014, over 10,000 connections to the new Wifi service were made in the first month of operation alone. Network speed has, as intended, improved significantly since Wifi was introduced.

I have asked that LNI take all necessary steps to keep customers informed and to address, as promptly as possible, any limited or unforeseen issues where they arise. Once e2 is fully operational in August 2014, I expect customers will experience and enjoy all the benefits of a more advanced, modern and improved public libraries ICT service.

### Motorsport Track Facilities

**Mr Dunne** asked the Minister of Culture, Arts and Leisure to detail any departmental funding provided for motorsport track facilities at (i) Kirkistown; (ii) Bishopscourt; and (iii) Nutts Corner in each of the last three financial years.

(AQW 32895/11-15)

**Ms Ní Chuilín:** In the last three financial years up to March 2014, Sport NI, an arms length body of my Department, has invested £1,206,500 in motorsport track facilities at Kirkistown, Bishopscourt and Nutts Corner as detailed below:

April 2010 – March 2011	Kirkistown Race Circuit Building Works	£435,500
April 2010 – March 2011	Bishopscourt Race Circuit developments	£385,500
April 2010 – March 2011	Development works at the Nutts Corner Circuit	£385,500

### Clubs' Grounds and Changing Facilities

**Mr Ross** asked the Minister of Culture, Arts and Leisure how much funding has been allocated for improvements to grounds and changing facilities at (i) GAA clubs; (ii) rugby clubs; and (iii) football clubs in each of the last five years, excluding Casement Park, Ravenhill and Windsor Park.

(AQW 32924/11-15)

**Ms Ní Chuilín:** Sport NI, an arms length body of my Department, generally has responsibility for the distribution of funding for sport throughout the north of Ireland. In the last five years up to March 2014, Sport NI has allocated a total of £25,620,367 funding to the Gaelic Athletic Association (GAA), Irish Rugby Football Union (IRFU) and the Irish Football Association (IFA) for improvements to grounds and changing facilities, excluding Casement Park, Ravenhill and Windsor Park.

Details of this funding are as follows:

Year	GAA	IRFU	IFA
2009/10	£8,629,208	£192,300	£5,604,329
2010/11	£1,913,636	£87,436	£2,841,685
2011/12	£490,000	£0	£1,637,943
2012/13	£980,000	£0	£245,000
2013/14	£1,448,878	£0	£1,549,952
<b>Total</b>	<b>£13,461,722</b>	<b>£279,736</b>	<b>£11,878,909</b>

In addition, Sport NI has invested £2,684,771 in multi sport facilities during this time, which will also benefit these sports.

### Commonwealth Games 2014: Boxers

**Mr Campbell** asked the Minister of Culture, Arts and Leisure what additional steps are being taken to ensure that boxers from Northern Ireland who are participating in the Commonwealth Games are equipped to build on recent professional boxing successes.

(AQW 32955/11-15)

**Ms Ní Chuilín:** Responsibility for equipping boxers who are participating in the Commonwealth Games rests with the Governing Body of the sport, the Irish Amateur Boxing Association (IABA).

Sport NI, an arms length body of my Department, invests, on an annual basis, in governing bodies and the Sports Institute NI for the preparation of athletes for competition through the Athlete Investment Programme. In years in which the Commonwealth Games are held, and in which boxers are preparing for and competing at the games, Sport NI investment contributes to costs associated with preparing and competing at the Games.

Since April 2011, Sport NI has provided £379,109 funding to boxing in respect of the training and competition programmes of boxers, some of whom will be preparing for the 2014 Commonwealth Games. Details are as follows:

Year	Programme	Award
2011-12	Athlete Investment Programme	£97,666
2012-13	Athlete Investment Programme	£51,400
2013-14	Athlete Investment Programme	£51,100
	PerformanceFocus	£59,943
2014-15	Athlete Investment Programme	£69,000
	PerformanceFocus	£50,000
<b>Total</b>		<b>£379,109</b>

### Ulster-Scots Agency: Funding

**Mr Dunne** asked the Minister of Culture, Arts and Leisure to detail the funding her Department has allocated to the Ulster-Scots Agency in each of the last five financial years.

(AQW 32982/11-15)

**Ms Ní Chuilín:** The funding allocated to the Ulster-Scots Agency by DCAL over the last five years is shown in the table below:

Year	Total
2013	£1,893,749
2012	£2,022,487
2011	£2,062,067
2010	£2,226,694
2009	£2,304,267

The Agency's financial year equates to the calendar year. The figures shown are the Agency's outturn for each year.

### Archaeological Artefacts

**Mr Kinahan** asked the Minister of Culture, Arts and Leisure how her Department ensures important archaeological artefacts are stored in an appropriate way.

(AQW 33004/11-15)

**Ms Ní Chuilín:** The Historic Monuments and Archaeological Objects (NI) Order 1995 lists National Museums as one of three relevant authorities to whom archaeological finds should be reported. When an artefact is deemed significant enough to be accessioned into National Museums' collections it must also be retained in line with the requirements of the Museums and Galleries (NI) Order 1998. Compliance with these requirements are a matter for the Trustees of the organisation.

Other artefacts which are not brought to the attention of National Museums are not state property and outside the remit of my Department. These fall under the control of the Department of the Environment and the NI Environment Agency (NIEA) who have policy and licensing responsibilities for the storage of archaeological artefacts generated since the introduction of Planning Policy Statement 6 in 1999. The NIEA holds details of all the licenses it has issued, which includes standards for the storage and safe retention of archives held by archaeological firms.

### Coarse Fishing: Regulations

**Lord Morrow** asked the Minister of Culture, Arts and Leisure to detail (i) the current regulations on coarse fishing in Department maintained waters in relation to catch and release; (ii) when this was last reviewed or updated; and (iii) what amendments have been made following any review or update.

(AQW 33014/11-15)

**Ms Ní Chuilín:**

- (i) I can confirm that the Departments' fisheries regulations specify that no more than 1 pike under 4kg may be retained per day and there is a daily bag limit of four coarse fish (except pike). Any additional fish caught must be released unharmed.
- (ii) This regulation was introduced on 15 September 2008 by the former Fisheries Conservancy Board (FCB), which was then responsible for fisheries legislation.
- (iii) DCAL currently has no plans to make any further amendments in respect of coarse bag limits.



## Sporting Events

**Mr P Ramsey** asked the Minister of Culture, Arts and Leisure what plans she has to continue, and expand, the number of internationally recognised sporting events coming to Northern Ireland.

**(AQO 6021/11-15)**

**Ms Ní Chuilín:** In 2010, the NI Executive agreed that responsibility for events would transfer from DCAL to the Department of Enterprise, Trade and Industry (DETI). However, my Department and its arms length bodies work closely with DETI to bring internationally recognised sporting and cultural events to the north of Ireland.

With regard to sporting events, my Department and Sport NI have key roles in the Giro d'Italia "Big Start", which includes participation on the local Steering Committee, the Activation Committee and groups dealing with the cycling legacy, promotion in schools and volunteering. Sport NI is also providing technical expertise to the Race Committee. My Department is also working with DETI, NITB and other key stakeholders to see how we can bring the Rugby World Cup to Ireland in 2023.

With regard to cultural events, my Department has engaged with NITB to secure events such as: 2012 Our Time Our Place, 2013 Derry~Londonderry City of Culture and the forthcoming Game of Thrones exhibition.

Looking ahead, collaborative work between DCAL and DETI will continue –helping to ensure that the north of Ireland continues to benefit from hosting major sporting and cultural events.

## Angling: Strangford Lough

**Mr Hilditch** asked the Minister of Culture, Arts and Leisure to outline any plans to develop an infrastructure for angling in the Strangford Lough area.

**(AQO 6028/11-15)**

**Ms Ní Chuilín:** My Department's Inland Fisheries Group is responsible for the development of inland fisheries across the North, including lakes and rivers in the vicinity of Strangford Lough.

Angling can deliver social, economic and environmental benefits to local communities. In addition to providing facilities at a number of venues in the Strangford area including Lough Cowey, Lough Money, Quoile river and Portavoe reservoir, which are part of my Department's public angling estate, we have a number of on-going projects in the Strangford area, including improving access for disabled anglers at Lough Money, providing additional fishing stands on the Quoile and slipway improvements at Lough Cowey.

The Member will be aware of the Ards and Down Sea Trout Enhancement Association (ADSEA) project to establish an enhanced sea trout fishery in Strangford Lough. While my Department does not own the fishing rights on Strangford Lough and it has no remit for sea angling in coastal waters, I am content for my officials to explore how my Department could assist in realising the potential of the Lough.

They have met with ADSEA and local Council representatives on a number of occasions to discuss the project, including the development of the business case and arrangements proposed by ADESA to sell permits to catch sea trout in the Lough.

The ADSEA project also emphasised the importance of improving the habitat of rivers flowing into Strangford Lough. This fitted in well to IFG's broader conservation and protection works and we have recently completed habitat enhancement projects on the Annacloy River and the Quoile and further work is underway on the Enler River. We are also working on plans for other enhancement river projects in the Strangford area.

I have asked my Chief Fisheries Officer to meet with ADSEA to offer further advice on the project and to provide an update on progress made on the enhancement works to rivers in the area.

## Riding for the Disabled: Omagh

**Mr Buchanan** asked the Minister of Culture, Arts and Leisure to outline what support her Department has provided to the Omagh Riding for the Disabled Association.

**(AQO 6029/11-15)**

**Ms Ní Chuilín:** Under the Sport Matters Capital and Equipment Programme 2010/11, Omagh Riding for the Disabled Association was awarded £9,024 of exchequer funding from Sport NI to upgrade the flooring in their arena and to purchase equipment.

I visited Omagh Riding for the Disabled on Monday 22 July 2013 and agreed that DCAL would help the Organisation with the preparation of a business case for any future funding that may become available. This is currently progressing.

Sport NI is currently developing a new capital funding programme which is due to be launched later in 2014. I would expect that Omagh RDA may be eligible to apply for funding under this programme.

## Irish City of Culture

**Mr McCartney** asked the Minister of Culture, Arts and Leisure to outline any support she has provided to Derry City Council's bid for the Irish City of Culture.

**(AQO 6030/11-15)**

**Ms Ní Chuilín:** I understand that a bid for the Irish City of Culture title has been discussed by Derry City Council and it is the Council's responsibility to progress this with the Department of Arts, Heritage and Gaeltacht Affairs.

I will shortly be meeting with the Chief Executive of Derry City Council to discuss the matter.

My Department's role is to support and develop cultural product and activity to support a vibrant cultural sector which aims to promote equality and tackle poverty and social exclusion. I am therefore fully supportive of a bid from Derry City Council for the Irish City of Culture.

## Creative Industries: West Tyrone

**Mr McAleer** asked the Minister of Culture, Arts and Leisure to outline any plans she has to provide a hub for the creative industries in West Tyrone.

**(AQO 6031/11-15)**

**Ms Ní Chuilín:** As part of my plans to build on the legacy of City of Culture 2013, I want to support the development of community cultural hubs in Derry and across the North West, including urban and rural areas such as Strabane, Limavady, Coleraine and Dungiven.

Community cultural hubs will provide opportunities for the development of skills and job creation in digital and creative industries and support the delivery of a range of cultural activity focused on promoting equality and tackling poverty and social exclusion.

An initial feasibility study has been undertaken to consider current provision in Derry. More detailed work is to be undertaken to consider gaps which may exist in the wider North West.

DCAL continues to support growth in the Creative Industries across the north, including West Tyrone, through programmes such as the Creative Industries Innovation Fund and the recently piloted Creative Vouchers Programme.

## Older People: DCAL Support

**Mr Brady** asked the Minister of Culture, Arts and Leisure to outline any services and support available for older people from her Department and its arm's-length bodies.

**(AQO 6032/11-15)**

**Ms Ní Chuilín:** Research has shown that active engagement in arts, cultural and sporting activities can help the physical, mental, and social well-being of older people. My Department and its Arms Length Bodies provide a wide range of opportunities for older people to engage in culture, arts and leisure activities.

The Arts Council (ACNI) is committed to addressing the needs of older people through improving access and participation in the arts. The ACNI three-year Arts & Older People Programme (AOPP), phase II, was launched in October 2013. This programme, jointly funded by ACNI, Public Health Agency, DCAL and Baring Foundation, aims to increase participation of older people in arts activities and tackle social justice issues facing older people on a day-to-day basis, including isolation and loneliness, health and wellbeing and poverty.

Sport NI, an arm's-length body of DCAL, works closely with a number of key stakeholders to offer opportunities for older people to get involved in sport and physical recreation. My strategy for sport, Sport Matters, recognises that not enough older people participate in sport and has a specific target to address this. A Sport Matters Action Plan outlines the actions being taken to increase participation in sport and physical recreation amongst older people and is publicly available on the DCAL website, along with annual progress reports.

The Live and Learn project is a five year Big Lottery funded project delivered in association with Age NI across all National Museums' sites. Its aim is to increase accessibility and engagement with museums and collections specifically for the over 50s; to tackle social isolation, improve physical and mental wellbeing and provide volunteering roles for older people.

National Museums is also working in partnership with Clanmil Housing Association to run the "Treasure House" project. Older people living in sheltered housing in the North are invited to attend programmes run at National Museums sites, taking part in traditional activities and courses including arts and crafts, local history and traditions, reminiscence, music, dance and drama.

Libraries NI provide a wide range of services for older people such as computing sessions for absolute beginners, reminiscence activities in libraries and residential homes, social group activities in libraries aimed specifically at older people and a home call service for anyone who has significant difficulty

in visiting a branch or mobile library.

The NI Screen funded Digital Film Archive (DFA) outreach activity delivers themed presentations based on the content of the archive to a variety of audiences including community and reminiscence groups, historical societies and schools. It is dedicated to working with older persons in the community and outreach events/presentations are delivered in care homes/sheltered housing/historical societies and church groups.

My Department provides concessionary angling licences and permits for anglers over 60. Details of all licences, permits and facilities are advertised on the NI Direct website and in free Angling guides. We also have a number of Public Angling Estate

waters that have enhanced facilities such as hardcore or tarmac pathways and angling stands with handrails etc to encourage greater access to those anglers with a concessionary angling licence and permit.

### Angling: Facilities

**Mr Lynch** asked the Minister of Culture, Arts and Leisure to outline the facilities available for anglers with a disability at rivers, waterways and reservoirs under her Department's control.

**(AQO 6033/11-15)**

**Ms Ní Chuilín:** My Department has developed a significant number of its Public Angling Estate (PAE) waters with facilities to encourage greater participation by anglers with disabilities. These include dedicated disabled car parking, enhanced disabled access paths and purpose designed and built disabled angling stands. The Department publishes a guide to disabled facilities at PAE waters which is issued free to all disabled anglers.

My Department also provides concessionary licenses and permits for disabled anglers who are in receipt of certain benefits, and this enables the holder to fish waters in the PAE at approximately 25 per cent of the full cost.

My officials are promoting a new community outreach programme to increase participation in angling generally and in particular encouraging minority and disadvantaged groups such as those with disabilities.

I am keen to facilitate greater disabled access at all angling waters across the North and my officials are available to meet with angling clubs to offer professional advice on how to enhance facilities on angling waters and in particular to those aimed at disabled anglers.

## Department of Education

### Academic Underachievement

**Mr Weir** asked the Minister of Education what additional measures or strategies are being pursued to combat educational underachievement, particularly among Protestant boys.

**(AQW 32739/11-15)**

**Mr O'Dowd (The Minister of Education):** I am determined to tackle educational underachievement wherever it occurs. Despite overall improvements in performance over recent years there still remains too large a gap in performance between pupils from socially disadvantaged areas and those from more affluent areas.

Since coming to office I have continued to implement policies to raise standards and tackle educational underachievement. These policies include the school improvement policy, the literacy and numeracy strategy, the revised curriculum, entitlement framework, the framework for early years' education and learning and the SEN and inclusion review.

I have redistributed school funding to target schools with high numbers of pupils from socially disadvantaged backgrounds under the common funding scheme and injected a further £10 million specifically targeting social deprivation into school budgets from April 2014.

Within schools, the Department is implementing a range of funded programmes targeting educational underachievement. These include the Delivering Social Change programme to employ additional teachers, a literacy and numeracy CPD KS2/3 Project and support to Area Learning Communities to develop effective approaches to improving literacy and numeracy levels amongst disadvantaged pupils

In addition, and in recognition of the importance of influences outside school, I am providing funding to support a range of programmes targeted at socially deprived communities. These include Sure Start, the extended schools and full service provision, the Community Education Initiatives Programme, the Achieving Belfast and Achieving Derry Bright Futures programme and funding to deliver projects to address educational underachievement in the Greater West Belfast.

In September 2012, I launched the 'Education Works' advertising campaign. This is aimed at informing and engaging all parents, in particular those from disadvantaged backgrounds, to become more involved in their child's education.

International reports tell us that we need to have a socially balanced school system to enable all pupils to perform better. However, while some schools persist in the use of academic selection, we will be unable to achieve this.

Evidence also shows that social background is the strongest factor impacting on attainment and I am determined to take action to break this link wherever it exists. There is also an important role to be played by our MLAs, local councillors and those with influence in the community in raising educational awareness and aspiration in socially deprived communities.

### Holy Trinity Primary School: Nursery Places

**Mr McGlone** asked the Minister of Education, pursuant to AQW 31245/11-15, for an update on the progress of Holy Trinity Primary School's application for an additional 26 nursery places for September 2014, given that the statutory objection period ended on 17 February 2014.

**(AQW 32746/11-15)**

**Mr O'Dowd:** The statutory objection period on Development Proposal (DP) 301, which proposes to establish an additional nursery unit at Holy Trinity Primary School, has ended. Two further proposals to establish new 26 place statutory nursery units in Cookstown have also been published. DP 302 was published on 17 February, this proposes the establishment of a new nursery unit at Gaelscoil Eoghain and DP 304 was published on 18 March 2014, this proposes the establishment of a 26 place part time nursery unit at Phoenix Integrated Primary School.

I will have to consider the overall pattern of provision in the area and the cases being put forward for the additional places. In this regard my officials are currently collating all the relevant and pertinent information and comments received, when complete I will make my decision as soon as possible in order to provide clarity for all those affected by the proposals.

### Preschool Places

**Mr Kinahan** asked the Minister of Education what action he is taking to ensure that there are sufficient nursery school places available to families in remote towns and villages.

**(AQW 32829/11-15)**

**Mr O'Dowd:** The Executive's Programme for Government includes a commitment to provide a year's funded pre-school education to every family that wants it.

At the end of the 2013/14 pre-school admissions process, 99.8% of target aged children whose parents engaged with the admissions process to the end were offered a funded place in a pre-school setting.

This commitment is delivered on a non-sectoral basis though the Department of Education's Pre-School Education Programme (PSEP). The PSEP is designed as a partnership between statutory and non-statutory providers.

The Pre-School Education Advisory Group (PEAG) of each Education and Library Board is responsible for ensuring that there is sufficient pre-school provision in all areas, whether this is a rural or urban setting.

Sufficient funding has been provided by the Department to meet the projected need for pre-school places for the 2014/15 academic year and this will be kept under review as the admissions process progresses.

At the end of Stage 1 of the pre-school admissions process for the 2014/15 academic year, there remained over 1900 pre-school places available to accommodate the 1064 children who had applied but have not yet been offered a funded pre-school place.

### Academic Underachievement

**Mr Weir** asked the Minister of Education to provide statistics relating to the educational underachievement of Protestant boys from working class communities in North Down; and for his assessment of these figures.

**(AQW 32842/11-15)**

**Mr O'Dowd:** In 2011/12, 67.0% of the 303 Protestant boys leaving school and resident in North Down left school having achieved at least 5 GCSEs A\*-C (or equivalent) including GCSE English and maths compared to the NI average of 53.5% for all Protestant boys achieving at this level on leaving school.

In 2011/12, fewer than five of the 20 Protestant boys, resident in North Down and entitled to free school meals left school having achieved at least 5 GCSEs A\*-C (or equivalent) including GCSE English and maths. The NI average was 19.7%, or 116 out of 590 Protestant boys entitled to free school meals achieving at this level.

I am determined to tackle educational underachievement wherever it occurs. Despite overall improvements in performance over recent years there still remains too large a gap in performance between pupils from socially disadvantaged areas and those from more affluent areas.

Since coming to office I have continued to implement policies to raise standards and tackle educational underachievement. These policies include the school improvement policy, the literacy and numeracy strategy, the revised curriculum, entitlement framework, the framework for early years' education and learning and the SEN and inclusion review.

I have redistributed school funding to target schools with high numbers of pupils from socially disadvantaged backgrounds under the common funding scheme and injected a further £10 million specifically targeting social deprivation into school budgets from April 2014.

Alongside this, additional funding has been allocated to specific programmes to target educational underachievement in socially disadvantaged areas. As well as the extended schools funding, these include the Delivering Social Change programme to employ additional teachers, a community education initiatives programme and a literacy and numeracy CPD KS2/3 Project.

The South Eastern Education and Library Board also provide support to schools in this area to improve educational outcomes.

In September 2012, I launched the 'Education Works' advertising campaign. This is aimed at informing and engaging all parents, in particular those from disadvantaged backgrounds, to become more involved in their child's education.

International reports tell us that we need to have a socially balanced school system to enable all pupils to perform better. However, while some schools persist in the use of academic selection, we will be unable to achieve this.



Evidence also shows that social background is the strongest factor impacting on attainment and I am determined to take action to break this link wherever it exists. There is also an important role to be played by our MLAs, local councillors and those with influence in the community in raising educational awareness and aspiration in socially deprived communities.

### Mobile Classrooms

**Mr Lunn** asked the Minister of Education how mobile classrooms are used when they are returned to the Department, for example following a school rebuild.  
(AQW 32944/11-15)

**Mr O'Dowd:** Responsibility for mobile classrooms rests with the school authorities. In most cases where mobiles are replaced they are in poor condition and no longer fit for purpose. In these cases they are removed as part of the new build contract. If a condition report indicates that a mobile is suitable for re-use it can be re-located at another site subject to planning/building control and meeting other Departmental policies.

The Department has not considered allowing surplus mobile classrooms for local community use such as essential skills training. The majority of mobile accommodation which is replaced is no longer fit for purpose. Any surplus modular accommodation considered suitable for re-use, is subject to the necessary building/planning controls/Departmental policies and is normally re-located within the schools estate.

### Mobile Classrooms

**Mr Lunn** asked the Minister of Education whether he has considered allowing surplus mobile classrooms for local community use, such as essential skills training.  
(AQW 32945/11-15)

**Mr O'Dowd:** Responsibility for mobile classrooms rests with the school authorities. In most cases where mobiles are replaced they are in poor condition and no longer fit for purpose. In these cases they are removed as part of the new build contract. If a condition report indicates that a mobile is suitable for re-use it can be re-located at another site subject to planning/building control and meeting other Departmental policies.

The Department has not considered allowing surplus mobile classrooms for local community use such as essential skills training. The majority of mobile accommodation which is replaced is no longer fit for purpose. Any surplus modular accommodation considered suitable for re-use, is subject to the necessary building/planning controls/Departmental policies and is normally re-located within the schools estate.

### Education and Library Board Staff: Back Pay

**Mr McQuillan** asked the Minister of Education why Education and Library Board staff who received a 1 per cent pay increase for 2013 have not received the back pay for the 2013/14 period since the increase was awarded.  
(AQW 32992/11-15)

**Mr O'Dowd:** The Finance Minister approved the 2013/14 pay remit for the main group of Education and Library Board (ELB) staff on 6 February 2014. ELBs are now processing the payment of the incremental arrears and the 2013 National Joint Council 1 per cent pay award. Each ELB is working diligently towards completion of this exercise. All ELB's will have completed this work by July 2014 or sooner, if possible.

### Schools: Budget Reductions

**Mrs McKeivitt** asked the Minister of Education why some schools have had a reduction in budget, in spite of previous assurances that no school would lose out under the Common Funding Formula.  
(AQO 6034/11-15)

**Mr O'Dowd:** Each school is different in terms of pupil numbers and pupil profile and these figures can change from year to year. Although the changes to the Common Funding Scheme have resulted in a relatively small reduction in the budgets of some schools, there are a number of schools that have experienced a fall in the number or type of pupils between the 2012-13 and 2013-2014 school census figures. Such changes will obviously affect their budget allocations. These budget changes are not as a result of the changes I made to the Common Funding Scheme.

When I announced my final decisions on changes to the Common Funding Scheme on 13 March 2014, I also announced that transition payments would be made to those schools whose budget under the new arrangements is less than the school would have received had the Common Funding Formula (CFF) and budget remained the same as in 2013-14. The transition funding has been put in place to compensate schools which face small reductions as a result of changes to the Common Funding Formula.

### Nursery School Places: North Down

**Mr Easton** asked the Minister of Education how many children in North Down have yet to receive a nursery school place.  
(AQW 33084/11-15)

**Mr O'Dowd:** I would refer the Member to my answer to AQW 32985/11-15 which was tabled by Peter Weir MLA and published in the Official Report on 18 April 2014.

Letters advising of the outcome of the second stage of the pre-school application process will issue on Friday 30 May 2014.

### School Refurbishment: North Down

**Mr Easton** asked the Minister of Education for an update on the scale of school refurbishment needed in North Down.  
(AQO 6041/11-15)

**Mr O'Dowd:** The identification and assessment of Minor Works is the responsibility of the school authorities and not the Department.

My Department administers a Minor Capital works programme for non-controlled schools on behalf of the school authorities. Education and Library Boards receive a budget to deliver a programme of Minor Capital works in controlled schools.

For controlled schools in North Down it is the responsibility of the South Eastern Education and Library Board which has advised me that they have not yet concluded the process of setting a Minor Works programme for the controlled sector in 2014/15.

The Department is currently processing Minor Works applications in conjunction with the school authorities for the non controlled sector for 2014/15. The closing date for receipt of these applications was 28 February 2014 and was extended to 25 April 2014.

### Post-primary Schools: Resources

**Mr Campbell** asked the Minister of Education what additional resources he will make available to the Controlled Schools Sector to address the inequality in standards highlighted in the examination performance in post-primary schools in the 2012/2013 academic year.  
(AQO 6042/11-15)

**Mr O'Dowd:** The variation in performance between controlled and maintained schools occurs in our non-selective sector. In 2012/13, 33.5 % of Year 12 pupils (1,685 out of 5,037 Year pupils) attending non-selective schools in the controlled sector achieved at least five GCSEs A\* to C including GCSE English and maths compared to the Catholic maintained sector average of 41% (2,575 out of 6,273 Year 12 pupils).

The Department currently provides over £10m to post-primary schools for the educational attainment element of the CFS.

Reflecting the difference in educational attainment, controlled secondary schools receive more than maintained secondary schools on a per capita basis.

Regardless of the school setting, gaps exist between our most and least deprived pupils.

I am focussed on improving outcomes for all our young people and addressing this inequality.

Within schools, I have implemented a range of funded programmes targeting educational underachievement.

In addition to the £70million of funding allocated directly to schools for targeting social need, I am also providing funding to support programmes targeted at socially and educationally deprived communities.

International reports tell us that we need to have a socially balanced school system to enable all pupils to perform better.

However, while some schools persist in the use of academic selection, we will be unable to achieve this.

There are also wider societal issues to be addressed that education authorities and schools cannot tackle on their own.

## Department of Enterprise, Trade and Investment

### Strategic Energy Framework

**Mr McElduff** asked the Minister of Enterprise, Trade and Investment what range of renewable technologies, excluding wind energy, are currently being supported and developed under the Strategic Energy Framework; and to detail the percentage of planning approvals for renewable energy technologies in each of the last five years.  
(AQW 32403/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** In addition to onshore wind, renewable electricity technologies eligible under the Northern Ireland Renewables Obligation are: anaerobic digestion; bioliquids; biomass; energy crops; energy from waste with CHP; gasification (advanced and standard); geopressure; geothermal; hydro; landfill gas; offshore wind; onshore wind; pyrolysis (advanced and standard); sewage gas; solar photovoltaic; tidal; and wave.

Renewable heat technologies eligible under the Northern Ireland Renewable Heat Incentive and/or Renewable Heat Premium Payment are: air source heat pumps; biomass; biomethane and biogas combustion; ground source heat pumps (including deep geothermal); and solar thermal.

Whilst the above technologies are eligible for support, not all are necessarily currently being developed.

Percentage planning approval rates for renewable energy technologies are provided in Table 1.

**Table 1 - Percentage approval rate of planning applications by technology and year**

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14 (up to 28/02/14)
Single wind turbine	94%	84%	81%	82%	87%	88%
Wind farm	91%	82%	100%	83%	69%	91%
Total Wind energy	94%	84%	82%	82%	86%	88%
Hydroelectricity		83%	100%	100%	100%	96%
Solar panels	100%	100%	100%	100%	99%	99%
Biomass/Anaerobic digester	100%	100%	100%	100%	100%	88%
Other	100%		100%	100%	100%	100%
<b>Grand Total</b>	<b>95%</b>	<b>86%</b>	<b>84%</b>	<b>85%</b>	<b>89%</b>	<b>90%</b>

**Notes:**

- Figures have been provided by the Department of the Environment.
- The per cent of applications approved is based on the number of decisions issued in the same year.
- "Other" includes, Landfill Gases, Waste Incineration and Heat Pumps.

**Wind Energy: Planning Approvals**

**Mr McElduff** asked the Minister of Enterprise, Trade and Investment (i) to detail the percentage of planning approvals for wind energy development; and (ii) for a breakdown of the amount paid in subsidies to the renewable sector, in each of the last five years. (AQW 32404/11-15)

**Mrs Foster:**

- Planning approval percentage figures for onshore wind applications are provided in Table 1.
- The Northern Ireland Renewables Obligation (NIRO) is currently the main mechanism for incentivising renewables deployment. NIRO support is provided in the form of Renewables Obligation Certificates (ROCs) issued to generators by Ofgem. As the NIRO is a market-based support mechanism under which certificates are traded, figures in Table 2 below are approximations based on UK-wide methodology. Totals for all three Renewables Obligations (NIRO, Renewables Obligation Scotland and Renewables Obligation England & Wales) are provided in brackets.

**Table 1: Percentage approval rate for single wind turbines and wind farms by year**

	Single wind turbine	Wind farm	Total wind energy
2008/09	94%	91%	94%
2009/10	84%	82%	84%
2010/11	81%	100%	82%
2011/12	82%	83%	82%
2012/13	87%	69%	86%
2013/14	88%	91%	88%

**Notes:**

- The percentage of applications approved is based on the number of decisions issued in the same year

**Source:**

- DOE

**Table 2: ROCs issued and approximate value to renewables generators 2008/09 – 2012/13**

Year	ROCs issued (k)	Approximate total value (£k)
2008-09	619 (18,996)	£24,350 (£747,130)
2009-10	800 (21,228)	£32,727 (£868,210)

Year	ROCs issued (k)	Approximate total value (£k)
2010-11	787 (24,885)	£32,017 (£1,012,306)
2011-12	1,239 (34,754)	£52,725 (£1,478,773)
2012-13	1,242 (44,299)	£55,637 (£1,983,697)

**Notes:**

**Source:**

- Ofgem RO Annual Reports
- ROCs issued rounded to nearest thousand
- Approximate value of ROCs issued is calculated by multiplying the number of ROCs issued by the buyout price in that year plus 10% (round to nearest £000)

**Wind Generator Constraint Payments**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail how much was paid in wind generator constraint payments in each month since January 2012. (AQW 32682/11-15)

**Mrs Foster:** Generator constraint payments are made by the Single Electricity Market Operator (SEMO). Table 1 below provides an estimate of payments on an all island basis to wind generators for tariff year 2011/12 and 2012/13 inclusive. Determination of precise figures on a monthly basis for generators in Northern Ireland only would require further detailed and lengthy analysis by SEMO.

**Table 1: Estimate of constraint payments to wind generators**

Period	Estimate €m
Tariff Year 2011/12	5.6
Tariff Year 2012/13	4.9

**Source:** SEMO

**Strategic Energy Framework**

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment to detail the range of renewable technologies that are currently being supported and developed under the Strategic Energy Framework. (AQW 32878/11-15)

**Mrs Foster:** Renewable electricity technologies eligible under the Northern Ireland Renewables Obligation are: anaerobic digestion; bioliquids; biomass; energy crops; energy from waste with CHP; gasification (advanced and standard); geopressure; geothermal; hydro; landfill gas; offshore wind; onshore wind; pyrolysis (advanced and standard); sewage gas; solar photovoltaic; tidal; and wave.

Renewable heat technologies eligible under the Northern Ireland Renewable Heat Incentive and/or Renewable Heat Premium Payment are: air source heat pumps; biomass; biomethane and biogas combustion; ground source heat pumps (including deep geothermal); and solar thermal.

Whilst the above technologies are eligible for support, not all are necessarily currently being developed.

**Renewable Obligation Certificates**

**Mr Elliott** asked the Minister of Enterprise, Trade and Investment to detail the total paid for Renewable Obligation Certificates in (i) 2010; (ii) 2011; (iii) 2012; and (iv) 2013; and for a breakdown of each energy type. (AQW 32879/11-15)

**Mrs Foster:** Table 1 below, details the approximate value of payments for Renewable Obligation Certificates (ROCs) issued by technology from 2009/10 to 2012/13. Figures are provided by financial year from 2009/10 to 2012/13 to coincide with the Renewables Obligation year.



**Table 1: Approximate value of payments for Renewable Obligation Certificates (ROCs) issued by technology from 2009/10 to 2012/13**

Generation Technology	Approximate value of ROCs issued per year (£,000)			
	2009-10	2010-11	2011-12	2012-13
Fuelled	1,165 (157,155)	705 (196,162)	1,503 (255,966)	4,000 (390,633)
Hydro	456 (86,421)	410 (75,388)	595 (115,581)	765 (98,747)
Landfill Gas	1,435 (197,729)	2,457 (203,140)	2,485 (212,888)	2,606 (220,526)
Onshore Wind	29,535 (296,562)	28,266 (312,556)	47,955 (496,192)	47,663 (545,674)
Offshore Wind	0 (111,117)	0 (204,085)	0 (373,805)	0 (702,580)
Solar PV	45 (444)	69 (95)	100 (132)	281 (1,046)
Sewage Gas	0 (18,691)	0 (20,764)	0 (24,101)	0 (24,143)
Tidal Flow	90 (90)	110 (114)	87 (101)	321 (338)
Wave	0 (1)	0 (3)	0 (5)	0 (10)
<b>Totals</b>	<b>32,727</b> <b>(868,210)</b>	<b>32,017</b> <b>(1,012,306)</b>	<b>52,725</b> <b>(1,478,773)</b>	<b>55,637</b> <b>(1,983,697)</b>

**Footnotes:**

- 1 Approximate value of ROCs issued calculated by multiplying the number of ROCs issued by the buyout price in that year plus 10% (totals are rounded to the nearest £1,000).
- 2 Figures in brackets are for all three Renewables Obligations across the United Kingdom.
- 3 'Fuelled' includes anaerobic digestion and biomass fuelled generating stations.
- 4 Totals may not add due to rounding.

**One Plan: International Data Centre**

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment whether the 2011 One Plan's 2/3 year target for the establishment of an international data centre and associated cross border power supply led by the private sector is progressing to timescale.

**(AQW 32907/11-15)**

**Mrs Foster:** While there is support across Government for the 2011 "One Plan", it is Ilex, in terms of reporting, and Derry City Council who have ultimate ownership. Any questions relating to progress against targets should therefore be directed to the Council as the Civic leaders.

**Petroleum Exploration Boreholes**

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment which agency is responsible for safeguarding the health of the public living in the vicinity of petroleum exploration boreholes, and ensuring that the petroleum exploration activities do not have adverse consequences for their health.

**(AQW 32910/11-15)**

**Mrs Foster:** No single agency has complete responsibility for safeguarding the health of the public living in the vicinity of petroleum exploration boreholes although a number of regulatory authorities have a role to play, either directly or indirectly, in health protection in relation to petroleum exploration wells. The Public Health Agency is the major regional organisation for public health protection and the Health & Safety Executive has responsibility for monitoring compliance with health and safety legislation for employees in general, as well as specific regulations for the safe design, drilling operations and completions of boreholes.

In addition to this, other regulatory authorities have responsibilities for pollution prevention and control, waste management, air quality, dust control, noise and lighting, environmental protection, traffic and the protection of the environment, all of which could have a direct or indirect impact on public health in the vicinity of a petroleum exploration borehole. The Model Clauses of a petroleum licence also include a general duty on the Licensee to conform to good oilfield practice and my Department has responsibility for ensuring adherence to these standards.

**Department of the Environment****Driver and Vehicle Agency Staff**

**Mr Dallat** asked the Minister of the Environment when he expects feedback from his Ministerial colleagues on the assistance they can offer in redeploying Driver and Vehicle Agency staff.

**(AQW 32340/11-15)**

**Mr Durkan (The Minister of the Environment):** I wrote to my Ministerial colleagues on 13 March 2014, the day on which the decision to centralise vehicle registration and licensing in Swansea was announced, to seek their support in identifying alternative work that could be located in Coleraine or in any of the other areas impacted by this decision.

In addition, in conjunction with the Finance Minister and with the support of the Executive, I have asked all Ministers and departments to consider what functions could be relocated to the Coleraine site and to agree to the immediate application of controls on the recruitment and promotion of staff until the overall potential surplus of staff has been addressed.

I have also written to the UK Government enquiring as to the full range of options for the relocation of reserved functions to NI, particularly in areas where there is a work backlog. I have requested an urgent response.

I have asked, and am assured, that my NI Ministerial colleagues are giving this matter urgent consideration. I appreciate that the current uncertainty is distressing for the staff in the Driver and Vehicle Agency affected by this decision and I am seeking responses from Ministerial colleagues.

**Townscape Heritage Initiative**

**Mr Allister** asked the Minister of the Environment to outline the impact on the Townscape Heritage Initiative following the Northern Ireland Housing Executive terminating matched funding for the scheme; and what action he is taking to retrieve the situation.

**(AQW 32832/11-15)**

**Mr Durkan:** The aim of the Townscape Heritage Initiative (THI) is to secure the long-term future of NI's built heritage by contributing towards expenditure for the promotion, preservation or enhancement of the character or appearance of a designated Conservation Area.

THI proposals may benefit from a number of different grants depending upon the eligibility of the project. The total amount of grant a project receives is known as the 'common fund'. The two main players in the common fund are the Heritage Lottery Fund (up to 75% of the grants total) and Planning (up to 25% of the grants total). Other contributors may include NIEA and local councils depending upon the nature of the proposed works.

Each grant is administered by the relevant Department / other contributor to the common fund and is considered on a case by case basis. In 2013/14 my Department allocated £160k of budget for THI Grants. The THI Grant allocated by the Northern Ireland Housing Executive is a matter for the Department for Social Development.

**Lough Neagh Special Protection Area: Mineral Extraction**

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 32086/11-15, whether his Department has granted any planning permissions for onshore operations associated with the unauthorised mineral extraction of sand from Lough Neagh Special Protection Area.

**(AQW 32911/11-15)**

**Mr Durkan:** My Department has granted a number of onshore planning permissions associated with sand extraction from Lough Neagh.

The permissions include plant, stockpiles, buildings, car parks, settlement ponds and weighbridges. The permissions (nine in total) date from 1982 until 2005 and relate to four sites.

**Areas of Special Scientific Interest: Mourne Area**

**Mr Allister** asked the Minister of the Environment why the request from the Mourne AONB Residents' Action Group, conveyed at a meeting with him on 25 March 2014, for a delay in the designations of Areas of Special Scientific Interest in the Mourne area until they had time adequately to consider the proposals, was ignored.

**(AQW 32919/11-15)**

**Mr Durkan:** The request from the Mournes Action Group, conveyed at the meeting on 25 March 2014, was not ignored by the Department in designating the Areas of Special Scientific Interest in the Mourne area. The process of designation was outlined to this group on several occasions and senior staff were present at these meetings.

Following the legislative process for designating ASSIs, the Department was obliged to complete the process to designation within the set time frame. The process has now moved into the consultation stage whereby any objections or concerns can be represented to the Department for consideration before the designation is confirmed. The consultation period has been notified to all landowners and stakeholders and all responses will be considered in line with legislative process.

## Taxi Operator Licences

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 31608/11-15, who informed the Driver and Vehicle Agency that the company in question had an operating centre at Ravenhill prior to the issuing of an operator licence on 19 June 2013.

**(AQW 32920/11-15)**

**Mr Durkan:** An application was made by Fonacab to have an operating centre at Ravenhill Rugby ground included in their taxi operator licence. The application included the required declarations and, in line with procedures, the application was granted. Procedures do not require the inspection of operating centres upon application.

## Quarries: Noise Pollution

**Mr McGimpsey** asked the Minister of the Environment for his assessment of whether existing powers for local government are sufficient to enforce the regulations on noise pollution on quarries.

**(AQW 32934/11-15)**

**Mr Durkan:** There are no noise pollution regulations applying to quarries in Northern Ireland. There are, however, other regimes which deal with noise from quarries, namely planning permission conditions and statutory nuisance enforcement by district councils under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

### Statutory Nuisance

Noise emanating from quarries can be investigated by district councils under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 to determine if the noise constitutes a statutory nuisance.

If the district council environmental health officer finds that a statutory nuisance exists, or is likely to occur or reoccur, the district council can serve the operator with an abatement notice. An abatement notice can require the operator to:

- stop causing a nuisance or impose restrictions on their operations to prevent any further occurrence;
- carry out works or take other steps to restrict or remove the nuisance.

An abatement notice is a legal document and if an operator does not comply with it they could be prosecuted.

Operators have a defence of “Best Practicable Means” (BPM) in such cases. BPM is a defence under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 and it will be for a court to determine having regard to the local conditions and circumstances, current state of technical knowledge, financial implications, operation, and the design and maintenance of buildings and machinery.

### Planning controls

All Minerals Planning applications are assessed against the Mineral Policies as laid out within “A Planning Strategy for Rural Northern Ireland” (PSRNI) (published 1993) to ensure the strongest environmental protection. Consultation is also carried out as appropriate to ensure that environmental considerations (including noise) are taken into account.

The PSRNI has been consolidated and transferred into the draft Strategic Planning Policy Statement for Northern Ireland (published 4 February 2014).

This draft Policy Statement is currently out for consultation and this provides a further opportunity to take into account comments on the full range of issues associated with minerals development. The SPPS consultation closes on 29 April 2014 and responses can be made electronically at [www.planningni.gov.uk/spps](http://www.planningni.gov.uk/spps)

## Quarries: Review of Permissible Operations

**Mr McGimpsey** asked the Minister of the Environment whether he will consider a review of permissible operations in quarries with a view to strengthening the environmental protection powers of local government.

**(AQW 32935/11-15)**

**Mr Durkan:** Environmental impacts from quarries can be controlled through planning conditions, Pollution Prevention and Control (PPC) Permitting or where they constitute a statutory nuisance under the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011.

### PPC Permitting

Quarries undertaking crushing, grinding, drying or roadstone-coating activities require a permit under the Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013. These permits are regulated by the Northern Ireland Environment Agency and contain conditions to prevent, or where that is not possible, reduce emissions from the activities into the air.

### Statutory Nuisance

A nuisance emanating from quarries can be investigated by district councils under the Clean Neighbourhoods and Environment Act 2011 to determine if the nuisance constitutes a statutory nuisance.

If the district council environmental health officer finds that a statutory nuisance exists, or is likely to occur or recur, the district council can serve the operator with an abatement notice. An abatement notice can require the operator:

- to stop causing a nuisance or impose restrictions on their operations to prevent any further occurrence; and
- to carry out works or take other steps to restrict or remove the nuisance.

An abatement notice is a legal document and if an operator does not comply with it they could be prosecuted.

Operators have a defence of “Best Practicable Means” (BPM) in such cases. BPM is a defence under the Clean Neighbourhoods and Environment Act 2011 and it will be for a court to determine having regard to the local conditions and circumstances, current state of technical knowledge, financial implications, operation, and the design and maintenance of buildings and machinery.

### Planning

Planning policy for minerals is one of the extant policies within “A Planning Strategy for Rural Northern Ireland” (PSRNI) (published 1993) that has been consolidated and transferred into the draft Strategic Planning Policy Statement for Northern Ireland (SPPS) (published 4 February 2014). When issuing a decision notice DOE Planning will ensure the proposal complies with all of the relevant material considerations, including Planning Policy Statements. All minerals planning applications are assessed against the Mineral Policies as laid out within the PSRNI to ensure the strongest environmental protection. Consultation is also carried out as appropriate to ensure that environmental considerations are taken into account.

The Review of Old Mineral Permissions (ROMPS) which aims to ensure that all quarries in NI have planning conditions that comply with modern environmental standards has yet to commence, however, once ROMPS is carried out it will consider the appropriate conditions that should be attached to quarries to ensure the strongest environmental protection.

The consultation on the draft SPPS provides a further opportunity to take into account comments on the full range of issues associated with minerals development. The SPPS consultation closes on 29 April 2014 and responses can be made electronically at [www.planningni.gov.uk/spps](http://www.planningni.gov.uk/spps).

## Quarries: Business Hours

**Mr McGimpsey** asked the Minister of the Environment how many licensed quarries operate outside normal business hours of 8am to 6pm on Monday to Friday, broken down by council area.

**(AQW 32937/11-15)**

**Mr Durkan:** While my Department does not hold this information, any identified breach of planning control, including quarries operating outside their conditioned working hours will be investigated.

My officials will work in conjunction with the local Council office, who under The Clean Neighbourhoods and Environment Act (NI) 2011, are furnished with the powers to deal with noise from premises which may be considered prejudicial to health or a nuisance. If a Council concludes that a noise nuisance exists, an abatement notice under section 65 of the 2011 Act can be served.

## Environment Agency

**Mr Campbell** asked the Minister of the Environment whether he plans to undertake an independent review of the working effectiveness of the Northern Ireland Environment Agency.

**(AQW 32954/11-15)**

**Mr Durkan:** I have previously announced a ‘root and branch’ review of the Northern Ireland Environment Agency (NIEA). As I have stated previously, I am determined to see NIEA build on its previous success, tackle its problems and challenges and deliver in ways that drive better environmental outcomes and stronger economic outcomes in tandem.

This review comprised the findings by Mr Chris Mills in his independent review into waste management and the work I directed the Chief Executive of NIEA to undertake to improve the effectiveness and efficiency of NIEA.

This work has been completed and the Chief Executive of NIEA is now implementing a series of fundamental changes at NIEA to meet my direction for an improved customer focus, regulatory reform and partnership work. These include four new Operating Principles, the creation of NIEA Client Managers, some structural change at NIEA, the negotiation of voluntary Prosperity Agreements and legislative and operational reforms to the regulations that NIEA administers. I will soon be publishing more information about these reforms.

## Taxis: Single-tier Licensing

**Lord Morrow** asked the Minister of the Environment (i) how many consultations have been carried out on the single tier taxi system; (ii) of these, how many are (a) completed; and (b) under way; (iii) for a breakdown of the title of each consultation and the dates of launch and closure; and (iv) to detail the cost of each consultation to date with a projected overall total, including consultations that have yet to be completed.

**(AQW 32974/11-15)**



**Mr Durkan:** There have been four consultations carried out in which proposals for a single tier system have been included, two prior to the introduction of the Taxis Act (NI) 2008 and two since the Act received Royal Assent. All are completed and the details are set out below. It is not possible to provide figures of the overall costs associated with these consultations.

### 1 The Regulations of Taxis and Private Hire Vehicles

Launch date - 21 March 2005  
Closure date - 25 June 2005

### 2 Proposal for a draft Order in Council The Taxis (NI) Order 2006

Launch date - 15 August 2006  
Closure date - 7 November 2006

### 3 Taxi Licence and Powers of Seizure

Launch date - 4 July 2011  
Closure date - 30 September 2011

### 4 Single Tier Taxi Licensing Consultation

Launch date - 8 May 2013  
Closure date - 5 June 2013

There are no plans to consult further on this issue and no further costs, therefore, are projected.

## Lough Neagh Special Protection Area: Sand Extraction

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 32334/11-15, to set out the European Directives, and the specific Articles in those Directives, that are at risk of being breached by the unauthorised sand extraction in Lough Neagh Special Protection Area.

**(AQW 32997/11-15)**

**Mr Durkan:** Proceedings for breaches against a Member State are a matter for the European Commission. I am unaware of any consideration of such proceedings by the Commission in respect of Lough Neagh Special protection Area.

## Archaeological Artefacts

**Mr Kinahan** asked the Minister of the Environment how many archaeological artefacts have been recovered in each of the last ten years; and how these discoveries are monitored.

**(AQW 33002/11-15)**

**Mr Durkan:** I attach (at Appendix 1) a table that details the number of archaeological excavations licensed by my Department over the past 10 years. The vast majority of archaeological artefacts recovered over the past 10 years have come from such excavations. These excavations have been licensed under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995, and a report on the conduct of the excavations is a requirement of the archaeological licence. An 'absolute list' of the number of artefacts arising from these excavations does not presently exist, but lists of finds are usually included within the reports submitted in compliance with licence requirements. These reports are logged within the Northern Ireland Sites and Monuments Record (NISMR) for archive purposes. This is part of a larger historic environment records archive called the Monuments and Buildings Record, and it is accessible to the public.

There is, however, a statutory requirement for archaeological artefacts to be reported within 14 days of finding an object; in practice this has tended to be observed in respect of 'chance' discoveries that are usually reported to a museum. There is a gap in terms of reporting of artefacts retrieved from pre-planned excavations, and I am advised by officials that work is underway to bridge this gap (as part of works to address wider issues around the conduct of archaeological works and archaeological archives).

In the past 10 years there have been some 2,131 excavation licences issued by my Department. While estimates of the overall total of artefacts could be offered, this will not produce an accurate reflection of the nature, condition or relevance of the artefacts themselves, or of the sites from which they were recovered. For example, some sites produce very few artefacts, but may be rich in terms of buried structural, human, or environmental remains. At other sites, thousands of fragments of flint have been recovered, which may form the only evidence of human activity several thousands of years ago. In other circumstances a range of artefact types, materials and ages are represented, such as at the Drumclay Crannóg in County Fermanagh, where some 5,500 artefacts were recovered.

The current storage facilities for many, if not most, of the archaeological artefacts recovered in the past 10 years and beyond is not appropriate, since very few are stored in any accredited facility. This is an issue that is widely recognised. In view of this, a Joint Working Group was established, composed of officials from my Department and from the Department for Culture, Arts and Leisure, along with representatives of National Museums NI. This Joint Working Group has brought forward recommendations around addressing this issue, and my officials have briefed me about potential solutions. This is not an issue for my Department alone to resolve. Indeed, it is an issue for most, if not all of the Departments within the Executive.

Nearly 14% of all licences issued in the past 10 years were for projects directly conducted by other government departments or their agencies. While this is a small number in terms of the overall number of licences granted, these were, by and large, the most significant archaeological projects, including roads schemes (including the Drumclay Crannóg works) and other infrastructure projects.

I will be writing to the Minister for Culture, Arts and Leisure to discuss this and associated matters, so that the recommendations of the Joint Working Group can be brought to a wider forum.

### Appendix 1

#### Archaeological Licences issued under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995 over the past 10 years

Year (April-March)	Number of Licences Issued
2004-05	175
2005-06	209
2006-07	332
2007-08	261
2008-09	206
2009-10	235
2010-11	184
2011-12	131
2012-13	197
2013-14	204
<b>Total</b>	<b>2134</b>

## Archaeological Artefacts

**Mr Kinahan** asked the Minister of the Environment for her assessment of the current storage facilities for archaeological artefacts.

**(AQW 33003/11-15)**

**Mr Durkan:** I attach (at Appendix 1) a table that details the number of archaeological excavations licensed by my Department over the past 10 years. The vast majority of archaeological artefacts recovered over the past 10 years have come from such excavations. These excavations have been licensed under the provisions of the Historic Monuments and Archaeological Objects (NI) Order 1995, and a report on the conduct of the excavations is a requirement of the archaeological licence. An 'absolute list' of the number of artefacts arising from these excavations does not presently exist, but lists of finds are usually included within the reports submitted in compliance with licence requirements. These reports are logged within the Northern Ireland Sites and Monuments Record (NISMR) for archive purposes. This is part of a larger historic environment records archive called the Monuments and Buildings Record, and it is accessible to the public.

There is, however, a statutory requirement for archaeological artefacts to be reported within 14 days of finding an object; in practice this has tended to be observed in respect of 'chance' discoveries that are usually reported to a museum. There is a gap in terms of reporting of artefacts retrieved from pre-planned excavations, and I am advised by officials that work is underway to bridge this gap (as part of works to address wider issues around the conduct of archaeological works and archaeological archives).

In the past 10 years there have been some 2,131 excavation licences issued by my Department. While estimates of the overall total of artefacts could be offered, this will not produce an accurate reflection of the nature, condition or relevance of the artefacts themselves, or of the sites from which they were recovered. For example, some sites produce very few artefacts, but may be rich in terms of buried structural, human, or environmental remains. At other sites, thousands of fragments of flint have been recovered, which may form the only evidence of human activity several thousands of years ago. In other circumstances a range of artefact types, materials and ages are represented, such as at the Drumclay Crannóg in County Fermanagh, where some 5,500 artefacts were recovered.

The current storage facilities for many, if not most, of the archaeological artefacts recovered in the past 10 years and beyond is not appropriate, since very few are stored in any accredited facility. This is an issue that is widely recognised. In view of this, a Joint Working Group was established, composed of officials from my Department and from the Department for Culture, Arts and Leisure, along with representatives of National Museums NI. This Joint Working Group has brought forward recommendations around addressing this issue, and my officials have briefed me about potential solutions. This is not an issue for my Department alone to resolve. Indeed, it is an issue for most, if not all of the Departments within the Executive. Nearly 14% of all licences issued in the past 10 years were for projects directly conducted by other government departments or their agencies. While this is a small number in terms of the overall number of licences granted, these were, by and large,

the most significant archaeological projects, including roads schemes (including the Drumclay Crannóg works) and other infrastructure projects.

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2013-14	204
<b>Total</b>	<b>2134</b>

## Department of Finance and Personnel

### Pension Schemes for Senior Management: DFP

**Mr Dallat** asked the Minister of Finance and Personnel to detail (i) the amount of money contributed to pension schemes for senior management within his Department; and (ii) the number of employees involved, in the last five years.

(AQW 31728/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** The table below provides the information requested.

Year	Sum of Period	Count of Employees*
2008/2009	£791,468.85	52
2009/2010	£810,489.86	50
2010/2011	£872,100.33	52
2011/2012	£830,337.03	52
2012/2013	£858,920.53	48
<b>Grand Total</b>	<b>£4,163,316.60</b>	<b>254</b>

\* as the number of employees fluctuates throughout the year, the figures given relate to the number of employees in March in each financial year.

### Defamation Law Reform

**Mr Allister** asked the Minister of Finance and Personnel for his assessment of the ability of the Northern Ireland Law Commission to adequately address the issue of defamation law reform while operating with a single commissioner.

(AQW 32939/11-15)

**Mr Hamilton:** At the outset the Northern Ireland Law Commission determined that its review projects would be assigned to a lead Commissioner, who is then assisted by legal researchers. The defamation review project is being handled in the customary way. The Commission has also engaged the services of Professor Andrew Scott, who co-authors "Gatley on Libel and Slander" and I look forward to receiving the review team's recommendations in due course.

### Rates: Exclusion for Developers

**Mr McAleer** asked the Minister of Finance and Personnel for his assessment of the impact of current developers exclusion from rates qualifying criteria on developers who constructed domestic properties after 1 April 2012.

(AQW 32950/11-15)

**Mr Hamilton:** The standard 12 month initial exclusion from the rating of empty homes for newly built houses will allow plenty of time for speculatively built houses to sell (or let) if they are competitively priced in today's improving market. In effect, it currently affords a rate free period of 15 months, if account is taken of the normal 12 week allowance granted under the completion notice arrangements.

The exclusion applies to house builders with properties which first appeared on the valuation list after 1 April 2012 and have never been occupied. 1,311 houses and apartments are currently eligible for it. Land & Property Services (LPS) does not monitor cases when the exemption expires but LPS has advised that it would be a rare occurrence for a house builder to fall liable to empty rates after this period has elapsed.

I currently have no plans to extend the exclusion beyond 12 months, which is much more generous than other parts of the UK where it is only 3 months under the Council Tax system.

### Registered Marriages

**Mr Wells** asked the Minister of Finance and Personnel to detail how many marriages are currently registered.

(AQW 32964/11-15)

**Mr Hamilton:** On 27 March 2011 (Census Day), there were 737,427 married people in Northern Ireland.

## Department of Health, Social Services and Public Safety

### Healthcare Providers

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 28948/11-15, for a breakdown of each health care provider, including how much money each received.

(AQW 29912/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Pursuant to AQW 28948/11-15, a breakdown of the spend by each health care provider and the amounts paid to each in 2011/12 and 2012/13 is set out in the table below.

Independent Sector Provider	Total	
	2011/12 £000	2012/13 £000
352 Medical	19,675	30,990
All Clear	355	189
Allery Solutions	36	312
Alliance Medical	698	294
Anaplastology	37	51
Belquin	0	32
Blackrock Dublin	323	2,598
Bloomfield	22	20
BMI Health Care	0	120
Bons secour	0	25
Cathedral	864	2,148
EEG Ireland	119	484
Fitzwilliam	349	2,717
Forwilliam Dental	55	51
Guys & St Thomas	1,077	0
Hillsborough	398	1,157
Mater Dublin	3,463	655



Independent Sector Provider	Total	
	2011/12 £000	2012/13 £000
Medinet	1,839	2,113
Neurology NI	135	65
Northern EEG	128	378
NWIC	7,365	13,160
Orthoderm	974	758
Rheum Consulting NI	0	231
Royal National Ortho	132	550
Spires	2,273	900
Sports Surgery clinic Dublin	726	2,265
St Francis Health Village	0	1,069
U I C	222	1,037
VFM	0	93
Windsor Medical	0	16
<b>Total</b>	<b>£41,264</b>	<b>£64,480</b>

### Health Treatment Outside Northern Ireland

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety what considerations are given to patients who must pay insurance to travel outside Northern Ireland to receive health treatment that has been locally commissioned. (AQW 32886/11-15)

**Mr Poots:** I assume this question refers to patients travelling for treatment following approval for an Extra Contractual Referral (ECR) and that the reference to insurance means travel insurance.

Where patients have been approved for assessment and/or treatment under the ECR process, the Health and Social Care Board will fund treatment, travel, accommodation and subsistence costs. In line with other commissioners elsewhere in the UK the Health and Social Care Board does not fund travel insurance costs

### Care Workers: Wages

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether all care workers in each Health and Social Care Trust were paid the correct wages at the correct time for the month of March 2014. (AQW 32887/11-15)

**Mr Poots:** All Domiciliary Care workers employed in the Northern, Southern, Western and South Eastern HSC Trusts received their basic pay on time for the month of March 2014. For the Belfast HSC Trust, a problem occurred relating to the payment of a number of its Domiciliary Care workers. The Trust identified the issue before the March payday and immediately worked to resolve the issue and minimise disruption to these staff. As a result, these Domiciliary Care workers received their full wages one day late – on 28 March 2014 instead of 27 March 2014.

Delays also occurred across several trusts in March 2014 for the payments of overtime, travel claims and other allowances. The trusts have worked to rectify these problems and as a result, all Domiciliary Care workers have now received their correct pay.

Notwithstanding this, I am extremely concerned that some staff did not receive their pay correctly. I have therefore instructed all trusts to continue to take all necessary steps to redress any loss experienced by staff and to ensure that lessons are learned for the future. In addition to this, my Department has approved further expert support for HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help staff develop solutions to staff queries.

### Myalgic Encephalopathy: North Down

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what support is available for people in North Down diagnosed with Myalgic Encephalopathy. (AQW 32908/11-15)

**Mr Poots:** The South Eastern and Social Care Trust do not have a specialist ME service. Services to patients are provided on the basis of assessed need on an individual case by case basis. If individuals require assistance with personal care they

will be offered a community care assessment and appropriate services to meet individual need. In individual circumstances, services such as Cognitive Behaviour Therapy have been provided as per NICE guidance.

As a first step in the development of a regional network of expertise in CFS/ME, the Health & Social Care Board has established a pilot condition management programme in the Northern Trust for those patients with a moderate to severe condition. The service also aims to support GPs and primary care to manage patients with mild – moderate symptoms. The remaining Trusts are involved in the current planning of the service regionally as expertise and evidence from the pilot, and the existing CFS/ME rehabilitation and condition management service provided by the Belfast Trust, are shared.

### Myalgic Encephalopathy

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety whether his Department recognises Myalgic Encephalopathy as an illness. (AQW 32909/11-15)

**Mr Poots:** In 2008, my Department endorsed current National Institute for Health and Clinical Excellence (NICE) guidance on Myalgic Encephalomyelitis / Chronic Fatigue Syndrome (ME/CFS) – CG 53. The guidance states that: "Chronic fatigue syndrome (CFS)/myalgic encephalomyelitis (or encephalopathy) (ME) is a relatively common illness". The guidance provides good practice guidelines for services for patients with ME / CFS across both primary and secondary care and was issued to the Health and Social Care sector.

### January Monitoring: Allocation

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail the amount of money allocated to the Western Health and Social Care Trust in the January Monitoring Round. (AQW 32930/11-15)

**Mr Poots:** Following the January monitoring round allocation, the HSCB worked very closely with the Local Commissioning Groups and the Trusts to ensure that allocations were made in order to best address local priorities in the interest of patients and clients and reflecting the principles of capitation and equity.

As a result of this exercise, the Western Health and Social Care Trust was allocated £4.7m to alleviate significant pressures by directly helping patients, elderly people and children receive the treatment, care packages and services they required more efficiently.

### Health and Social Care Trusts: Budget and Projected Spending

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety to detail (i) the budget; and (ii) the projected spending in each Health and Social Care Trust in 2014/15. (AQW 32931/11-15)

**Mr Poots:** The budget and projected spending in each Health and Social Care Trust in 2014/15 is set out in the table below:

HSC Trust	Budget £m	Projected Spend £m
Belfast	1,147	1,174
Northern	567	591
South Eastern	476	489
Southern	492	520
Western	490	516
Northern Ireland Ambulance Service	62	62

\* Source: HSCB

These are opening positions and subject to change.

### Antrim Area Hospital: Emergency Department

**Mr Allister** asked the Minister of Health, Social Services and Public Safety for his assessment of the performance of the Emergency Department in Antrim Area Hospital in February 2014 when 164 patients had to wait more than twelve hours to be admitted and only 63 per cent of patients attending were seen in four hours against the target of 95 per cent. (AQW 32977/11-15)

**Mr Poots:** Emergency department performance is subject to fluctuating pressures and increasing demand. The emergency department in Antrim Area Hospital has seen an increase in attendances and admissions in 2013/14 compared to the previous year, with attendances up by around 2% and non-elective admissions up by 5.6%. Improved performance in waiting times was sustained for much of 2013 but has declined over the winter months. I was disappointed by the provisional

emergency department waiting time statistics for February 2014 and I look to the Health and Social Care Board to continue to work with the Trust to sustain the improvement achieved last year. I find it unacceptable that anyone should have to wait for long periods in our emergency departments.

### Antrim Area Hospital: Emergency Department

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how his statement to the Assembly in December 2012 that it was both possible and desirable that twelve hour waits in Emergency Departments would be eliminated in the short term marries with the performance of Antrim Area Hospital Emergency Department in February 2014 when 164 patients had to wait more than twelve hours to be admitted and 63 per cent of all patients attending were seen in four hours against the target of 95 per cent.

(AQW 32978/11-15)

**Mr Poots:** Emergency department performance is subject to fluctuating pressures and increasing demand. The emergency department in Antrim Area Hospital has seen an increase in attendances and admissions in 2013/14 compared to the previous year, with attendances up by around 2% and non-elective admissions up by 5.6%. Improved performance in waiting times was sustained for much of 2013 but has declined over the winter months. I was disappointed by the provisional emergency department waiting time statistics for February 2014 and I look to the Health and Social Care Board to continue to work with the Trust to sustain the improvement achieved last year. I find it unacceptable that anyone should have to wait for long periods in our emergency departments.

### Nurses: Pay

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety for an update on the proposed 1 per cent pay raise for nurses; and whether increments will affect the distribution of this payment.

(AQW 32993/11-15)

**Mr Poots:** I am currently considering the NHS Pay Review Body 28th Report recommendation of a 1% increase to all Agenda for Change pay points from 1 April 2014 and the implication on health and social care services.

I plan to provide a formal response to the pay review body in due course.

### Diabetes: Specialist Nurses

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) specialist diabetes nurses; and (ii) people diagnosed with diabetes; and what proposals there are to ensure that there will be sufficient specialist nurses available to support people diagnosed with diabetes in the future and minimise the risk of health complications.

(AQW 32994/11-15)

**Mr Poots:** (i)The number of specialist diabetes nurses by HSC Trust is presented in the table below:

HSC Trust	Headcount	Whole time equivalent
Belfast	18	15.9
Northern	14	11.7
South Eastern	11	9.0
Southern	10	8.2
Western	5	3.5
Northern Ireland	58	48.3

In addition, there are three paediatric diabetic nurse specialists in the Royal Belfast Hospital for Sick Children, two are in post and one is currently being recruited.

**Note:** These figures have been provided directly by HSC Trusts and have not been verified by the Department.

- (ii) At 31 March 2013 there were 79,072 GP-registered patients aged 17 and over with diabetes mellitus (Type 1 or Type 2) in Northern Ireland. This information is sourced from the Quality & Outcomes Framework (QOF) of the General Medical Services contract. As care of children with diabetes mellitus is generally under the control of specialists and not general practitioners they are not included in the QOF register. Information on the number of children with diabetes is not currently available centrally.
- (iii) To ensure that there will be sufficient specialist nurses available to support people being diagnosed with diabetes in the future, my Department has a Nursing and Midwifery Workforce Review underway and it will identify a series of recommendations and actions to ensure that there is an adequate supply of nurses and midwives (including specialist diabetic nurses) to meet the demand of services and to support patients and clients no matter what their disease group.

### Muckamore Abbey

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety whether he is aware of any deaths following the removal of patients from Muckamore Abbey as part of its resettlement policy.

(AQW 33005/11-15)

**Mr Poots:** No patient is 'removed' from Muckamore - all community placements are sensitively planned in order to provide betterment for each individual patient. No community placement is considered suitable unless the multi-disciplinary clinical team, in discussion with the patient and their family, is satisfied that it can meet the individual and often complex needs of each patient, including their medical needs; and the timescale for discharge is agreed accordingly.

Following discharge from Muckamore Abbey Hospital, responsibility for health and social care support and services transfers to the former patient's new local Health and Social Care Trust.

Staff within all Health and Social Care Trusts are acutely aware of the needs of the learning disability population, many of whom regrettably have underlying medical conditions and complex health needs.

Unfortunately, a number of patients both within the hospital and those discharged to the community die each year.

### Muckamore Abbey

**Mr Kinahan** asked the Minister of Health, Social Services and Public Safety whether any residents of Muckamore Abbey have been resettled against their will.

(AQW 33006/11-15)

**Mr Poots:** There have been no patients of Muckamore Abbey Hospital resettled against their will.

### Alcohol and Drug Related Inpatient Admissions

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety how many alcohol and drug related inpatient admissions have occurred in each Health and Social Care Trust, in each of the last three years.

(AQW 33013/11-15)

**Mr Poots:** The number of admissions<sup>1</sup> to hospitals within Northern Ireland for alcohol and drug-related conditions in each of the last three years<sup>2</sup> are tabled below by HSC Trust.

HSC Trusts	Drug and Alcohol Admissions		
	2010/11	2011/12	2012/13
Belfast	4,734	4,914	5,245
South Eastern	3,072	2,988	3,018
Northern	1,857	1,616	1,697
Southern	2,898	2,636	2,828
Western	2,772	3,071	2,913
Northern Ireland	15,333	15,225	15,701

**Source:** Hospital Inpatient System

**Notes:**

- Admissions are estimated using discharge episodes.
- 2012/13 is the most up to date finalised dataset.

### Alcohol: Minimum Pricing

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what discussions he has had with his counterpart in the Republic of Ireland on the issue of minimum pricing for alcohol.

(AQW 33022/11-15)

**Mr Poots:** I have discussed the issue of alcohol pricing with Dr James Reilly TD, Minister for Health in the Republic of Ireland, on a number of occasions including at the North South Alcohol Conference on 26 January 2012. Officials also discuss these issues on a regular basis and this has led to the joint commissioning of research on the impact of minimum unit pricing in Northern Ireland and the Republic of Ireland.



## Alcohol: Minimum Pricing

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what discussions he has had with his counterpart in Scotland on the issue of minimum pricing for alcohol.

(AQW 33023/11-15)

**Mr Poots:** On 13 March 2014 I met with Alex Neil MSP, Cabinet Secretary for Health and Wellbeing Scotland and Michael Matheson MSP, Minister for Public Health Scotland to discuss relevant health matters, including the issue of alcohol retail pricing. These matters have also been discussed on an ongoing basis, at both an official and Ministerial level, at the British Irish Council Substance Misuse Sectoral Group.

## Department of Justice

### Prostitution

**Mr Wells** asked the Minister of Justice which company or individuals have been awarded the contract to undertake research into prostitution.

(AQW 32967/11-15)

**Mr Ford (The Minister of Justice):** The contract for research into prostitution in Northern Ireland has been awarded, through Department of Finance and Personnel tendering procedures, to Queen's University Belfast. Professor Peter Shirlow is the Principal Investigator and has overall responsibility for the project. Dr Susann Huschke is the lead researcher. The project team also includes Dr Dirk Schubotz and Dr Eilís Ward.

## Department for Regional Development

### Penalty Charge Notices

**Mr A Maginness** asked the Minister for Regional Development, in relation to Penalty Charge Notices issued to motorists in Florence Place, to detail (i) how many have been incorrectly issued; (ii) the number of refunds issued; (iii) the total revenue generated; (iv) the total amount refunded; and (v) the amount that has not been refunded.

(AQW 31293/11-15)

**Mr Kennedy (The Minister for Regional Development):** 483 Penalty Charge Notices (PCNs) were incorrectly issued in Florence Place and, in line with my Department's PCN appeal procedures, refunds amounting to £8,490 were issued in respect of 225 PCNs.

In addition, I asked my officials to seek permission from the Driver and Vehicle Agency (DVA) to obtain vehicle keeper information for the purpose of refunding all of the PCN's incorrectly issued in Florence Place.

Permission was granted for this as a special exercise and the Service Level Agreement (SLA) with DVA has also been amended.

As a result, 216 letters were issued to customers on 23 April 2014 and, to date, twelve responses have been received. These refunds, and any other responses received, will be actioned as soon as possible.

### NI Water: Reservoirs

**Mr Agnew** asked the Minister for Regional Development whether the reservoirs that NI Water has put up for sale in the North Down and Ards area are applicable for the Department of Social Development's community asset transfer scheme; and what consideration he has given to this issue.

(AQW 32996/11-15)

**Mr Kennedy:** Once the Social Development Minister's proposals on Community Asset Transfer have been approved by the Executive, NI Water will be able to consider community transfer for its surplus reservoirs in the North Down and Ards area.

## Department for Social Development

### Housing Stress

**Mr McKay** asked the Minister for Social Development how many (i) Protestants; and (ii) Catholics in Belfast are (a) on the housing list; and (b) in housing stress.

(AQW 32502/11-15)

**Mr McCausland (The Minister for Social Development):** The Housing Executive has advised that applicants applying for social housing are asked to indicate a response to a religion question on behalf of his/her household. Based on that, the

Housing Executive has provided the information for the four Belfast Parliamentary Constituencies in the table attached, which reflects the position as at 31 December 2013. This is the latest information available.

	Catholics	Protestants	Mixed/None/ Other	Refused/ Undisclosed
Total number of applicants	5,556	4,739	1,430	1,625
Number of applicants in housing stress (30 points or more)	3,803	2,392	733	820

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 Housing: Belfast Estates

**Mr McKay** asked the Minister for Social Development how many social houses are being built in each Belfast estate in each of the next three years, with estates to be listed in order of housing need.

(AQW 32503/11-15)

**Mr McCausland:** The information is not available in the format requested because the Housing Executive does not assess housing need at estate level, as the geography and available database is considered inappropriate and too small to reflect housing market areas.

The Housing Executive undertakes housing needs assessment annually, across all 26 district council areas and reports this at Council level using identified Housing Need Assessment geographies. The purpose of housing need assessment is to examine supply and demand, identify where gaps exist and project what is required over a five year period within the Housing Need Assessment area.

The Social Housing Development Programme is a three year planned programme that aims to address housing need in a fair and equitable manner, right across Northern Ireland. The difference between the Housing Needs Assessment and the Social Housing Development Programme is captured by the unmet housing need prospectus, which helps direct housing associations in their search for sites to address unmet need.

The table attached set out the information in relation to Belfast and highlights the relevant Housing Need Assessment areas and the corresponding five year projected need for each area. The tables also assign the Common Landlord Areas that are located within each Housing Assessment Need area, as well as the New Build schemes that are either on site or in the Social Housing Development Programme.

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.

NB: Land supply for social housing remains critical in areas of high housing need within Belfast. The Housing Executive has supported social housing schemes outside the Belfast City Council boundary in an effort to address high housing need.

Housing Need Assment Area (HNA)	Projected Housing Need for (HNA)	Common Landlord Areas (CLAs) within each HNA	Scheme Name	Units	Prog Year
West Middle	1412	Andersonstown	Library Site	4	Currently being built
		Andersonstown	Social Security Site	25	Currently being built
		Andersonstown	167 Andersonstown Road	11	Currently being built
		Andersonstown	Lenadoon Flats Phase 1	9	Currently being built
		Andersonstown	Colin Glen	67	2014/15
		Andersonstown	Corpus Christi College	69	2014/15
		Andersonstown	Visteon Factory (Phases 1&2)	197	2014/15
		Andersonstown	Lenadoon Flats Phase 2	18	2015/16
		Andersonstown	Suffolk Road	14	2016/17
		Andersonstown	Finaghy Road North	70	2016/17
		Hannahstown	Hannahstown Phase 1A	92	2014/15

Housing Need Assment Area (HNA)	Projected Housing Need for (HNA)	Common Landlord Areas (CLAs) within each HNA	Scheme Name	Units	Prog Year
		Hannahstown	Hannahstown Phase 1B	80	2015/16
		Hannahstown	Hannahstown Phase 1C	80	2016/17
		Turf Lodge	Norglen Parade	1	2014/15
		Turf Lodge	Glenmona Phase 1	80	2014/15
		Turf Lodge	2A Monagh Grove	14	2015/16
		Turf Lodge	St. Gerards: Upper Springfield Road	40	2015/16
		Turf Lodge	Glenmona Phase 2	80	2016/17
North Belfast 1	1145	Ardoyne	Jamaica Inn Site	26	2015/16
		Ardoyne	Brookfield Mill Phase 2	30	2016/17
		Carlisle-New Lodge	Upper New Lodge Phase 1	35	2014/15
		Carlisle-New Lodge	North Queen Street: Psni	26	2014/15
		Carlisle-New Lodge	Upper New Lodge Phase 2	35	2015/16
		Carlisle-New Lodge	Upper New Lodge Phase 3	16	2016/17
		Cavehill Antrim Road	17 Brucevale Park	12	Currently being built
		Cavehill	Girdwood Phase 1	60	Currently being built
		Cavehill	Kinnaird Terrace	15	Currently being built
		Cavehill	79 Antrim Road /2 Bellevue Park	4	2014/15
		Cavehill	87 Salisbury Avenue	4	2014/15
		Cavehill	118-120 Antrim Road	6	2014/15
		Cliftonville	10 Oldpark Terrace	13	2016/17
		Glandore	Alexandra Park Avenue	38	Currently being built
		Newington	Parkside Ura	36	Currently being built
		Newington	The Glen Limestone Road	32	Currently being built
		Newington	Parkside U.R.A. Ph. 2:Trinity	16	2014/15
		Newington	Limestone Road	2	2014/15
		Oldpark	11-13 Gracehill Court	16	2016/17
		Torrens	Former Psni Site	16	Currently being built
		Torrens	Torrens Play-Park:bcc	5	2014/15
		Upper Ligoniel	Wolfhill-Ligoniel	17	2015/16
West Inner	899	Ballymurphy	St. Bernadette's: Glenalina	27	2014/15
		Divis Complex	Devonshire Tradas Ph.3 Albert Court	11	Currently being built
		Hamil Street-John Street	Durham Street: Blood Transfusion Site	20	2014/15

Housing Need Assment Area (HNA)	Projected Housing Need for (HNA)	Common Landlord Areas (CLAs) within each HNA	Scheme Name	Units	Prog Year
		Lower Springfield	Cupar St. St. Galls Phase 3	14	Currently being built
		Lower Springfield	131-133 Springfield Road	3	Currently being built
		New Barnsley	Matt Talbot: New Barnsley Green	20	2015/16
		Roden Street	28 Distillery Street	14	2014/15
		Springhill	Springhill Crescent	32	2016/17
		St. James' Area	Mill Court, Falls Road	24	Currently being built
		St. James' Area	512/514 Falls Road	2	2014/15
		TBC West	Belfast: Design & Build	100	2016/17
Lisburn Road	461	Ulsterville	53-57 Botanic Avenue	12	Currently being built
		Ulsterville	Russell Court	3	2014/15
		Ulsterville	11 Wellington Park	6	2014/15
		Ulsterville	5 Ulsterville Avenue	2	2014/15
		Ulsterville	College Site: Brunswick St	150	2015/16
Annadale	420	Upper Ormeau	Rossetta Cottages:ormeau Road	2	2014/15
		Upper Ormeau	94-100 Sunnyside Street	27	2015/16
Outer East Belfast	279	Ashfield	385 Holywood Road	20	2016/17
		Bloomfield	Greenville Road	11	2014/15
		Knocknagoney	Old Holywood Road	6	2015/16
		Sydenham	13 Connsbrook Avenue	11	2014/15
		Sydenham	Maple Leaf: Park Avenue	29	2014/15
		Sydenham	1 Park Avenue	4	2014/15
		Sydenham	Palmerston Road	10	2014/15
		Sydenham	72 Connsbrook Avenue	4	2015/16
		Sydenham	38-40 Station Road	4	2016/17
		Sydenham	11 Brandon Parade	7	2016/17
		TBC S&E	South & East Belfast: Design & Build	70	2015/16
		Wandsworth	484 Upper Newtownards Road	10	2014/15
Lower Ormeau	274	Lower Ormeau	137-141 Ormeau Road	15	2014/15
		Lower Ormeau	McClure Street	27	2014/15
Inner East Belfast	169	Lower Beersbridge Road	132-136 Castlereagh Road	9	2015/16
		Newtownards Road	15-17A Parkgate Avenue	9	2014/15
		Newtownards Road	Westbourne Church	6	2014/15



Housing Need Assment Area (HNA)	Projected Housing Need for (HNA)	Common Landlord Areas (CLAs) within each HNA	Scheme Name	Units	Prog Year
		Newtownards Road	St. Christopher's: Mersey Street	8	2015/16
		Newtownards Road	Pit Park:newtownards Road	6	2016/17
		Roseberry	314 Ravenhill Road	67	Currently being built
		Rosebery	173-187 Ravenhill Avenue	86	Currently being built
		Rosebery	London Road:ravenhill	15	Currently being built
		Rosebery	Ravenhill Avenue / Millar Street	41	Currently being built
		Rosebery	Onslow Parade	14	2014/15
		Rosebery	101 My Lady's Road	1	2014/15
		Rosebery	34 Ravenhill Street	1	2014/15
		Rosebery	156-160 Ravenhill Road	7	2014/15
		Rosebery	15 My Lady's Road	1	2014/15
		Rosebery	London Road/Lismore Street	50	2016/17
Donegall Road	165	Donegall Road	Donegall Ave.:Village Atc Ph.1	13	Currently being built
		Donegall Road	Village Ura Phase 3	27	Currently being built
		Donegall Road	Village Non Atc Rehabs	9	Currently being built
		Donegall Pass	Posnett Street	30	2014/15
Short Strand	110	Short Strand	7 Mountpottingerroad	6	2014/15
Mid Shankill	55	Lawnbrook	Lawnbrook Ura	28	Currently being built
Lower Shankill	33	Florence-Hopewell	Lower Shankill Phase 1	21	Currently being built
		Florence-Hopewell	Lower Shankill Phase 2	12	2014/15
North Belfast 2	32	Ballysillan	Carr's Glen-Ballysillan Park	10	2014/15
		Ballysillan	174-202 Ballysillan Ave. Regeneration	14	2014/15
		Grove	Loughview	1	2014/15
		Lower Oldpark	Lower Oldpark Rehabs	26	Currently being built
		Lower Oldpark	36-44 Oldpark Road	12	2014/15
		Skegoniell	Queen Victoria Gardens	22	Currently being built
		Skegoneill	24-54 Fortwilliam Parade	10	2015/16
		Sunningdale	Sunningdale Gardens	46	Currently being built
		Shore Road	Gray's Lane:792 Shore Road	6	2014/15

Housing Need Assment Area (HNA)	Projected Housing Need for (HNA)	Common Landlord Areas (CLAs) within each HNA	Scheme Name	Units	Prog Year
		Upper & Lower Duncairn	Lawther Court: Tigers Bay	1	Currently being built
		Wheatfield	Glenbryn Park	10	2015/16
Finaghy/ Taughmonagh	22	Taughmonagh	Finnis Drive	15	Currently being built
Ainsworth/ Woodvale	0	Ainsworth	Ainsworth Community Centre	4	2014/15
		Cambrai	1-39 Leopold Street	10	Currently being built
		Cambrai	Rosebank/Columbia Re-Improvements	8	Currently being built
Ballygomartin	0	Ballygomartin	Somervale	41	Currently being built

### Housing Executive Properties: Oil Leaks

**Mr Clarke** asked the Minister for Social Development, pursuant to AQW 31347/11-15, how long it took to repair the four properties in Antrim.  
(AQW 32614/11-15)

**Mr McCausland:** The Housing Executive has advised that the four properties in question have been affected by oil spillage or contamination and must be thoroughly checked to ensure any environmental damage has been contained and remedied. Comprehensive investigations are undertaken to assess the nature and extent of any contamination following a reported oil spillage. By their very nature, such investigations can never entirely cover all possible contaminant migration routes. For example, previously unidentified buried service routes and variable ground conditions can sometimes allow more extensive contaminant migration than may reasonably be expected following a site investigation, often requiring additional investigation and assessment when discovered. In addition, in some instances, the source of the contamination and volume of loss is not always known, or may be migrating onto NIHE property from neighbouring privately-owned properties, leading to complications and delays in remediating the site. Delays may be caused for example, due to continued migration onto the site from an off-site source and in many cases a poor understanding of the spillage event and remedial works completed in the adjacent property, if any.

The Housing Executive has provided the following information in relation to what was involved in resolving the issue at each of the four properties.

#### Property A

The Housing Executive received a report regarding possible oil spillage on 23 January 2012. Detailed actions included several site investigations, remedial works, additional contamination discovered, lab analysis carried out and structural survey prior to floor reinstatement. The works are estimated to be complete in May 2014.

#### Property B

The Housing Executive received a report regarding possible oil spillage on 2 July 2012. Detailed actions included site investigations, contractual issues and remedial works. All works were completed in December 2013.

#### Property C

The Housing Executive received a report regarding possible oil spillage on 25 May 2011. Detailed actions included site investigations, air report, pipe inspections, remedial works at boiler house and party wall, neighbour notified of spillage. The site was fully reinstated on 17 April 2012.

#### Property D

The Housing Executive received a report regarding possible oil spillage on 9 April 2013. The issues at this site are believed to have arisen as a result of a third party spillage at a neighbouring private property. Despite comprehensive investigation and remedial works being undertaken internal odours were still reported and it was agreed that the Housing Executive's appointed consultant would undertake a review of the works completed at both properties. It is believed that re-contamination of the neighbouring property is occurring. The Housing Executive has advised that works are ongoing and are expected to complete in eight to ten weeks.

### Occupational Health Service: DSD

**Ms Boyle** asked the Minister for Social Development what action his Department is taking to offer comprehensive occupational health services to its employees, including early access to services such as physiotherapy.  
(AQW 32725/11-15)

**Mr McCausland:** The Northern Ireland Civil Service Occupational Health Service (OHS) provides a comprehensive occupational health service to all of the NICS Departments and this is available to all employees. Further details of OHS services can be found at [www.nicsohs.gov.uk](http://www.nicsohs.gov.uk). This service does not however provide early access to physiotherapy.

The Department also has a Welfare Support Service with trained officers who offer help and guidance to anyone affected by personal, domestic or work related problems. These officers visit staff on long-term sick absence and they provide practical support, advice and guidance on a wide range of personal issues.

Further help is available to support staff through the DSD Employee Assistance Programme delivered by Carecall. This service provides a confidential counselling service and bolsters the work of the Welfare Support Service.

DSD in conjunction with OHS, also provide a unique Pregnancy Support Service to expectant mothers, offering advice and guidance on all aspects of pregnancy, and optional pre and post-natal appointments with OHS.

The NICS also has a health and wellbeing programme referred to as WELL. The aim of this programme is to enable staff to help themselves, providing staff with accurate and accessible information to encourage a healthy life. DSD has a role in the ongoing implementation of this programme, and it has a network of DSD WELL Champions ensuring staff have access to the health advice, guidance and support.

### Clanmil Housing Association

**Mr Agnew** asked the Minister for Social Development to list the sites on which Clanmil Housing intend to develop the 1,600 houses with the recently secured £180m investment.  
(AQW 32786/11-15)

**Mr McCausland:** As stated in AQW 32785/11-15, the figure of 1,600 houses is Clanmil's projected delivery of new social housing starts over the four years 2014/15 – 2017/18. The table attached details the schemes currently programmed in the Social Housing Development Programme for Clanmil in the period 2014/15 – 2016/17.

This is Clanmil's gross programme and schemes can be lost in-year or slip to future programme years for a variety of reasons, such as delays in securing Planning Permission or inability to acquire a site. New schemes can also be added in-year to any given programme year, e.g. through the purchase of existing satisfactory or off-the-shelf properties.

Clanmil has confirmed that they are actively working to identify suitable opportunities in areas of housing need throughout Northern Ireland. However until an agreement to purchase is reached these proposals remain commercially sensitive.

#### Clanmil Development Proposals 2014-17

Scheme Name	Location	Number units	On-site year	Completion year
117A Donaghadee Road/7 Summerhill Park	Bangor	10	2014/15	2015/16
Colin Glen	Belfast	67	2014/15	2016/17
Durham Street (Blood Transfusion Service Surplus Site)	Belfast	27	2014/15	2016/17
Governor's Place	Carrickfergus	16	2014/15	2016/17
2a & 2-6 Seymour Street	Lisburn	23	2014/15	2016/17
5 Church Grove	Kircubbin	6	2014/15	2015/16
36 Abbey Road	Millisle	2	2014/15	2015/16
26 Beechwood Avenue	Londonderry	14	2014/15	2015/16
NI Water Service Site, Belfast Road	Lisburn	23	2014/15	2016/17
Killard School, North Road	Newtownards	79	2014/15	2016/17
30-34 Dromore Street	Ballynahinch	27	2014/15	2016/17
Upper Greenwell Street	Newtownards	5	2014/15	2016/17
8A&10 Clooney Terrace	Londonderry	9	2014/15	2016/17
8-10 Victoria Road	Londonderry	40	2014/15	2016/17
Grangemore, Ardgrange	Londonderry	15	2014/15	2016/17

Scheme Name	Location	Number units	On-site year	Completion year
Posnett Street	Belfast	30	2014/15	2016/17
Ballyowen Replacement	Belfast	31	2014/15	2016/17
Rathmoyle	Ballycastle	28	2014/15	2016/17
Clandeboyne Road	Bangor	54	2014/15	2016/17
12-16 Graham Gardens	Lisburn	27	2014/15	2016/17
Grattan Park	Lurgan	28	2014/15	2016/17
Norglen Parade	Belfast	1	2014/15	2015/16
Win Business Park	Newry	18	2014/15	2015/16
137/141 Ormeau Road	Belfast	15	2014/15	2015/16
South Area Older People, Dromore & Banbridge	Banbridge	18	2014/15	2015/16
Glen Road	Belfast	4	2014/15	2015/16
18 Warren Road	Donaghadee	10	2014/15	2015/16
512-514 Falls Road	Belfast	2	2014/15	2015/16
132 Frances Street	Newtownards	11	2015/16	2016/17
Movilla Road	Newtownards	10	2015/16	2016/17
Beechvale Road	Killinchy	5	2015/16	2016/17
Hilden Mill Phase 1	Lisburn	75	2015/16	2018/19
Wolfhill	Belfast	17	2015/16	2017/18
The Old Mill, Mill Road	Crumlin	32	2015/16	2017/18
125-127 Larne Road	Ballymena	32	2015/16	2017/18
South Area Older People, Armagh & Dungannon	Armagh/Dungannon	18	2015/16	2017/18
94-100 Sunnyside Street	Belfast	27	2015/16	2016/17
132-136 Castlereagh Road	Belfast	9	2015/16	2016/17
Old Hollywood Road	Belfast	6	2015/16	2016/17
Jamaica Inn, Jamaica Street	Belfast	26	2015/16	2016/17
39 Greenmount Avenue	Coleraine	7	2015/16	2016/17
66 Main Street	Greyabbey	10	2015/16	2016/17
30 Union Place	Dungannon	12	2015/16	2016/17
Beech Valley Phase 1	Dungannon	30	2015/16	2016/17
Hilden Mill Phase 2	Lisburn	75	2016/17	2019/20
37-45 Downpatrick Street	Crossgar	11	2016/17	2017/18
11 Brandon Parade	Belfast	7	2016/17	2017/18
53 Mill Road	Crumlin	11	2016/17	2017/18

### Clanmil Housing Association

**Mr Agnew** asked the Minister for Social Development what procedures were followed before the decision was made to award Clanmil Housing £60m.  
(AQW 32787/11-15)

**Mr McCausland:** The £60m figure represents the estimated Housing Association Grant, which will be available to Clanmil Housing Association over the next four years following their recent announcement to build up to 1,600 new social homes. This



will be subject to Housing Executive approval and allocated on confirmation of compliance with the terms and conditions set out in the Housing Association Guide on a scheme by scheme basis.

### Fold-type Housing: Antrim and Newtonabbey

**Mr Kinahan** asked the Minister for Social Development to detail the future provision for Fold development type housing planned for the (i) Antrim; and (ii) Newtownabbey Borough Council areas.

**(AQW 32824/11-15)**

**Mr McCausland:**

- (i) One scheme for 10 general needs units of Fold development type housing is planned for the Antrim District Council area during the Social Housing Development Programme (SHDP) 2014/15 – 2016/17. The scheme will involve the transfer of Housing Executive land at Chaine Court Ballycraigy and is programmed to go on-site in 2015/16 and complete in 2016/17.

The table below shows the Supported or Sheltered Housing schemes in the SHDP for Antrim District Council from 2014/15-2016/17.

Programme Year	Scheme Name	Nr units (shared)	Housing association	Needs Group	Type	Completion Year
2014/15	Norfolk Court, Antrim	12	Oaklee	Mental Health	Off-the-Shelf/ Existing Satisfactory	2015/16
2014/15	Northern Trust Mental Health Resettlement (Moylinney Closure, Antrim)	24	Trinity	Mental Health	New Build	2016/17
2015/16	Abbey Gardens, Muckamore Resettlement (Phase 2)	13	Triangle	Learning Disabilities	Rehabilitation	2017/18

This information is based upon the current gross SHDP for 2014/15 – 2016/17. Further schemes may be identified through the annual bidding rounds for inclusion in the 2015/16 and 2016/17 years of the SHDP. Schemes can also be added to the SHDP in-year, subject to confirmation of housing need.

- (ii) There are no schemes currently programmed in the SHDP 2014/15 – 2016/17 for fold type housing in the Newtownabbey District Council area.

### Townscape Heritage Initiative

**Mr Allister** asked the Minister for Social Development to outline the impact on the Townscape Heritage Initiative following the Northern Ireland Housing Executive terminating matched funding for the scheme; and what action he is taking to retrieve the situation.

**(AQW 32831/11-15)**

**Mr McCausland:** Town and city centre regeneration is a key policy priority, as my Department's Housing Strategy and Urban Regeneration and Community Development Policy Framework clearly sets out. I have previously stated my intention to revitalise the LOTS initiative, which I believe will help to encourage people to return to town centre living.

Officials are presently finalising a review of the previous scheme operated by the Housing Executive, with a view to consulting on a new scheme early in the 2014-15 financial year. Once the public consultation is completed, I plan to put in place a renewed policy, subject to available resources. Officials from my Department have been working with Town Heritage Initiative (THI) representatives and are aware of the dependencies and potential linkages between LOTS and THI. This will form part of the thinking in any potential new scheme.

### Benefits for Students

**Ms Maeve McLaughlin** asked the Minister for Social Development whether a student who has been overseas and returns home is entitled to benefits immediately; and if not, to detail any restrictions which prevent them from accessing benefits following their return home.

**(AQW 32844/11-15)**

**Mr McCausland:** Students cannot normally claim benefit while they are still undertaking a course of study unless they fall into one of the prescribed categories for that benefit. However, a student who is returning from a period of study overseas and whose course of study has ceased or been terminated may be entitled to Income Support or income-related Employment Support Allowance immediately, subject to the normal conditions of entitlement to that benefit being satisfied and as long as they can provide evidence that they are no longer undertaking a course of study.

Contribution-based Employment and Support Allowance is not affected by full time education and can be claimed at any time.

From 1 January 2014, a United Kingdom or European Economic Area national who makes a claim to income-based Jobseeker's Allowance following a period abroad will also be required to show that they have been resident in the United Kingdom or Common Travel Area (which comprises the United Kingdom, the Channel Islands, the Isle of Man and the Republic of Ireland) in the 3 months preceding their claim. If they cannot meet this condition, their claim will be disallowed. This requirement will not apply to those claimants who have paid sufficient national insurance contributions to qualify for contribution based Jobseeker's Allowance.

### Housing Executive Properties: Carbon Monoxide Alarms

**Mr Frew** asked the Minister for Social Development how many Housing Executive properties in North Antrim have had carbon monoxide alarms installed in the last three years.

**(AQW 32863/11-15)**

**Mr McCausland:** The Housing Executive has advised that over the last three years they have installed carbon monoxide detectors to a total of 1,047 properties in North Antrim through planned schemes.

### Housing Executive Properties: Carbon Monoxide Alarms

**Mr Frew** asked the Minister for Social Development how many Housing Executive properties in North Antrim have yet to have a carbon monoxide alarm installed; and to outline the timescales for installation in these properties.

**(AQW 32865/11-15)**

**Mr McCausland:** The Housing Executive has advised that within the North Antrim area 1,262 properties had been identified which fell within the NIHE Board's approval to have a carbon monoxide detector installed. To date the Housing Executive has installed 1,047 carbon monoxide detectors in its properties. No access or refusals were recorded against the remaining 215 properties.

Although there is no obligation to retrofit the detectors the Housing Executive, through their heating contractors, are installing a carbon monoxide detector in each dwelling where none exists during the annual planned service. They have advised that this will ensure that all properties will have a carbon monoxide detector fitted within the next twelve months.

### Employment and Support Allowance

**Mr Weir** asked the Minister for Social Development, pursuant to AQW 17264/11-15, to provide the most up to date figures for (i) 2013; and (ii) 2014.

**(AQW 32884/11-15)**

**Mr McCausland:** The information, detailed below by financial year, covers the period 1 April 2012 to 31 March 2014.

- (i) percentage of medical assessments held at Royston House:
- 1 April 2012 to 31 March 2013 – 38.91%
  - 1 April 2013 to 31 March 2014 – 39.26%
- (ii) percentage of medical assessments held in the applicant's home:
- 1 April 2012 to 31 March 2013 – 1.66%
  - 1 April 2013 to 31 March 2014 – 1.61%
- (iii) percentage of medical assessments held in other medical examination centres:
- 1 April 2012 to 31 March 2013 – 59.43%
  - 1 April 2013 to 31 March 2014 – 59.13%

### Businesses: Harbour Area, Newcastle

**Mr Rogers** asked the Minister for Social Development, pursuant to AQW 31974/11-15, whether any additional funding schemes are available, or will be made available, to businesses in the Harbour area of Newcastle by way of regeneration or improvement projects.

**(AQW 32885/11-15)**

**Mr McCausland:** My Department has responsibility for assisting with the regeneration or improvement of urban areas as defined in the relevant Area Plan. In Newcastle the town centre boundary as defined in the Draft Ards and Down Area Plan excludes the Harbour area. As a result my Department's has no plans to provide funding for schemes in the Harbour area of Newcastle. My Department is currently taking forward a £250,000 Revitalisation Scheme in partnership with the local Chamber of Commerce in town centre.

### Social Housing: 5 Millisle Road, Donaghadee

**Mr Weir** asked the Minister for Social Development, pursuant to AQW 32137/11-15 and following the withdrawal of Triangle Housing, whether a new housing association is being sought for the site.

**(AQW 32943/11-15)**

**Mr McCausland:** In respect of the site at 5 Millisle Road, Donaghadee, the Housing Executive is currently investigating whether the previously identifiable constraints can be resolved before making a decision about re-nominating the site to another Housing Association.

### Direct Labour Organisation: Cost

**Mr Allister** asked the Minister for Social Development, pursuant to AQW to AQW 29987/11-15, to provide the cost of running the Direct Labour Organisation.  
(AQW 32975/11-15)

**Mr McCausland:** The Housing Executive has advised that their Direct Labour Organisation's total turnover including grounds maintenance, void property security, health and safety electrical inspections and response maintenance repairs was £16m in 2013/14\* and is expected to increase to around £20m in the 2014/15 financial year.

\*The original planned cost in 2013/14 was £7.4m. However, following the transfer of contracts and staff under TUPE the costs rose to £16m.

### Direct Labour Organisation: Oversight Committee

**Mr Allister** asked the Minister for Social Development to outline the purpose of the oversight committee within the Northern Ireland Housing Executive in respect of the Direct Labour Organisation, including how it will operate and the role that the non-executive members perform.  
(AQW 32976/11-15)

**Mr McCausland:** The Housing Executive has advised that the Direct Labour Organisation Performance and Development Committee is an advisory and scrutiny body with no executive powers. The Committee has been established to assist the Housing Executive's Board to scrutinise and oversee the in-house resource to ensure that risks are managed and that it delivers a quality competitive service which provides value for money. The Committee will provide assurance to the Housing Executive's Board on the effectiveness and efficiency of management, performance, governance and compliance control in the Direct Labour Organisation. Emerging risks will need to be identified and brought to the Housing Executive's Board and the Audit and Risk Assurance Committee.

The Direct Labour Organisation's Performance and Development Committee will be expected to meet five to six times per annum.

The Non-Executive members will be expected to:

- Provide expert advice on contract, financial and manpower management, quality, value for money, effectiveness and efficiency, commercial opportunities, benchmarking and the performance and development of the Direct Labour Organisation;
- Work with the Direct Labour Organisation Performance and Development Committee to promote new approaches and different perspectives;
- Bring individual objectivity and experience to meetings of the Direct Labour Organisation Performance and Development Committee and
- Prepare for and contribute to meetings of the Committee

### Alcohol: Minimum Pricing

**Mr Weir** asked the Minister for Social Development what discussions he has had with his counterpart in Scotland on a minimum pricing for alcohol.  
(AQW 32986/11-15)

**Mr McCausland:** My Department is responsible for the law regulating the sale and supply of alcohol in Northern Ireland. The Department of Health, which has responsibility for health and well-being, takes the lead in addressing alcohol misuse and trying to reduce overall consumption levels.

I have been working closely with Health Minister Poots on considering the need for introducing minimum unit pricing of alcohol in Northern Ireland.

Whilst I have not met with my Scottish counterpart I have been advised that Minister Poots met with Alex Neil MSP, Cabinet Secretary for Health and Wellbeing Scotland and Michael Matheson MSP, Minister for Public Health Scotland in March to discuss relevant health matters, including the issue of alcohol retail pricing.

These matters have also been discussed on an ongoing basis, at both an official and Ministerial level, at the British Irish Council Substance Misuse Sectoral Group, on which both my Department and the Health Department are represented.

I understand the introduction of minimum unit pricing is currently subject to legal challenge in the Scottish courts and my officials are continuing to monitor developments.

### Alcohol: Minimum Pricing

**Mr Weir** asked the Minister for Social Development what discussions he has had with his counterpart in the Republic of Ireland on a minimum pricing for alcohol.  
(AQW 32987/11-15)

**Mr McCausland:** My Department is responsible for the law regulating the sale and supply of alcohol in Northern Ireland. The Department of Health, which has responsibility for health and well-being, takes the lead in addressing alcohol misuse and trying to reduce overall consumption levels.

I have been working closely with Health Minister Poots on considering the need for introducing minimum unit pricing of alcohol in Northern Ireland.

Whilst I have not met with my counterpart in the Republic of Ireland, I have been advised that Minister Poots has discussed the issue of alcohol pricing with Dr James Reilly TD, Minister for Health in the Republic of Ireland, on a number of occasions including at the North South Alcohol Conference in January 2012.

Both my officials and health officials work closely with their counterparts in the Republic of Ireland on a regular basis on a range of alcohol issues, including representation on the British Irish Council Substance Misuse Sectoral Group.

Following the outcome of a joint consultation in 2011 between my Department and the Health Department, research has been commissioned in collaboration with the Department of Health in the Republic of Ireland to model the likely impact of introducing a minimum unit price of alcohol in each jurisdiction. This research, which will be completed in the near future, will help inform any policy decisions in this area.

My officials also continue to monitor the developments in other jurisdictions including Scotland, where I understand the introduction of minimum unit pricing is currently subject to legal challenge.

### Urban Regeneration

**Mr Copeland** asked the Minister for Social Development to detail the level of funds his Department has spent on urban regeneration in each of the last three years, broken down by local council area.  
(AQW 33000/11-15)

**Mr McCausland:** The table below details spend on urban regeneration in each of the last three years, broken down by local council area

	2010/11	2011/12	2012/13
Antrim	173,833	201,006	1,167,641
Ards Borough Council	208,550	276,131	235,722
Armagh	609,609	614,318	1,181,144
Ballymena	835,964	265,232	1,059,445
Ballymoney	202,474	103,982	124,579
Banbridge	63,677	137,690	594,646
Belfast	26,254,057	24,114,109	26,869,645
Carrickfergus	139,695	136,259	1,470,259
Castlereagh	462,607	490,424	599,426
Coleraine	1,092,940	2,121,134	1,114,263
Cookstown	134,366	87,512	315,931
Craigavon	3,990,399	4,119,967	4,172,746
Londonderry	5,706,122	5,076,822	6,498,210
Down District Council	2,504,212	506,278	1,647,863
Dungannon & South Tyrone	694,184	1,289,552	1,477,234
Fermanagh DC	622,313	782,674	1,447,302
Larne	112,100	341,766	357,637
Limavady	382,038	711,196	577,684
Lisburn City Council	2,705,440	2,439,299	3,341,797
Magherafelt	128,261	150,755	347,078



	2010/11	2011/12	2012/13
Moyle	44,501	117,315	80,862
Newry & Mourne	2,295,306	2,767,219	2,427,460
Newtownabbey	301,708	467,981	810,740
North Down Council	510,321	407,741	5,159,033
Omagh	1,009,962	1,463,908	1,277,280
Strabane	754,454	882,669	1,019,219
<b>Total</b>	<b>51,939,092</b>	<b>50,072,939</b>	<b>65,374,847</b>

**Notes:** Caution is advised in making comparisons of expenditure across areas. Expenditure is influenced by factors such as the population of an area; the historic expenditure and/ or proposed capital investment in an area from other initiatives or mainstream sources, geographical location and proximity to existing services; as well as revenue investment in an area from lead Departments or from other initiatives

## Northern Ireland Assembly Commission

### Electronic Voting

**Mr Flanagan** asked the Assembly Commission what consideration has been given to the introduction of electronic voting for Plenary business.

**(AQW 32851/11-15)**

**Mr Cree (The Representative of the Assembly Commission):** Voting for Plenary business is already electronic to the extent that Members' votes are recorded into a lobby voting system that maintains a tally of votes cast, including abstentions, and performs the calculation required in cross community votes.

The conduct of voting is set out in Standing Orders and therefore falls within the remit of the Committee on Procedures. At its meeting on 25 March 2014, the Committee requested a briefing on electronic voting for the next meeting, after which the Committee will decide whether and how to take the matter forward. Any amendments to Standing Orders would then be debated in Plenary.

Should the Assembly agree that there should be provision for a fuller form of electronic voting; the Commission's role will be to make the necessary provision in the Chamber. This may require some work to be carried out. The two front rows seat 60 Members, and all the tables and desks have power and trunking for any extra cabling. The back benches, however, do not have desks for all individual Members, and so alternative solutions would have to be investigated.

### Crèche Provision

**Mr Flanagan** asked the Assembly Commission whether it would consider carrying out a survey to assess the demand for crèche provision within Parliament Buildings to encourage and support more parents of young children to be MLAs.

**(AQW 32852/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** While the Assembly Commission has no plans to undertake a survey of Members to assess the demand for crèche facilities, there is alternative support available for Members who are parents to young children. It is unlikely that the financial outlay required to operate a crèche could be justified at this time.

As an alternative to a crèche, the Commission administers a childcare allowance scheme. This scheme enables a Member to receive an allowance towards the cost of childcare while the Member is at work and operates on the basis of a cash payment to eligible participants. Payments made through the scheme are subject to personal income tax and national insurance contributions. The Commission bears the cost of employers' national insurance contributions.

### Assembly Chamber: Access

**Mr Flanagan** asked the Assembly Commission to detail any plans to make the Assembly Chamber more accessible for (i) Members; (ii) visitors to the public gallery; and (iii) officials in the officials' box who have a physical disability.

**(AQW 32853/11-15)**

**Mr P Ramsey (The Representative of the Assembly Commission):** The Assembly Commission is always mindful of opportunities to improve accessibility and has carried out a range of improvements to Parliament Buildings for that purpose.

The Assembly Chamber was originally designed to cater for a 52 Member parliament and modifications, within the constraints of the listed building status, have been made throughout the history of the building to take account of the changing needs.

Most recently, in the summer of 2008, the Assembly Commission undertook a major project to modify and refurbish the chamber. This work addressed the issue of accessibility to the floor of the chamber and included significant improvements to the public galleries, particularly for people with physical disabilities.

With regard to the specific issues you refer to:

- (i) On the floor of the chamber, level access has been provided from both the main Members' entrance and from the Speaker's Table end of the chamber. Ramped access to the voting lobbies is also available from the floor of the chamber.
- (ii) For visitors to the Public Gallery, improvements include the installation of a platform hoist to the gallery and the creation of a viewing area suitable for wheelchair users. In addition, there is a small area for wheelchair users in each of the side galleries (accessible from the west side of the building).
- (iii) There is level access from the Speaker's Table end of the chamber to each of the official's boxes. Space constraints would make further specific improvements to this facility difficult to achieve. Wheelchair users could be accommodated in the immediate vicinity of the official's box should that be required.

At present, the Assembly Commission has no plans to make any further modifications to the Assembly Chamber. However, as a result of your enquiry, we will undertake a further review to determine if any further improvements can be accommodated.

Please let me know if you require anything further.

### Health and Well-being Standards

**Mr Flanagan** asked the Assembly Commission what measures are in place within Parliament Buildings to allow Members and staff to meet health and wellbeing standards, such as access to physical activity; and what consideration has been given to improving this provision.

**(AQW 32855/11-15)**

**Mrs Cochrane (The Representative of the Assembly Commission):** Given the unique role of Members and the precise role of the Assembly Commission, the Commission has not implemented measures to improve the health and wellbeing of Members. In common with other users of the Stormont Estate, Members can avail of the facilities at the Stormont Pavilion.

The Commission recognises the benefits of a healthy workforce and is committed to helping to improve the health and wellbeing of its staff. There is a range of policies which support the health and wellbeing of staff. These include:-

- flexible working arrangements;
- maternity, paternity and parental leave arrangements;
- special leave and career break opportunities;
- secondment opportunities;
- mentoring and coaching opportunities;
- volunteering opportunities;
- access to an independent employee assistance programme which provide counselling across a range of matters.

A Health & Wellbeing Committee comprising staff from across the Secretariat is in place to develop and deliver initiatives. The Committee undertook a wellbeing survey in June 2012 and as a result of the survey feedback, a wide variety of events are delivered including stress awareness advice, podiatry sessions, Pilates and yoga classes.

A Health & Wellbeing Fair is held on an annual basis with contributors who provide screening for specific health issues, fitness information and information on healthy eating.

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# Northern Ireland Assembly

Friday 9 May 2014

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### **Childcare: Financial Support**

**Mr Agnew** asked the First Minister and deputy First Minister whether the proposed financial support for 8,000 registered childcare places is sufficient to meet the need.

**(AQO 5999/11-15)**

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The Bright Start School Age Childcare Grant Scheme aims to create or sustain up to 7,000 school age childcare places in low cost social economy settings. These will begin to address current unmet need for school age childcare services.

We estimate that creating or sustaining 7,000 childcare places could require up to £15 million in grant payments over the next three and half years. However, the actual amount paid will depend on the number and quality of applications received over the three and half years that the Grant Scheme will operate. The School Age Childcare Grant Scheme will be kept under review and its performance will inform future initiatives in this area.

A second Grant Scheme, to create up to 1,000 new rural childminder places, is currently in development. The development process will establish the level of financial support required to deliver the proposed number of childminder places.

#### **Barroso Task Force**

**Ms Boyle** asked the First Minister and deputy First Minister what steps are being taken to ensure that the work of the Barosso Task Force continues after President Barosso steps down from the Presidency of the European Commission.

**(AQO 6001/11-15)**

**Mr P Robinson and Mr M McGuinness:** There can be no doubt that we have benefited significantly from the work of the Taskforce since its establishment in 2007.

Its report initially provided a clear roadmap on how to maximise the benefits of European engagement. Through the Commission members of the Taskforce, we have gained access to the key decision-takers in Europe at the highest level and have secured participation of European Commission officials throughout the period in events to promote the interests of the region.

While we cannot assume that the precise architecture of this unique arrangement will remain in place following the departure of President Barroso, we will nonetheless work to ensure that the network of support within the Commission remains active and continues to assist us in promoting our interests in Europe. We will also use every opportunity to acknowledge with incoming Commissioners, the ongoing benefits of the Taskforce and the need for continued support through structured arrangements.

### Department of Culture, Arts and Leisure

#### **Trawling: Regulations on Fishing for Baits**

**Mr Milne** asked the Minister of Culture, Arts and Leisure to clarify the regulations on fishing for baits by trawling, particularly the mechanisms by which the nets can be pulled.

**(AQW 33062/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** Trawling of a bait net is not currently permitted on any inland fishery in my Department's jurisdiction.

Commercial eel fishermen on Lough Neagh raised concerns with my Department regarding the effectiveness of the current legislation on the operation of bait nets. As a result my Department has commissioned AFBI to carry out a research programme, in conjunction with the Lough Neagh Fishermen's Co-operative Society and licensed eel fishermen, to establish if the current regulations are fit for purpose.



In order to take this work forward, my Department will authorise commercial eel fishermen, monitored by AFBI scientists and my protection staff, to trawl bait nets under the provisions of a Permit issued under Section 14 of the Fisheries Act (NI) 1966.

AFBI will require data to be recorded by the fishermen and after analysis will provide advice to my Department on the effectiveness of the current regulations.

Any changes to regulations will be based on the scientific advice and will strike a balance between the protection of fish stocks and the importance of the commercial eel fishery to communities around the Lough shores and the local economy.

### City of Culture Capital Legacy Projects

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure to detail the City of Culture capital legacy projects that will benefit from the £2m investment at the Daisyfield and Showgrounds in Derry. (AQW 33120/11-15)

**Ms Ní Chuilín:** I am committed to sport being a key element of the social and economic legacy from City of Culture 2013 which extends across the North West of Ireland.

Legacy projects and plans for investment at the Daisyfield and Showgrounds in Derry are at an early stage of development and a Business Case is currently being developed by Derry City Council which must demonstrate value for money and meet my Department's priorities around promoting equality; and targeting poverty and social exclusion.

I am making a bid to the Executive to secure funding over the 2014-16 financial years to maximise the impact and sustainable legacy of City of Culture. This will include harnessing the transformative power of sport to tackle poverty and social exclusion and improve the lives of people and communities across the North West.

### Daisyfield and Showgrounds in Derry

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure to detail when the Letter of Offer was issued to Derry City Council for the City of Culture capital legacy projects at the Daisyfield and Showgrounds, Derry. (AQW 33207/11-15)

**Ms Ní Chuilín:** As the legacy projects and plans for investment at the Daisyfield and Showgrounds in Derry are at an early stage of development, no Letter of Offer has been issued to Derry City Council.

A Business Case is currently being developed by Derry City Council which must demonstrate value for money and meet my Department's priorities around promoting equality; and targeting poverty and social exclusion.

## Department of Education

### Mobile Classrooms: North Down

**Mr Weir** asked the Minister of Education how many (i) primary; and (ii) post-primary schools in North Down are using mobile classrooms compared to 2010. (AQW 33028/11-15)

**Mr O'Dowd (The Minister of Education):** The South Eastern Education and Library Board does not normally hold historic detail in relation to the number of mobile classrooms however in 2009 the Department provided this information. This information has been included in the table below together with the current numbers.

	Number of temporary classrooms in primary schools (i)	Number of temporary classrooms in post primary schools (ii)	Total
April 2009	34	12	46
April 2014	34	16	50

### Preschool Places: Ballycastle

**Mr Swann** asked the Minister of Education how many children in the Ballycastle area were not offered a pre-school place in the last round of applications. (AQW 33037/11-15)

**Mr O'Dowd:** The North Eastern Education and Library Board has advised that, of the 90 children who applied at stage one of the pre-school application process for a place in a pre-school setting in the Ballycastle area, two remained unplaced at the end of stage one on 4 April.

Places remain available in the area for stage two of the process and parents of unplaced children were invited to submit further preferences by 30 April.

For 2012/13 and 2013/14 admissions 99.8% of children whose parents stayed with the process were offered a funded place in a setting they had requested.

Letters advising the outcome of stage two will be issued on Friday 30 May 2014.

### Eco-Schools Project

**Mrs Dobson** asked the Minister of Education for his assessment of the Eco-Schools project. (AQW 33090/11-15)

**Mr O'Dowd:** Programmes such as the Eco-Schools programme play an important role in fostering environmental awareness and action for future generations. The Eco-Schools programme is supported by the Department of the Environment whose mission is to protect and improve the environment in the north of Ireland.

My Department is committed to playing its part in tackling climate change and increasing awareness of environmental issues. This includes incorporating Education for Sustainable Development across all key stages of the curriculum.

The Eco-Schools programme provides one way of delivering this aim.

All five Education and Library Boards have been working with local councils to promote and support Eco-Schools and 1,151 schools are currently enrolled on the programme. In total, 197 schools have been awarded the Green Flag, which demonstrates the highest level of achievement in the programme; 493 schools have achieved a Silver award and 650 schools have received a Bronze award.

### Public Bodies: Appointments

**Mr Campbell** asked the Minister of Education to detail the community background of the appointments he has made in the last two years to public bodies sponsored by his Department. (AQW 33093/11-15)

**Mr O'Dowd:** The community backgrounds of those I have appointed to public bodies sponsored by my Department in the last two years are as follows:

Community Background	Number
Protestant	11
Roman Catholic	12
Neither Protestant nor Roman Catholic	1
Not Known	2
<b>Total</b>	<b>26</b>

### Schools in North Down: Links with Employers

**Mr Weir** asked the Minister of Education which schools in North Down have ongoing links with employers. (AQW 33142/11-15)

**Mr O'Dowd:** The Department of Education does not hold information on how many schools have ongoing links with employers as this is a matter for individual schools to determine.

Employability is a key theme underpinning the revised curriculum which aims to prepare our young people for all aspects of life and work enabling them to develop as confident and articulate individuals, able to play their full part in society and our economy. I am aware that a lot of excellent business education work and STEM enrichment activity takes place directly between schools and local businesses, some of which have developed into sustainable local relationships.

The contribution of the business sector in helping in the development of our young people and working with our delivery partners is significant both in terms of in-kind staff time and expertise and in providing financial support. I recognise the role of employers is invaluable in providing careers information and advice to teachers and young people in our schools. In my engagement with business and its representative bodies, I regularly encourage them to engage directly with schools, to share their knowledge and expertise.

### Pupils Who do Not Have English or Irish as a First Language

**Mr McNarry** asked the Minister of Education how many primary school pupils do not have English or Irish as their first language. (AQW 33153/11-15)

**Mr O'Dowd:** Figures collated from the 2013/14 school census indicated that there are 9,730 pupils in primary schools and preparatory departments (including nursery units and reception) that do not have English or Irish as their first language. This represents 5.7% of the overall primary school population.

### Pupils Who do Not Have English or Irish as a First Language

**Mr McNarry** asked the Minister of Education to list the primary schools in each Education and Library Board area which have (i) between 20 and 30; (ii) between 31 and 40; and (iii) more than 40 pupils who do not have English or Irish as their first language. (AQW 33155/11-15)

**Mr O'Dowd:** The schools are as follows:

#### BELB

- (i) Between 20 and 30 pupils who do not have English or Irish as their first language:
- Cliftonville Integrated Primary School
  - Cranmore Integrated Primary School
  - Dundela Infants School
  - Harding Memorial Primary School
  - Ligoniel Primary School
  - St Michael's Primary School, Belfast
  - St Patrick Primary School, Belfast
  - St Teresa's Primary School, Belfast
  - St Vincent de Paul Primary School, Belfast
  - Victoria Park Primary School
- (ii) Between 31 and 40 pupils who do not have English or Irish as their first language:
- Forge Integrated Primary School
  - Seaview Primary School, Belfast
  - Strandtown Primary School
- (iii) More than 40 pupils who do not have English or Irish as their first language:
- Avoniel Primary School
  - Botanic Primary School
  - Elmgrove Primary School
  - Euston Street Primary School
  - Fane Street Primary School
  - Finaghy Primary School
  - Hazelwood Primary School
  - Holy Family Primary School, Belfast
  - Holy Rosary Primary School, Belfast
  - Nettlefield Primary School
  - Rosetta Primary School
  - St Anne's Primary School, Belfast
  - St Bride's Primary School, Belfast
  - St Joseph's Primary School, Belfast Holland Drive
  - St Joseph's Primary School, Belfast Slate Street
  - St Malachy's Primary School, Belfast
  - St Mary's Primary School, Belfast Divis Street
  - St Matthew's Primary School, Belfast
  - St Paul's Primary School, Belfast
  - Stranmillis Primary School

#### WELB

- (i) Between 20 and 30 pupils who do not have English or Irish as their first language:
- Londonderry Model Primary School
  - St Lawrence's Primary School, Omagh
  - St Oliver Plunkett Primary School, Strathfoyle
  - St Patrick's Primary School, Castlederg
  - St Ronan's Primary School, Lisnaskea

- (ii) Between 31 and 40 pupils who do not have English or Irish as their first language:
- Enniskillen Model Primary School
  - Gibson Primary School
  - Oakgrove Integrated Primary School
  - Omagh Integrated Primary School
  - St Mary's Primary School, Strabane
- (iii) More than 40 pupils who do not have English or Irish as their first language:
- Christ the King Primary School
  - Good Shepherd Primary School and Nursery School
  - Holy Family Primary School, Omagh
  - Holy Trinity Primary School, Enniskillen
  - Lisnagelvin Primary School
  - Omagh County Primary School

#### NEELB

- (i) Between 20 and 30 pupils who do not have English or Irish as their first language:
- Antrim Primary School
  - Irish Society's Primary School
  - Millburn Primary School
  - St Bernard's Primary School, Newtownabbey
  - St Brigid's Primary School, Ballymoney
  - St Mary's Primary School (Glenview)
- (ii) Between 31 and 40 pupils who do not have English or Irish as their first language:
- Round Tower Integrated Primary School
  - St John's Primary School, Coleraine
  - St Nicholas' Primary School, Carrickfergus
  - St Patrick's Primary School, Rasharkin
- (iii) More than 40 pupils who do not have English or Irish as their first language:
- Ballymena Primary School
  - Glengormley Integrated Primary School
  - Holy Family Primary School, Magherafelt
  - Mount St Michael's Primary School
  - St Brigid's Primary School, Ballymena
  - St Colmcille's Primary School, Ballymena
  - St Comgall's Primary School, Antrim
  - St James' Primary School, Newtownabbey
  - St Joseph's Primary School, Antrim
  - St Malachy's Primary School, Belfast

#### SEELB

- (i) Between 20 and 30 pupils who do not have English or Irish as their first language:
- Brooklands Primary School
  - Brownlee Primary School
  - Dunmurry Primary School
  - Fort Hill Integrated Primary School
  - Hollywood Primary School
  - Lisburn Central Primary School
  - St Bernard's Primary School, Belfast
  - St Comgall's Primary School, Bangor
  - St Finian's Primary School, Newtownards
  - St Ita's Primary School, Belfast
  - St Patrick's Primary School, Ballynahinch
  - St Patrick's Primary School, Hollywood
  - Victoria Primary School, Newtownards



- (ii) Between 31 and 40 pupils who do not have English or Irish as their first language:
- Bangor Central Primary School
  - Pond Park Primary School
- (iii) More than 40 pupils who do not have English or Irish as their first language:
- Cairnshill Primary School
  - Dundonald Primary School
  - Harmony Hill Primary School
  - St Aloysius Primary School, Lisburn
  - St Joseph's Primary School, Lisburn
  - St Malachy's Primary School, Bangor

**SELB**

- (i) Between 20 and 30 pupils who do not have English or Irish as their first language:
- Dromore Central Primary School
  - Hardy Memorial Primary School
  - Howard Primary School
  - Kilkeel Primary School
  - Portadown Integrated Primary School
  - St Francis of Assisi Primary School, Keady
  - St Jarlath's Primary School, Dungannon
  - St Mary's Primary School, Aughnacloy
  - St Patrick's Primary School, Coalisland
  - St Patrick's Primary School, Donaghmore
- (ii) Between 31 and 40 pupils who do not have English or Irish as their first language:
- Cloughoge Primary School
  - Lurgan Model Primary School
  - Seagoe Primary School
  - St Dallan's Primary School, Warrenpoint
  - St Malachy's Primary School, Armagh
  - St Malachy's Primary School, Carnagat
  - St Patrick's Primary School, Rooney's Meadow
  - St Ronan's Primary School, Newry
  - Windmill Integrated Primary School
- (iii) More than 40 pupils who do not have English or Irish as their first language:
- Armstrong Primary School
  - Ballyoran Primary School
  - Bocombra Primary School
  - Carrick Primary School
  - Cookstown Primary School
  - Drumgor Primary School
  - Dungannon Primary School
  - Edenderry Primary School, Portadown
  - Hart Memorial Primary School
  - Holy Trinity Primary School, Cookstown
  - King's Park Primary School
  - Millington Primary School
  - Mount St Catherine's Primary School
  - Presentation Primary School
  - Primate Dixon Primary School
  - St Anthony's Primary School, Craigavon
  - St Brendan's Primary School, Craigavon
  - St Clare's Convent Primary School, Newry
  - St Colman's Abbey Primary School, Newry
  - St Francis Primary School, Lurgan
  - St John the Baptist Primary School, Craigavon

- St John's Primary School, Moy
- St Joseph's Convent Primary School, Newry
- St Mary's Primary School, Banbridge
- St Patrick's Primary School, Dungannon, Killyman Rd
- St Patrick's Primary School, Armagh
- Windsor Hill Primary School

**Source:** school census

**Note:**

- 1 Figures include nursery units, reception and year 1 – 7 classes.

**Primary Schools: Foreign National Immigrant Families**

**Mr McNarry** asked the Minister of Education how many primary schools have (i) between 20 and 30 per cent; and (ii) more than 30 per cent of their total pupil numbers drawn from foreign national immigrant families.  
(AQW 33156/11-15)

**Mr O'Dowd:** The Department does not hold data specifically on pupils from foreign national immigrant families. The data used instead to answer this question relates to pupils that do not have English or Irish as their first language.

Figures collated from the 2013/14 school census indicated that there are 25 primary schools (including nursery units and reception) with between 20 and 30 percent of pupils that do not have English or Irish as their first language, and 14 schools with more than 30 percent. There are 839 primary schools and preparatory departments in total.

**School Leavers: Further Education**

**Mr Campbell** asked the Minister of Education to detail the number of school leavers in each constituency who entered Further Education in each year between 2008 and 2012.  
(AQW 33162/11-15)

**Mr O'Dowd:** Please see the following table.

**Number of school leavers with a destination recorded as Further Education by constituency of pupil residency 2008 to 2012**

	2008		2009		2010		2011		2012	
	No.	%	No.	%	No.	%	No.	%	No.	%
Belfast East	358	34.4	313	32.1	303	31.7	301	30.0	331	36.1
Belfast North	321	23.2	388	32.4	384	30.6	424	33.6	342	29.7
Belfast South	240	22.2	217	21.3	221	20.7	216	21.6	271	27.3
Belfast West	373	25.9	385	27.3	360	26.5	328	25.3	371	29.3
East Antrim	264	22.6	365	30.4	315	28.0	322	28.6	327	29.7
East Londonderry	432	34.7	369	30.3	415	34.6	410	34.0	482	39.3
Fermanagh & South Tyrone	338	25.5	390	30.4	421	32.4	377	29.1	401	30.0
Foyle	483	29.3	436	26.9	451	30.7	469	29.9	540	35.7
Lagan Valley	298	24.8	316	27.7	304	26.3	361	30.4	372	32.7
Mid Ulster	402	28.9	424	31.8	454	33.5	388	27.0	364	28.1
Newry And Armagh	566	35.8	587	38.4	588	38.2	629	38.5	660	41.8
North Antrim	417	31.2	511	37.4	489	38.8	512	37.6	505	38.3
North Down	340	31.9	372	38.0	338	35.9	324	36.9	377	40.6
South Antrim	448	36.4	457	36.4	456	37.2	396	31.1	462	36.9
South Down	358	22.8	472	32.5	483	32.5	501	32.4	467	31.7
Strangford	420	38.0	399	36.7	467	44.8	486	44.3	462	42.2
Upper Bann	637	40.0	716	44.5	645	42.2	608	40.7	573	38.2
West Tyrone	305	23.6	312	24.7	359	28.2	407	32.3	418	33.4

	2008		2009		2010		2011		2012	
	No.	%	No.	%	No.	%	No.	%	No.	%
Missing or Invalid Postcodes	107	27.2	123	37.0	97	33.8	81	35.1	83	34.4

**Source:** School Leavers Survey

### Underachievement: Controlled Schools Sector

**Mr Newton** asked the Minister of Education what investment he has made, or intends to make, to address the levels of underachievement within the controlled schools sector highlighted in the recent Community Relations Council Report ( Nolan Report) 3rd Peace Monitoring Report.

**(AQW 33164/11-15)**

**Mr O'Dowd:** I welcomed the recent report of the Community Relations Council, which features the educational underachievement of working class Protestant boys, and the debate it has generated.

I have said many times that our education system continues to fail too many young people. The attainment gaps are simply unacceptable and I am working hard to tackle this inequality wherever it exists.

In March, I announced changes to the way schools are funded by redistributing funding to target schools with high numbers of pupils from socially disadvantaged backgrounds and I have injected a further £10 million specifically targeting social deprivation into school budgets from April 2014.

Additional funding is being made available to specific programmes to address educational underachievement in schools. These include £15.56million over three years on the Delivering Social Change programme to provide additional teaching support to pupils at risk of underachievement; £2million over the next two academic years for a literacy and numeracy Continuing Professional Development Key Stage 2/3 project; and an additional £500,000 per annum over three years to further support Area Learning Communities develop effective approaches to improving literacy and numeracy levels amongst disadvantaged pupils.

I have also targeted substantial resources towards disadvantaged communities through a number of programmes. These include the Sure Start programme, the Community Education Initiatives Programme and the Extended Schools and Full Service programmes. I am also funding the Greater Shankill Partnership Board through the West Belfast (Shankill) Community Project and the Community Education Initiatives Programme to provide educationally focussed support to children resident in the area, this funding is approximately £120,000 per year for two years 2013/2014 and 2014/2015.

International reports tell us that we need to have a socially balanced school system to enable all pupils to perform better. However, while some schools persist in the use of academic selection, we will be unable to achieve this.

There are also wider societal issues to be addressed that education authorities and schools cannot tackle on their own.

### Temporary Classrooms: East Londonderry

**Mr Campbell** asked the Minister of Education, pursuant to AQW 32823/11-15, what steps he will take to reverse the increase in temporary classrooms in schools in the East Londonderry constituency.

**(AQW 33169/11-15)**

**Mr O'Dowd:** I do not have any targets or timescales for reducing the number of temporary classrooms in the schools estate in the East Derry constituency. I must utilise all means at my disposal to ensure the capital infrastructure is in place to support the educational needs of pupils. This may include the provision of good quality modular buildings as a way of addressing accommodation deficiencies within a relatively short timescale.

I would emphasise that statutory approvals such as planning and building control require modular accommodation to be provided to the same building performance standards as that of permanent builds.

I would add that in considering projects for inclusion in any major capital investment programme the undue reliance on temporary accommodation within schools is taken into account.

### Euston Street Primary School

**Mr Newton** asked the Minister of Education what additional support he is offering Euston Street Primary School to take the school beyond the Intervention Stage.

**(AQW 33185/11-15)**

**Mr O'Dowd:** When a school enters the Formal Intervention Process it is the responsibility of the school's Board of Governors to prepare and implement an action plan to address the areas for improvement identified by the Education and Training Inspectorate (ETI). In taking this work forward the school will be supported by the local Education and Library Board and, in the case of catholic maintained schools, the CCMS.

In the case of Euston Street Primary School, a team of Belfast Education and Library Board officers (BELB Support Team) has worked with the school to prepare and agree an action plan which has been submitted to the Department for quality assurance by the ETI. The BELB Support Team will also support the school in implementing the action plan covering the three areas for improvement identified in the inspection report – raising standards; learning and teaching; and leadership and management.

In addition to the support being provided by the BELB Support Team there is potential for the school further to improve the quality of education provided, through its participation in a number of programmes. These include Achieving Belfast and a parenting programme and maths recovery programme provided through the BELB. The school has also been provided with an additional teacher funded through the Delivering Social Change Programme.

The school is also registered to participate in the SEN CPD Literacy project from September 2014 and is participating in the Certificate of Competence in Educational Testing (CCET) Pilot both of which are being funded by the Department.

The school's progress in addressing the areas for improvement identified in the inspection in November 2013 will continue to be monitored by ETI. A follow-up inspection will take place within 12 to 18 months of the original inspection.

It is hoped that, through the work taken forward by the school staff and the Board of Governors, supported by the BELB, the quality of provision will have improved by the time the follow-up inspection takes place.

### Schools: Shared Designation

**Mr Lunn** asked the Minister of Education to outline the minimum criteria which must be met before a school can be designated as shared.

**(AQW 33186/11-15)**

**Mr O'Dowd:** There are no plans to designate a school as 'shared'.

The Programme for Government 2011-15 includes commitments to substantially increase the number of schools sharing facilities and to ensure all children have the opportunity to participate in shared education programmes by 2015.

Consequently all schools should be engaged in shared education.

### Gortnagarn and Tyrcur Primary Schools in County Tyrone

**Mr Agnew** asked the Minister of Education whether, before closing Gortnagarn and Tyrcur Primary Schools in County Tyrone, he will model, cost and consider options to retain a sustainable rural school in that area through pooling resources between both of these schools and Dunmullan Primary School.

**(AQW 33291/11-15)**

**Mr O'Dowd:** Planning of the maintained and controlled schools' estates falls to the Council for Catholic Maintained Schools (CCMS) and the Education & Library Boards, respectively. It is for CCMS and the Western Education and Library Board (WELB) to bring forward proposals for the schools concerned.

Any significant change in the character or size of a school is governed by the statutory Development Proposal (DP) process. A pre-publication consultation exercise must be carried out before a decision is taken by the Managing Authority on whether or not to proceed with publication of a DP. Should the decision be to publish, there follows a further two-month consultation period.

The process concludes when I make my decision, taking account of all relevant issues and comments received.

I note that no DP has yet been published for any of these schools. I would suggest that the schools' Boards of Governors actively engage with CCMS and WELB. Should innovative solutions be brought forward, I will consider them in the context of the best educational interests of the pupils.

## Department for Employment and Learning

### University of Ulster, Magee: Additional Places

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning whether the 1000 additional places at the University of Ulster, Magee will be available by 2015.

**(AQW 33041/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Since taking office I have been able to allocate an additional 652 undergraduate places to the University of Ulster and the University has undertaken to deploy the places at its Magee campus. Meeting the One Plan 1,000 additional place target depends on funding being made available to my department. As I have stated before, I am committed to achieving the One Plan target of 1,000 additional places at Magee by 2015 and I will take every opportunity to seek additional resources in order to bring this about.



## Day Care Provision

**Mr McMullan** asked the Minister for Employment and Learning when the transitions inter-departmental working group, which was established to address gaps in day care provision, will meet parents and carers in East Antrim.

**(AQW 33044/11-15)**

**Dr Farry:** The transitions interdepartmental working group is considering gaps in the provision of post school services for young people with a severe learning disability.

The group, which my Department is chairing, plan to meet with stakeholders, including parents and carers, as part of its work within the next 4 weeks.

## Careers Services

**Mr B McCrea** asked the Minister for Employment and Learning whether he has had any discussions with his counterparts in the rest of the UK on the introduction of legislation for the provision of a statutory duty for careers services.

**(AQO 6055/11-15)**

**Dr Farry:** On 31st March I announced details of the review of careers which my Department is conducting jointly with the Department of Education. The terms of reference for the review, which will report later in the year, include a commitment to consider the need for a statutory duty for careers services.

My officials through the Four Countries Careers Policy Forum have had some discussions on this matter. This dialogue will continue as part of the careers review and include Ministerial discussions as required.

I plan to raise the issue with my Ministerial colleagues at our next meeting in June.

## Further and Higher Education

**Mr McAleer** asked the Minister for Employment and Learning for an update on his efforts to widen further and higher level education in rural areas.

**(AQO 6043/11-15)**

**Dr Farry:** I am committed to ensuring that further and higher education opportunities are available to all who have ability, regardless of their background or location.

Further Education Colleges offer a varied education curriculum which people can access through their main campuses and network of approximately 500 community outreach centres. My Department offers a range of incentives to encourage participation in rural areas. These include a Home to College transport scheme for full-time students under 19 years. For students over 19, means tested college hardship funds and further education awards can provide a student up to £3,500 per annum in addition to assistance with childcare costs.

I support the delivery of higher education in the further education colleges to provide local opportunities for people, including those already in the workforce, to obtain the higher level skills which will benefit the local economy and society. Since December 2011, I have approved an additional 377 full-time higher education places in the colleges.

There are also around 6,500 part-time higher education enrolments. My Department does not place a cap on part-time higher education places, which provides a very viable route into higher education in rural areas.

In Graduating to Success, my Department's strategy for Higher Education, I am committed to making higher education more accessible by offering wider geographical access. My Department, in co-operation with the higher and further education sectors, is developing pilot schemes for the creation of university bases at two further education colleges.

This will provide the opportunity for higher education students to undertake distance learning with access to university materials and resources they need on a planned basis. The pilots will take place in the 2014/15 academic year and, subject to the outcome of a review of the pilots, other colleges will provide access to university resources in subsequent years.

## Irish-speaking Community

**Ms Ruane** asked the Minister for Employment and Learning how his Department meets the needs of the Irish speaking community.

**(AQO 6045/11-15)**

**Dr Farry:** My Department is committed to meeting the needs of all its clients. To facilitate those clients who wish to conduct business in Irish, my Department adheres to the requirements of the European Charter on Regional and Minority Languages.

Charter signatories are obliged to report regularly on their level of compliance with the Charter to a Committee of Experts. The Northern Ireland contribution, including that of my Department, forms part of the wider United Kingdom compliance report and is compiled by the Department of Culture, Arts and Leisure.

As part of its commitment to the Charter, my Department has Codes of Courtesy in place, which outline our offering to customers who wish to conduct their business in Irish. This includes providing written correspondence in Irish where the correspondent has communicated in Irish to the Department and published materials can be translated into Irish if requested.

In addition, my Department can make available interpreters to facilitate face-to-face meetings as well as having available an Irish voicemail phone service.

Further Education colleges currently deliver a range of Irish language courses, including short courses and accredited courses, such as GCSE and A-Level. In addition, four colleges list their mainstream Irish language provision on the Department of Culture, Arts and Leisure's Liofa website.

Higher Education courses are currently being delivered through the medium of Irish at Queen's University, the University of Ulster and St. Mary's University College. Courses include a Diploma in Irish Language, Bachelor's Degree in Irish Language, Master's Degree in Irish Translation and an Irish Medium Postgraduate Certificate in Education.

## University of Ulster: Shared Campus

**Mr Craig** asked the Minister for Employment and Learning what consultation he has had with the University of Ulster regarding the creation of a shared and neutral environment on the Jordanstown campus.

**(AQO 6044/11-15)**

**Dr Farry:** Departmental officials have been informed by the University of Ulster that it is currently developing a good relations policy, in conjunction with the Students Union. The policy will cover a number of areas including political expression, culture, language and dress code and will apply across all its campuses.

The Good Relations Working Group and the Students' Union are due to meet this month to agree the policy.

The Equality Commission NI advises that, although in a number of contexts an employer will have set dress requirements for staff, such requirements are not normally the practice in further and higher educational settings. However colleges and universities will wish to ensure that students are advised of the commitment to a welcoming environment and that any policies which place restrictions on clothing are proportionate, reasonable and capable of justification.

The Equality Commission recommends that service providers, including universities and colleges, aim to ensure that their premises are a welcoming and harmonious space for both workers and students alike, that everyone is treated with dignity and respect and that people are encouraged to be, and are, respectful and tolerant of all cultures and identities.

## University of Ulster: Veterinary College

**Ms McCorley** asked the Minister for Employment and Learning for his assessment of the proposed establishment of a veterinary college within the University of Ulster.

**(AQO 6046/11-15)**

**Dr Farry:** The University of Ulster has proposed the establishment of a school of veterinary medicine and surgery at its Coleraine campus. The university is currently preparing an economic appraisal to support its proposal and until this is complete I am not in a position to give an assessment. The expectations are that the university will complete this work and submit a full appraisal in the coming months.

## Student Finance

**Mr McElduff** asked the Minister for Employment and Learning how section 3 of the PN1 application for student finance in 2014/2015 complies with the Belfast Agreement in terms of the rights of people to be identified and accepted as Irish citizens.

**(AQO 6047/11-15)**

**Dr Farry:** Northern Ireland domiciles may apply for student support: tuition fee loans or student contribution charge, maintenance grants, maintenance loans and special support allowances, to attend designated Higher Education courses in Northern Ireland, Great Britain or the Republic of Ireland.

Provided the student would ordinarily be resident in Northern Ireland on the first day of the first academic year of their course, and that they have been ordinarily resident in the United Kingdom and Islands for the previous three years, they may apply.

Section two of the PN1 application form asks the student to provide their Nationality details and students can declare themselves and apply for student support irrespective of whether they indicate their nationality as British or Irish.

I can also confirm that an acceptable identification document to submit with the application form would include a United Kingdom or Republic of Ireland passport, a birth certificate, adoption certificate or Biometric Residence Permit.

The amount of student support a Northern Ireland domicile will receive is not affected by whether they state they are British or Irish.

Section three of the PN1 application form is devoted to Residency, which is a complex area of student finance eligibility and legislation. Certain students who do not fall within the definition set out earlier in my answer may be entitled to student support.

The use of terms such as UK national, European Union national and European Economic Area national are pivotal to assessing the eligibility and calculation of student financial support.

The questions contained in Sections two and three of the PN1 application form taken together are to ensure a Northern Ireland student with a Republic of Ireland passport will receive their entitlement to both tuition fee and maintenance support whereas Republic of Ireland students as EU nationals are entitled by EU law only to tuition fee support.

## Apprenticeships

**Mrs Cochrane** asked the Minister for Employment and Learning what steps he intends to take to encourage small and medium sized enterprises to engage with apprenticeship schemes.

**(AQO 6048/11-15)**

**Dr Farry:** In January 2014, I published the interim report and consultation on the review of apprenticeships, which comprises 32 proposals which offer the potential to fundamentally reshape our skills landscape, putting employers at its heart.

Small businesses account for approximately 98% of total businesses within Northern Ireland. Given the business structure of our economy, it is important, therefore, that such businesses are supported and incentivised to engage comprehensively with apprenticeships, to ensure that our future model achieves our aspirations and ambitions in supporting economic growth and prosperity.

The proposals were subject to a 12 week consultation which finished recently. The responses will be used to help inform final policy proposals for apprenticeships, for full implementation in 2016.

In the interim period, my Department will be piloting a range of interventions and support, aligned to the final policy proposals, to test a range of concepts to help ensure we have the right support for businesses, including small and medium sized enterprises to employ apprentices. Informed by international best practice, this may include:

- a central service to promote and support apprenticeship provision;
- expansion of apprenticeships across a greater range of sectors and occupations; and
- a range of incentives to support employers, particularly SMEs and micro businesses, to participate in apprenticeships.

Consideration will also be given to the following interventions:

- upfront payment on apprentice start up and achievement;
- Apprenticeship Training Agencies/Group Training Agencies/Shared Apprenticeship Schemes;
- over training with larger employers training more apprentices than they need to meet the needs of the supply chain;
- Public/Private Partnerships; and
- incentives and interventions to encourage greater participation.

## Department of Enterprise, Trade and Investment

### Hydraulic Fracturing: Tamboran

**Ms McGahan** asked the Minister of Enterprise, Trade and Investment, given her statement to the Assembly on 15 October 2013 that hydraulic fracturing was a novel and controversial issue and was a matter for the Executive as a whole to decide on, why her Department awarded Tamboran an extension to their licence terms without first seeking Executive approval.

**(AQO 6056/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** The five year Initial Term of Tamboran's Petroleum Licence has not been extended.

My Department has granted an amendment to the work programme in Part 1 of the Licence to allow Tamboran to complete necessary technical work, before they decide whether or not they wish to drill an exploration well.

The administration of petroleum licensing is a matter for DETI. There is no requirement to bring to the Executive an amendment to a Petroleum Licence.

No licence for fracking has been issued.

Any hydraulic fracturing will require planning permission and an Environmental Impact Assessment.

It is in the best interests of the Northern Ireland economy to find out the extent and value of our natural resources.

### Cerberus Capital Management

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to outline any discussions she has had with Cerberus Capital Management and others on the development of sites covered by the loans included in their recent purchase of the National Asset Management Agency property loan portfolio.

**(AQO 6066/11-15)**

**Mrs Foster:** I have not met or had discussions with Cerberus Capital Management.

## Energy Infrastructure

**Mr McCallister** asked the Minister of Enterprise, Trade and Investment how the £2.9 million of financial assistance from the European Union's INTERREG IVA Programme for the Sustainable Process Industry through Resource and Energy Efficiency energy project will help towards finding a cost-effective solution for our energy infrastructure.

**(AQO 6065/11-15)**

**Mrs Foster:** The Interreg supported Storage Platform for Integration of Renewable Energy project seeks to identify cost effective and efficient energy storage on a domestic, commercial and utility scale.

Any research that may ultimately assist businesses ensure their own security of energy supply as well as decrease their overall costs is to be welcomed.

On a utility scale Compressed Air Energy Storage offers a potential additional energy technology to complement the Northern Ireland Executive policy objective of forty percent renewable power generation.

## Invest NI: Research and Development Spend

**Mr Easton** asked the Minister of Enterprise, Trade and Investment how much funding is allocated by Invest NI to assist companies with research and development.

**(AQO 6064/11-15)**

**Mrs Foster:** Invest NI offers a wide range of R&D schemes designed specifically to help companies of all sizes and all stages of their development to engage in R&D activities.

Invest NI has a Programme for Government target to support three hundred million pounds of investment in R&D.

As at September 2013, Invest NI's most recently published figures, it has supported two hundred and seventeen million pounds of investment in R&D during this current Programme for Government, and is clearly well on target to meet and potentially exceed its PfG target.

## Single Electricity Market

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment how she has participated in the discussions leading to the newly drafted proposals for the high level design of the Single Electricity Market.

**(AQO 6067/11-15)**

**Mrs Foster:** My Department's remit is energy policy, not the design of markets. Proposals for redesign of the Single Electricity Market to meet the objectives of integration with other European markets have been brought forward by the Single Electricity Market Committee. My Department and the Department for Communications, Energy and Natural Resources in the Republic of Ireland, developed the governance arrangements under which this work is proceeding. Both Departments will implement, as required, any legislative requirements to underpin new market arrangements.

## Harland and Wolff

**Mr McNarry** asked the Minister of Enterprise, Trade and Investment what financial support her Department provides to Harland and Wolff.

**(AQO 6068/11-15)**

**Mrs Foster:** Harland and Wolff has received no financial assistance from Invest NI in the last three years.

## Sprucefield Retail Park

**Mr Givan** asked the Minister of Enterprise, Trade and Investment, in light of Intu Properties plc becoming the new owners of Sprucefield Retail Park, for her assessment of the opportunities to secure investment and create jobs at this location.

**(AQO 6069/11-15)**

**Mrs Foster:** Policy responsibility for the Retail Sector cuts across at many Departments. While my Department is not directly involved in retail I welcome all opportunities which promote investment in the local economy and which support sustainable job creation and economic growth.

## Department of the Environment

### Planning Application E/2013/0093/F

**Mr Flanagan** asked the Minister of the Environment whether planning application E/2013/0093/F includes the use of any fracking or hydraulic fracturing as part of the application.

**(AQW 33116/11-15)**



**Mr Durkan (The Minister of the Environment):** Planning application E/2013/0093/F seeks permission for the temporary works of drilling an exploratory borehole to approx 2700m depth to investigate underground strata for hydrocarbon exploration under DETI license PL3/10 issued to Rathlin Energy Ltd. The application also includes road widening of the Kilmahamogue Road and ancillary site works.

The application does not propose high volume unconventional hydraulic fracturing.

However at the extended testing phase, should the operator have difficulty obtaining the natural flow of the gas/oil, a conventional hydraulic stimulation fracture may need to be conducted.

Conventional hydraulic stimulated fracture is distinctly different from unconventional shale gas fracturing.

A shale gas fracking operation is multiple fracking zones over a significant length through a horizontal section in the shale requiring a significant amount of equipment, water and high pressure.

By comparison conventional hydraulic stimulation has been common practice in the industry over many years and would only be carried out if the oil or gas production rate was poor during previous flow tests.

A conventional hydraulic stimulation test would likely be done over a small interval circa 2365m to 2480m depth which is the prognosed depth of the lower carboniferous sandstone.

The volumes of fluid to be used (115 cu m) may be compared to those specified by the European Commission in their definition of High Volume Hydraulic Fracturing (1000 cu metres per stage or 10,000 cu. m. per well) to which the recent recommendation paper on the 'Exploration and production of hydrocarbons (such as shale gas) using high volume hydraulic fracturing in the EU' (Jan 2014) applies.

Following a review of this aspect of the scheme DOE Planning Officials are content that this development constitutes a conventional borehole and is not for the unconventional exploration of hydrocarbons, neither does it propose to use any unconventional testing techniques

The Department is currently in the process of reviewing the additional information and screening the proposal against the Planning (Environmental Impact Assessment) Regulations 2012 for an Environmental Impact Assessment requirement. The application will be subject to the full scrutiny of the environmental and planning process and at this time no decision on the planning application has been taken.

As the Minister responsible for the environment, my position is clear. Granting permissions relating to unconventional fracking operations will take place only when it has been supported by very strong evidence that indicates that fracking is safe for public health and the environment. Given the scale of ongoing worldwide research, I believe it would be reckless and irresponsible to do otherwise.

## Exploris

**Mr McCarthy** asked the Minister of the Environment to detail the procedures in place to ensure that approvals for additional support for Exploris are finalised by the Executive, given that the deadline imposed by Ards Borough Council is the end of May 2014.

**(AQW 33191/11-15)**

**Mr Durkan:** I remain committed to my department funding all reasonable costs associated with running the seal sanctuary. I have circulated a draft paper seeking Executive views on the proposed business case for the future development of Exploris. The Executive is aware of the end of May time frame in respect of Ards Borough Council.

## Moorland

**Mr Swann** asked the Minister of the Environment whether his Department has a record of moor land.

**(AQW 33227/11-15)**

**Mr Durkan:** My Department does not have a record of moorland as it is not a technical term used in environmental legislation. It is often used to refer to unenclosed land in the uplands that includes a range of different habitat types.

My Department has an inventory of a range of upland habitats defined using terminology set out in Biodiversity Priority Habitats or Habitats Directive Annex I habitats, including Upland Heathland, Blanket bog and Montane Heath which lies within areas broadly defined as moorland but which may include priority habitats. A copy of this can be obtained by contacting the Northern Ireland Environment Agency on 02890 569 637.

# Department of Finance and Personnel

## Civil Servants: Redundancy

**Mr Weir** asked the Minister of Finance and Personnel how many Civil Servants have been made redundant in each of the last 5 years.

**(AQW 32459/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** The number of civil servants who have been made redundant in each of the last 5 years is provided in the table below:

	2009/10	2010/11	2011/12	2012/13	2013/14
Number made redundant	2	0	153	261	134

These figures include two Voluntary Exit Schemes; 508 staff left the Northern Ireland Prison Service and 39 Planners left the Department of the Environment. The other three redundancies during the five year period were outside of DOE and the Northern Ireland Prison Service Voluntary Exit Schemes.

## Rate Relief: Empty Residential Properties

**Mr Agnew** asked the Minister of Finance and Personnel whether there is any rate relief or other financial support available for the owners of empty residential properties.

**(AQW 33054/11-15)**

**Mr Hamilton:** There are a number of exclusions from rates that apply to owners of empty residential properties. They each provide 100% relief and only one of them is time bound i.e. newly built homes that have never been occupied.

The following exemptions are automatic:

- rateable capital value under £20,000;
- a newly built home that has never been occupied.

If the date the property was first shown on the valuation list or completed is between 1 April 2007 and 31 March 2012, the exclusion period is 42 months (the exclusions came in to operation and were first applied from 1 October 2011).

If the date the property is first shown on the valuation list or completed is after 31 March 2012, the exclusion period is 12 months.

The following exemptions are not automatic and have to be claimed:

- the empty home cannot be legally occupied;
- the empty home cannot be occupied due to the actions of a public body;
- the empty home is a listed building;
- the empty home is an historic monument;
- the owner is the personal representative of a deceased person;
- the owner is subject to a bankruptcy order;
- the owner is a trustee under a deed of arrangement;
- the owner is a company in administration;
- the owner of a property is a liquidator;
- the owner is the Foyle, Carlingford and Irish Lights Commission;
- the owner(s) are in care (nursing home, residential care or hospital);
- the owner(s) are in detention;
- the owner(s) have made a successful application to the Northern Ireland Housing Executive under the terms of Special Purchase of an Evacuated Dwelling (SPED) scheme.

## Stormont Estate: Dogs on Leads

**Mr Agnew** asked the Minister of Finance and Personnel to outline the rationale for requiring dogs to be on leads at all times in the Stormont Estate.

**(AQW 33135/11-15)**

**Mr Hamilton:** The Stormont Estate Management Team have been experiencing problems with free running and unsupervised dogs. In order to address this and make the Estate a welcoming place for all visitors to appreciate and enjoy, a large fenced area just off the Prince of Wales Avenue has been allocated for dogs to exercise off lead. In all other areas they are required to be on lead and under control.

## Vacant Office Space: North Down

**Mr Weir** asked the Minister of Finance and Personnel to detail the amount of vacant office space in the North Down constituency.

**(AQW 33141/11-15)**

**Mr Hamilton:** My Department does not hold the information requested.

## Legal Services: Regulation

**Ms Lo** asked the Minister of Finance and Personnel, in relation to the regulation of legal services, what mechanisms exist to compel any solicitor to provide a breakdown of costs to their clients when issuing a bill for services rendered.

**(AQW 33251/11-15)**

**Mr Hamilton:** Article 71D of the Solicitors (NI) Order 1976, as amended, provides that a solicitor's bill will be sufficient in form if it contains a reasonable statement or description of the services rendered, with a lump sum charged there for, together with a detailed statement of disbursements. However, the court or the taxing master can by order require a detailed bill to be provided.

## Department of Health, Social Services and Public Safety

### Western Health and Social Care Trust: Staff Pay

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 32546/11-15, (i) how many Western Health and Social Care Trust staff were not paid correctly on 25 April 2014; (ii) how this anomaly occurred; (iii) what steps are being taken to ensure there is no repeat of this situation; (iv) for a breakdown of the grades of staff affected; and (v) whether any staff who have incurred bank charges due to failed direct debits will be reimbursed by the Trust or his Department.

**(AQW 33007/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** At this moment in time, HSC payroll statistics for April are being reviewed and final information is not available on the number of staff and their breakdown by grade who were not paid correctly on 25 April 2014 in the Western HSC Trust and how many of those may be due to a repeat of the situation where staff were not paid correctly on 27 March 2014. I can confirm that all HSC Trusts have had some staff who did not receive their correct salary on 25 April 2014.

Whilst the vast majority of staff in the HSC have been paid correctly, there have been problems for some staff in receiving the correct pay and expenses, particularly in relation to allowances rather than basic pay. In addition a system issue regarding national insurance contributions has emerged at the start of the new tax year and work is ongoing with the supplier to ensure it is fixed and that there is no reoccurrence of this problem.

The anomalies have resulted in the requirement to implement a range of measures to improve matters – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments can be issued. The April pay run was supplemented by an additional payroll cycle with payments reaching staff accounts on 2 May 2014 or 6 May 2014. Additionally, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help payroll staff and managers develop solutions to staff queries.

I have requested that the BSO and HSC Trusts take all necessary steps to redress any loss experienced by staff. Therefore, if staff have suffered losses (e.g. bank charges and failed direct debits) as a result of not receiving net pay and allowances as expected, these will be considered on their individual merits and where it can be clearly demonstrated that any such loss was due to employer errors, then a resolution should be agreed between staff and the HSC employer.

### Western Health and Social Care Trust: Staff Pay

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, in relation to Western Health and Social Care Trust staff not receiving their correct salary on 25 April 2014, whether this is as a result of a repeat of the situation where staff were not paid correctly on 27 March 2014; and if so, how this error occurred, given that he stated that a range of measures had been taken to address the situation.

**(AQW 33008/11-15)**

**Mr Poots:** At this moment in time, HSC payroll statistics for April are being reviewed and final information is not available on the number of staff and their breakdown by grade who were not paid correctly on 25 April 2014 in the Western HSC Trust and how many of those may be due to a repeat of the situation where staff were not paid correctly on 27 March 2014. I can confirm that all HSC Trusts have had some staff who did not receive their correct salary on 25 April 2014.

Whilst the vast majority of staff in the HSC have been paid correctly, there have been problems for some staff in receiving the correct pay and expenses, particularly in relation to allowances rather than basic pay. In addition a system issue regarding national insurance contributions has emerged at the start of the new tax year and work is ongoing with the supplier to ensure it is fixed and that there is no reoccurrence of this problem.

The anomalies have resulted in the requirement to implement a range of measures to improve matters – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments can be issued. The April pay run was supplemented by an additional payroll cycle with payments reaching staff accounts on 2 May 2014 or 6 May 2014. Additionally, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help payroll staff and managers develop solutions to staff queries.

I have requested that the BSO and HSC Trusts take all necessary steps to redress any loss experienced by staff. Therefore, if staff have suffered losses (e.g. bank charges and failed direct debits) as a result of not receiving net pay and allowances as expected, these will be considered on their individual merits and where it can be clearly demonstrated that any such loss was due to employer errors, then a resolution should be agreed between staff and the HSC employer.

## Alcohol and Drug Dependency

**Miss M McIlveen** asked the Minister of Health, Social Services and Public Safety how much his Department has spent addressing alcohol and drug dependency in each Health and Social Care Trust area, in each of the last ten years.

**(AQW 33015/11-15)**

**Mr Poots:** Due to the disproportionate cost involved, it is not possible to disaggregate the amount of funding specifically allocated towards addressing alcohol and drug dependency by each Trust area in each of the last ten years.

Approximately £8 million is allocated each year through my Department's mental health services budget towards statutory addiction treatment services, delivered by Community Addiction Teams based in all five Health and Social Care Trust areas.

A further £8 million per year is allocated by my Department under the cross-departmental New Strategic Direction for Alcohol and Drugs Phase 2 towards prevention, education, early intervention, and treatment and support initiatives aimed at tackling alcohol and drug misuse in Northern Ireland.

## Tobacco Products: Plain Packaging

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with Her Majesty's Government and the devolved health departments on the issue of plain packaging for tobacco products.

**(AQW 33021/11-15)**

**Mr Poots:** DHSSPS officials meet regularly with their counterparts from the Department of Health (London) and the other Devolved Administrations through the Four Nations Group on Tobacco Control. Recent discussions have focused on standardised packaging and the potential for any regulations on this issue to be made on a UK-wide basis, subject to Ministerial agreement.

Following publication of the Chantler review into the impact of standardised packaging on public health on 3 April, the Department of Health (London) announced plans for further public consultation, to include draft regulations, before making a final decision as to the introduction of standardised packaging. I have written to the Parliamentary Under Secretary of State for Public Health to confirm my agreement, in principle, to the inclusion of Northern Ireland in this consultation.

The outcome of the final consultation, in conjunction with the findings of the Chantler Report, will assist the Northern Ireland Executive in making a decision on whether Northern Ireland should be included in any regulations providing for the introduction of standardised packaging of tobacco products.

## Health Service: Payroll Systems

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety how he will address the issue of payroll systems in the Health Service; and for an explanation for the cost of the system and the delay in its implementation.

**(AQW 33032/11-15)**

**Mr Poots:** All the Trusts have introduced the new Human Resources, Payroll, Travel & Subsistence (HRPTS) system over the last year and whilst the vast majority of staff in the HSC have been paid correctly, there have been problems for some staff in receiving the correct pay and expenses, particularly in relation to allowances rather than basic pay. In addition a system issue regarding national insurance contributions has emerged at the start of the new tax year and work is ongoing with the supplier to ensure it is fixed and that there is no reoccurrence of this problem.

I am extremely concerned that some staff have not received their pay correctly. I have requested that the BSO and Trusts take all necessary steps to redress any loss experienced by staff and to ensure that lessons are learned for the future.

I would also note that the BSO and Trusts have already implemented a range of measures to improve matters – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments have also been used.

Additionally, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help staff develop solutions to staff queries.

The approved capital expenditure for implementation of the new Human Resources, Payroll, Travel & Subsistence (HRPTS) system is some £21.1m. Whilst all HSC bodies are currently on the new system, implementation delays occurred due to the need for successful completion of the user acceptance testing (UAT) phase of the project, successful operation of related system interfaces and an elongation of implementation plans, in order to better support the roll out to individual Trusts.



### Social Services Client Administration and Retrieval Environment System

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether a review of, or a replacement for the Social Services Client Administration and Retrieval Environment system is planned.

**(AQW 33033/11-15)**

**Mr Poots:** The Social Services Client Administration and Retrieval Environment (SOSCARE) system was introduced in the early 1990s and continues to exist as the main electronic records repository for Social Services.

While there is not an on-going formal 'review' of the system, it has been subject to continuous development since its implementation, taking account of advances in information technology.

In line with the Transforming Your Care Recommendation 94 (the introduction of a single robust community information system), work is on-going in each of the five Health and Social Care Trusts, in conjunction with the Health and Social Care Board and Business Services Organisation, to continue to improve information storage and retrieval systems to ensure they are fit for purpose.

### Nursing Homes: Admissions

**Mr Swann** asked the Minister of Health, Social Services and Public Safety what direction he has given to the Northern Health and Social Care Trust in relation to the admission of full-time residents to (i) Pinewood Nursing Home, Ballymena; and (ii) Roddens Nursing Home, Ballymoney.

**(AQW 33035/11-15)**

**Mr Poots:** The non admission policy, currently in place in a number of Health and Social Care Trusts, is currently being reviewed by the Health and Social Care Board. The HSC Board is also in the process of analyzing responses to the recent consultation document "Making Choices: Meeting the Current and Future Needs of Older People". I will consider the Board's review of admission policies alongside the final consultation report when I receive it in the early summer.

### Castle Tower Special School Newbuild

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 32657/11-15, whether his Department will financially support this proposal.

**(AQW 33038/11-15)**

**Mr Poots:** The decision regarding the installation and financial support for a hydrotherapy pool at Castle Tower Special School is one for the Education sector.

The Northern HSC Trust understands that the Department of Education are planning for the new build Castle Tower Special School in Ballymena to include a hydrotherapy pool.

The Health and Social Care Board currently commission the Northern Trust Physiotherapy Service to deliver physiotherapy, which includes hydrotherapy, in Beechgrove School, which is part of the Castle Tower Campus.

Presently, the Northern Trust provide a total of 27.5 hours of physiotherapy to children who benefit from hydrotherapy. This comprises both physiotherapy and physiotherapy assistant hours.

The Trust's Physiotherapy Service will continue to offer this level of support if the decision is made to build a new pool.

### Causeway Hospital: Consultant-led Maternity Unit

**Mr Ó hÓisín** asked the Minister of Health, Social Services and Public Safety whether there is security of tenure for the consultant-led maternity unit at the Causeway Hospital.

**(AQW 33045/11-15)**

**Mr Poots:** The provision of services at the Causeway Hospital is a matter for the Northern Health and Social Care Trust; however, the Trust has advised me that it has no plans to change the current maternity service provided in the Causeway Hospital.

### Health Service: Staff Pay

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many staff within the Health Service are paid in Euros; and for what reason.

**(AQW 33050/11-15)**

**Mr Poots:** I am advised that all Health Service employees are paid in sterling.

### National Institute for Health and Care Excellence: Fampridine

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what engagement his Department has had with the National Institute for Health and Care Excellence regarding their clinical review on the use of fampridine to increase mobility in Multiple Sclerosis patients.

**(AQW 33060/11-15)**

**Mr Poots:** The National Institute for Health and Care Excellence (NICE) is a Non Departmental Public Body tasked with producing national guidance on good clinical practice and the cost-effective use of NHS resources in England. On 1 July 2006, the Department established formal links with NICE whereby all Clinical Guidelines and Technology Appraisals published by the Institute from that date would be reviewed for their applicability to Northern Ireland (NI) and, where appropriate, endorsed. This arrangement has ensured access to up-to-date, independent, professional, evidence-based guidance on the value of health care interventions. The Health and Social Care Board (HSCB) commissions MS drug treatments in line with these NICE guidelines.

Fampridine is currently not under consideration within the NICE Technical Appraisal work programme. In instances where there is no explicit advice from NICE the HSCB takes into consideration guidance issued by other recognised appraisal bodies. In this context it should be noted that the use of this therapy is not recommended for use by the Scottish Medicines Consortium and the NHS England Commissioning Board recently issued its Commissioning Policy in April 2013 advising that this therapy would not be routinely funded for use within its licensed indication.

In these circumstances I would not expect to see this treatment routinely commissioned in Northern Ireland.

### Sarcoma Cancer

**Mr Cochrane** asked the Minister of Health, Social Services and Public Safety to detail any research projects related to the sarcoma family of cancers which have already received funding from his Department; and whether he has any plans to make funding available for research into the causes and treatment of sarcoma.

**(AQW 33065/11-15)**

**Mr Poots:** Health and Social Care (HSC) research is carried out in all Trusts, usually in association with universities. There are a great many sources of funding, including Government, charities and industry. This applies equally to cancer, including sarcoma, as to other aspects of health or care. With the small scale of Northern Ireland, much research is undertaken in collaboration with other centres nationally and internationally.

Locally, our HSC R&D Fund, managed through the Public Health Agency, supports research that focusses on benefits for patients and the population. Funding is provided for the Northern Ireland Cancer Trials Centre (NICTC, in Belfast) and Network (involving all other Trusts). This enables Trusts to employ health care professionals with the skills and experience to deliver high quality clinical research for patients locally who have cancer.

The NICTC has enabled a number of clinical trials for adults and children with sarcoma. Three separate studies involving 21 patients have been completed since 2012, two trials for children with sarcoma are due to commence in Belfast in coming months and a further trial is in development. The results of such trials, undertaken locally or elsewhere, are published and presented at conferences so that findings can inform future practice.

Details on clinical trials in the UK are available on the UK Clinical Trials Gateway [www.ukctg.nihr.ac.uk](http://www.ukctg.nihr.ac.uk)

Details on clinical trials across the globe are available on [www.clinicaltrials.gov](http://www.clinicaltrials.gov)

### Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety whether the decision to allow 18 statutory care homes to remain open is extended to Slievemore Nursing Unit in Derry; and whether further admissions can be made to the unit.

**(AQW 33073/11-15)**

**Mr Poots:** Slievemore Nursing Unit is not a statutory residential care home and therefore was not subject to the regional residential home process and subsequent consultation on the Health and Social Care Board document "Making Choices: Meeting the Current and Future Needs of Older People".

The Western Health and Social Care Trust advise that the current staffing levels meet the assessed needs of the patients currently in Slievemore.

### Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety whether staffing levels have been reduced at Slievemore Nursing Unit in Derry.

**(AQW 33074/11-15)**

**Mr Poots:** Slievemore Nursing Unit is not a statutory residential care home and therefore was not subject to the regional residential home process and subsequent consultation on the Health and Social Care Board document "Making Choices: Meeting the Current and Future Needs of Older People".

The Western Health and Social Care Trust advise that the current staffing levels meet the assessed needs of the patients currently in Slievemore.

### Health and Social Care Trusts: Staff Pay

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety how many Health and Social Care Trusts had staff who did not receive their correct salary on 25 April 2014.

(AQW 33079/11-15)

**Mr Poots:** At this moment in time, HSC payroll statistics for April are being reviewed and final information is not available on the number of staff and their breakdown by grade who were not paid correctly on 25 April 2014 in the Western HSC Trust and how many of those may be due to a repeat of the situation where staff were not paid correctly on 27 March 2014. I can confirm that all HSC Trusts have had some staff who did not receive their correct salary on 25 April 2014.

Whilst the vast majority of staff in the HSC have been paid correctly, there have been problems for some staff in receiving the correct pay and expenses, particularly in relation to allowances rather than basic pay. In addition a system issue regarding national insurance contributions has emerged at the start of the new tax year and work is ongoing with the supplier to ensure it is fixed and that there is no reoccurrence of this problem.

The anomalies have resulted in the requirement to implement a range of measures to improve matters – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments can be issued. The April pay run was supplemented by an additional payroll cycle with payments reaching staff accounts on 2 May 2014 or 6 May 2014. Additionally, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help payroll staff and managers develop solutions to staff queries.

I have requested that the BSO and HSC Trusts take all necessary steps to redress any loss experienced by staff. Therefore, if staff have suffered losses (e.g. bank charges and failed direct debits) as a result of not receiving net pay and allowances as expected, these will be considered on their individual merits and where it can be clearly demonstrated that any such loss was due to employer errors, then a resolution should be agreed between staff and the HSC employer.

### Residential Homes: Admissions

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 25912/11-15, (i) when the Southern Health and Social Care Trust will recommence permanent admissions to statutory residential homes, including Crozier House; and (ii) when Skeagh House will reopen.

(AQW 33086/11-15)

**Mr Poots:** The non admission policy, currently in place in a number of Health and Social Care Trusts, is presently being reviewed by the Health and Social Care Board. The Board is also in the process of analyzing responses to the recent consultation document "Making Choices: Meeting the Current and Future Needs of Older People". I will consider the Board's review of admission policies alongside the final consultation report when I receive it in the early summer.

As you are aware Skeagh House was evacuated on 27 March 2013 as a result of a landslip and associated risk. The Southern Health and Social Care Trust have advised that a date for reopening Skeagh House can't be considered as the site is subject to an ongoing engineering assessment. The Trust are keeping the situation under review pending advice from the Engineers and Legal Advisors.

### Cancelled Surgical Procedures

**Mrs Dobson** asked Minister of Health, Social Services and Public Safety to detail the number of surgical procedures cancelled by each Health and Social Care Trust, in each month of the last three years, due to the unavailability of Intensive Care beds.

(AQW 33179/11-15)

**Mr Poots:** The Department holds information on the reasons for cancelled operations from April 2012 onwards. The number of surgical operations cancelled by each Health and Social Care Trust, in each month of the last two years, due to the unavailability of Intensive Care and High Dependency Unit beds is given in the table below.

Month	HSC Trust					Northern Ireland Total
	Belfast	Northern	South Eastern	Southern	Western	
Apr-12	0	0	1	0	0	1
May-12	0	0	1	0	0	1
Jun-12	0	0	0	0	0	0
Jul-12	0	0	0	0	0	0
Aug-12	0	0	0	0	0	0
Sep-12	0	0	0	0	0	0
Oct-12	0	0	1	0	1	2
Nov-12	0	0	0	0	1	1

Month	HSC Trust					Northern Ireland Total
	Belfast	Northern	South Eastern	Southern	Western	
Dec-12	0	0	1	0	0	1
Jan-13	0	2	0	2	0	4
Feb-13	0	1	0	0	0	1
Mar-13	0	0	0	0	3	3
Apr-13	0	0	4	2	0	6
May-13	0	1	1	1	0	3
Jun-13	0	0	0	0	0	0
Jul-13	0	0	1	0	0	1
Aug-13	0	0	1	0	1	2
Sep-13	0	0	0	0	0	0
Oct-13	0	0	3	1	0	4
Nov-13	0	0	0	0	0	0
Dec-13	0	0	0	0	0	0
Jan-14	0	0	1	1	0	2
Feb-14	0	0	0	0	0	0
Mar-14	0	0	0	0	0	0

### 'Who Cares? The Future of Adult Care and Support in Northern Ireland' Consultation

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety for an update on the Who Cares? The Future of Adult Care and Support in Northern Ireland consultation, including the action his Department is taking to progress it.

(AQW 33233/11-15)

**Mr Poots:** The six month consultation on the discussion document "Who Cares? The Future of Adult Care and Support in NI", concluded on 15 March 2013. The Department received 185 responses and over 600 people attended public meetings and focus group events held to facilitate engagement. A report analysing the consultation responses was published on the DHSSPS website on 14 August 2013 and can be accessed at the following link: [http://www.dhsspsni.gov.uk/who\\_cares\\_consultation\\_analysis\\_report.pdf](http://www.dhsspsni.gov.uk/who_cares_consultation_analysis_report.pdf).

"Who Cares?" was the first of a three stage process to reform adult care and support. My Department is currently taking forward the second stage, which will see the development of proposals for reform, taking into consideration the issues raised during the Who Cares? consultation. These proposals, which will be subject to full public consultation, will extend both to changes to the type of support that should be available and how those services are funded.

## Department of Justice

### Lord Chief Justice for Northern Ireland: Reporting Restrictions

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 32496/11-15, whether this will be extended to other non-sexual allegations/charges in which reporting restrictions and/or anonymity orders have been granted.

(AQW 33009/11-15)

**Mr Ford (The Minister of Justice):** Since 6 February 2014, the Lord Chief Justice's Office has reviewed all reporting restrictions and anonymity orders made by the courts.

### Anti-social Behaviour Orders

**Lord Morrow** asked the Minister of Justice how many Anti-Social Behaviour Orders have been (i) sought; and (ii) granted at Dungannon Court in each of the last two years to date, broken down by (a) Crown Court; (b) Magistrates Court; and (c) Youth Court.

(AQW 33010/11-15)

**Mr Ford:** The most up-to-date statistics from the Northern Ireland Courts and Tribunal Service show that there have been no applications for an Anti-Social Behaviour Order and no Anti-Social Behaviour Orders made at the Crown Court, Adult Magistrates' Court or Youth Magistrates' Court in Dungannon during either 2012 or 2013.



### Night Custody Officers

**Lord Morrow** asked the Minister of Justice what disciplinary action was taken against senior staff and management who approved and monitored the policies and arrangements for Night Custody Officers on duty at the time of the death in custody of Colin Bell.

(AQW 33012/11-15)

**Mr Ford:** This information has been withheld as disclosure would be contrary to the Data Protection Act 1998.

### Prisoners: Reoffending

**Miss M McIlveen** asked the Minister of Justice to detail the rates of reoffending by prisoners in each of the last ten years. (AQW 33016/11-15)

**Mr Ford:** The Department of Justice does not hold a continuous series of reoffending information for the period in question. However, in 2011, reoffending rates were provided for the Department of Justice's Consultation on a Review of Community Sentences. In this paper the one-year reoffending rate for those adults discharged from prison or the YOC into the community during 2007 was reported as 38.1%.

My Department is currently revising the methodology used to calculate reoffending analysis, bringing it more in line with established methodology in England and Wales. This new series will begin by producing one year reoffending information for a cohort of offenders given a community disposal or released from custody during the 2010/11 financial year. It is anticipated that this information will be published in Summer 2014, and annually thereafter.

### PSNI Service Medal

**Mr Hussey** asked the Minister of Justice, pursuant to AQW 32873/11-15, when Royal Assent for the PSNI service medal will be sought.

(AQW 33019/11-15)

**Mr Ford:** Royal approval will be sought for the proposal to create a PSNI service medal upon successful conclusion of the following steps: completion of the ongoing review of the proposal by the Police Service of Northern Ireland; support of the revised proposal by the Northern Ireland Policing Board, the Department of Justice, the wider policing family and the Secretary of State; and, finally, approval from the Honours and Decorations Committee.

### Animal Welfare Legislation

**Mr Lyttle** asked the Minister of Justice for an update on the review of the implementation of Animal Welfare legislation, as agreed by the Assembly on 31 March 2014.

(AQW 33025/11-15)

**Mr Ford:** The Minister of Agriculture and Rural Development has given a commitment to review the implementation of the Welfare of Animals Act (Northern Ireland) 2011, and I have given my full co-operation and support to that review.

The terms of the review are currently being developed by the Department of Agriculture and Rural Development and my officials will support the review as required.

### Desertcreat College Development

**Mr Allister** asked the Minister of Justice what lessons have been learned in relation to procurement following the events surrounding the proposed police and fire training facility at Desertcreat, and what changes have been, or will be, made.

(AQW 33052/11-15)

**Mr Ford:** The procurement process for the Northern Ireland Community Safety College is still underway. While difficulties were encountered during the preferred bidder stage, the Programme Board remains committed to the development of the college at Desertcreat and is currently re-evaluating the project to ascertain how best to move this forward.

The current procurement process includes the option to seek tenders from the five shortlisted companies on a price only basis, a pre-determined option available where the preferred bidder process is not successfully concluded.

The Programme Board will reflect on any lessons learned from the experience of this project to inform the way forward and, as appropriate, seek to disseminate this learning to wider procurement exercises.

### Civil Service Voluntary Redundancy Package

**Mr Allister** asked the Minister of Justice, pursuant to AQW 32729/11-15, to quantify the financial amounts involved in the voluntary redundancy package.

(AQW 33058/11-15)

**Mr Ford:** As indicated previously the amounts paid were not enhanced and reflected the normal compensation payment due under the pension arrangements. The information requested is personal to the post holder under the Data Protection Act 1998.

### Night Custody Officers

**Lord Morrow** asked the Minister of Justice why there has been a disparity in the case of the death in custody of Colin Bell, given that there was considerably more than the one night custody officer on duty at the time in question with eight officers recommended for dismissal but later reinstated and to detail why this option was not made available to the prosecuted night custody officer.

(AQW 33100/11-15)

**Mr Ford:** Following on from the internal disciplinary procedures which recommended that staff under investigation following the death in Custody of Colin Bell should be dismissed, an arrangement to convene an Independent Panel to consider the appeals of these staff was made in agreement with the Prison Officers Association, Northern Ireland Prison Service Senior Management and the Labour Relations Agency. The Independent Panel heard all the appeals, including that of the prosecuted Night Custody Officer. There was, therefore, no disparity.

### Anti-social Behaviour Orders

**Lord Morrow** asked the Minister of Justice how many Anti-Social Behaviour Orders (ASBO) have been handed down per court division in each of the last five years to date; and of these, how many have (i) never been breached; (ii) been breached once; and (iii) been breached more than once, broken down by the date the ASBO was imposed and when thereafter any breach occurred.

(AQW 33102/11-15)

**Mr Ford:** The number of Anti-Social Behaviour Orders made, split by County Court Division and calendar year is presented in Tables 1 to 5 below. The tables also contain information on the number of individuals that were given an ASBO and the number of these individuals that (i) never breached an ASBO (ii) breached an ASBO on one occasion and (iii) breached an ASBO on more than one occasion.

**Table 1: Anti-Social Behaviour Orders made during 20091**

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Belfast	9	8	1	2	5
Londonderry	0	0	0	0	0
Antrim	9	8	1	1	6
Fermanagh and Tyrone	0	0	0	0	0
Armagh & South Down	2	2	1	1	0
Ards	6	6	2	2	2
Craigavon	3	3	1	1	1
<b>Total</b>	<b>29</b>	<b>27</b>	<b>6</b>	<b>7</b>	<b>14</b>

**Table 2: Anti-Social Behaviour Orders made during 20101**

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Belfast	7	7	6	0	1
Londonderry	0	0	0	0	0
Antrim	8	8	5	0	3
Fermanagh and Tyrone	2	2	1	0	1

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Armagh and South Down	3	3	2	1	0
Ards	6	5	1	3	1
Craigavon	0	0	0	0	0
<b>Total</b>	<b>26</b>	<b>25</b>	<b>15</b>	<b>4</b>	<b>6</b>

Table 3: Anti-Social Behaviour Orders made during 20111

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Belfast	13	12	9	0	3
Londonderry	0	0	0	0	0
Antrim	2	2	0	1	1
Fermanagh and Tyrone	0	0	0	0	0
Armagh & South Down	2	1	1	0	0
Ards	0	0	0	0	0
Craigavon	1	1	1	0	0
<b>Total</b>	<b>18</b>	<b>16</b>	<b>11</b>	<b>1</b>	<b>4</b>

Table 4: Anti-Social Behaviour Orders made during 20121

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Belfast	4	4	2	1	1
Londonderry	0	0	0	0	0
Antrim	5	4	2	1	1
Fermanagh and Tyrone	0	0	0	0	0
Armagh & South Down	0	0	0	0	0
Ards	3	3	3	0	0
Craigavon	0	0	0	0	0
<b>Total</b>	<b>12</b>	<b>11</b>	<b>7</b>	<b>2</b>	<b>2</b>

Table 5: Anti-Social Behaviour Orders made during 2013P,1

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Belfast	4	4	4	0	0
Londonderry	1	1	0	1	0

Court Division	Number of ASBOs made	Number of individuals given an ASBO	Number of individuals who never breached an ASBO	Number of individuals who breached an ASBO once	Number of individuals who breached an ASBO more than once
Antrim	1	1	1	0	0
Fermanagh and Tyrone	0	0	0	0	0
Armagh & South Down	0	0	0	0	0
Ards	2	2	2	0	0
Craigavon	3	3	3	0	0
<b>Total</b>	<b>11</b>	<b>11</b>	<b>10</b>	<b>1</b>	<b>0</b>

Source: Integrated Court Operations System (ICOS)

P Data are currently provisional and may be subject to change

1 Breaches presented in the tables may relate to an ASBO made in a previous year.

Identification of the time intervals between the granting of an ASBO and subsequent breaches of an ASBO would incur a disproportionate cost.

### Legal Aid Bill

**Lord Morrow** asked the Minister of Justice whether he will give further consideration to percentage costs being built into cases where Legal Aid has been granted in an effort to off-set the overall Legal Aid bill, similar to the case as detailed in the Northern Echo on 8 April 2014 in which following conviction a youth was sentenced to a nine month referral order, as well as paying £85 costs plus a £15 victim surcharge.

(AQW 33103/11-15)

**Mr Ford:** I do not propose at this stage to give further consideration to percentage costs being built into cases where legal aid has been granted, but I will keep the position under review. In my response to your earlier question, AQW/28637/11-15, I indicated that enforcing the payment of further costs would come at a cost to the fund which is currently unknown.

The High Court has ruled recently that, where a defendant defaults in the payment of a monetary penalty he must be given the opportunity to attend a hearing to make whatever representation he considers appropriate when imprisonment is being considered. Where a defendant has insufficient funds to pay for his own representation at this hearing he would be entitled to legal aid. In many cases the cost of representation at the hearing could significantly outweigh the amount to be recovered.

### Night Custody Officers

**Lord Morrow** asked the Minister of Justice, following the sentencing of a former night custody officer for misconduct in public office in relation to the death in custody of Colin Bell and given the remarks of His Honour Judge Patrick Lynch QC at Craigavon Crown Court, particularly on "systemic failures" within the Northern Ireland Prison Service and that other prison staff failed to notice the inmate making a ligature; and given that former night custody officer had been due to work a twelve hour shift in the observation pod with no allowance for a break and having never previously monitored the safer cell and received an "inadequate briefing" about Colin Bell's circumstances, to explain why no other staff were made amenable and clarify the reason for the lack of consistency in terms of equitable treatment amongst prison staff.

(AQW 33163/11-15)

**Mr Ford:** I would refer the Member to the response I provided to AQW/33100/11-15.

### Anti-social Behaviour Orders

**Lord Morrow** asked the Minister of Justice how many Anti-Social Behaviour Orders have been imposed on youths/juveniles at Dungannon Court in each of the last two years to date.

(AQW 33172/11-15)

**Mr Ford:** There have been no Anti-Social Behaviour Orders made for a youth at Dungannon Court during either 2012 or 2013.



## Department for Regional Development

### Car Parking Charges: VAT

**Mrs Dobson** asked the Minister for Regional Development whether car parking charges are inclusive of VAT. (AQW 33026/11-15)

**Mr Kennedy (The Minister for Regional Development):** I can confirm off-street car parking charges are inclusive of VAT, while on-street parking charges are not subject to VAT.

### Sewerage Infrastructure in Millisle

**Mr Easton** asked the Minister for Regional Development for an update on when works will commence on new sewerage infrastructure in Millisle; and to outline the reasons for the delay. (AQW 33085/11-15)

**Mr Kennedy:** Subject to all necessary statutory approvals being obtained and the satisfactory completion of all necessary lands and procurement procedures, construction of the new works will commence in early 2015 and finish in early 2016.

The commencement of construction work has been delayed by the requisite legal negotiations and site purchasing processes taking longer than anticipated. This is due to the preferred site's shoreline location and the need to satisfy the interests of the two existing landowners, Ards Borough Council and Crown Estates, in respect of title, conveyancing and leasing arrangements. Work is taking place with the landowners to effect the purchase as soon as is practicable to enable the project to be progressed to construction as soon as possible.

## Department for Social Development

### Single Carers: Benefits

**Mr Agnew** asked the Minister for Social Development what consideration has been given to single carers in terms of benefit entitlement, given that they have limited availability for work. (AQW 33057/11-15)

**Mr McCausland (The Minister for Social Development):** Carers may claim either Jobseeker's Allowance or Income Support depending on their circumstances and the extent of their caring responsibilities.

#### Jobseeker's Allowance

To qualify for Jobseeker's Allowance (JSA), people must be unemployed, must normally be available for work as well as actively seeking work and enter into a Jobseeker's Agreement. Being available for work means a person must be willing and able to take up a job offer immediately, although carers may be allowed up to 48 hours to make any necessary arrangements.

Jobseekers who make a claim for JSA will be asked to set out their pattern of availability. This states the particular hours and days a person is willing to work and will be recorded in their Jobseeker's Agreement. Normally Jobseekers must be available for a minimum of 40 hours in a week, however, Jobseekers with caring responsibilities can restrict the number of hours work they are available to a minimum of 16, but must show they still have reasonable prospects of obtaining work within these restrictions.

#### Income Support

Lone parents, with a child aged under 7, can claim Income Support without having to be available for work. Once the youngest child turns 7 they will then have to claim JSA instead and they must then satisfy the labour market conditions for receiving it, including being available for work.

A person who is a full-time carer, i.e. providing care for 35 hours per week, for someone who is receiving either Attendance Allowance or the higher or middle rate of Disability Living Allowance can claim Income Support. They may also claim Carer's Allowance which will entitle them to an additional amount of Income Support known as a carer premium. The carer premium is intended to provide carers with additional financial support where they have given up the opportunity of full-time paid employment to take on a caring responsibility which entails providing care for 35 hours per week.

### Welfare Arrangements: IT System

**Mr Copeland** asked the Minister for Social Development how many jobs would be created in the development, maintenance and operation of a Northern Ireland IT system delivering the current welfare arrangements. (AQW 33068/11-15)

**Mr McCausland:** No estimate has been made to date of how many jobs would be created in the development, maintenance and operation of a Northern Ireland IT system to deliver the current welfare arrangements.

### Welfare Arrangements: IT System

**Mr Copeland** asked the Minister for Social Development what expense his Department has incurred in developing an IT system to continue to deliver the current welfare arrangements. (AQW 33069/11-15)

**Mr McCausland:** My Department has not incurred any expense to date in developing an IT system to continue to deliver the current welfare arrangements.

### Welfare Arrangements: IT System

**Mr Copeland** asked the Minister for Social Development how soon an IT system to deliver the existing welfare arrangements could be operational. (AQW 33070/11-15)

**Mr McCausland:** No estimate is currently available of the timescales required for the specification, procurement, development and testing for an IT system to deliver the existing welfare arrangements to be operational.

### Welfare Arrangements: IT System

**Mr Copeland** asked the Minister for Social Development how much is paid annually to utilise UK wide IT system delivering welfare reform; and what is the projected amount in the next five years. (AQW 33071/11-15)

**Mr McCausland:** My Department is currently recharged on a monthly usage basis by the Department for Work and Pensions to utilise UK wide IT systems for welfare delivery. In the 2013/14 Financial Year the annual charge totalled £15.475M. The annual recharge for each of the next 5 years has not yet been determined as this will involve usage of a mixture of legacy and new IT systems. A number of these new systems will have been developed in support of the reforms introduced by the Welfare Reform Act (GB) 2012. All future financial charges will still be the subject of negotiations with the Department for Work and Pensions.

### Welfare Arrangements: IT System

**Mr Copeland** asked the Minister for Social Development what experience exists within his Department of large scale procurement of IT systems; and what arrangements have been put in place in advance of securing a bespoke Northern Ireland IT system for welfare delivery. (AQW 33072/11-15)

**Mr McCausland:** Whilst my Department has experience of procurement and implementation of IT systems, this does not include the procurement of IT systems of the scale necessary to deliver social security benefits. Northern Ireland has and continues to rely on IT systems provided by the Department for Work and Pensions in accordance with the Concordat between that Department and the Department for Social Development. No arrangements have been put in place for securing a bespoke Northern Ireland IT system for welfare delivery.

### Factory Girls Sculpture in Harbour Square, Derry

**Ms Maeve McLaughlin** asked the Minister for Social Development for update on the Factory Girls sculpture in Harbour Square, Derry. (AQW 33081/11-15)

**Mr McCausland:** My Department recently awarded funding of £14,797 to the artist to redesign the sculpture and £24,570 to the City Council of Londonderry to appoint an Integrated Design Team to undertake the design for the surrounding Public Realm works. The artist will work closely with the Integrated Design Team. It is anticipated that RIBA Stage D designs for the full scheme will be completed by 31 December 2014. At that stage the City Council of Londonderry will submit an application for planning permission. It should be noted that since the construction works are unlikely to commence by 31 March 2015, by which time the Department's urban regeneration powers and budgets will have transferred to local government, it will be a matter for the new local authority covering Londonderry to decide whether the project proceeds to construction.

### Tenancy Deposit Scheme

**Mr Flanagan** asked the Minister for Social Development to detail the volume of tenants' deposits registered through the Tenancy Deposit Scheme in each month since its launch in 2013, broken down by council area. (AQW 33117/11-15)

**Mr McCausland:** The table below details the total number of deposits secured with the three tenancy deposit scheme administrators in each of the last 12 months. The Department does not hold the information broken down by council area.

April 2013	May 2013	June 2013	July 2013	Aug 2013	Sept 2013	Oct 2013	Nov 2013	Dec 2013	Jan 2014	Feb 2014	March 2014	Total
799	1171	1349	1587	1812	2424	2298	1541	1177	1257	1530	1683	<b>18,628</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.

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# Northern Ireland Assembly

Friday 16 May 2014

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### **ILEX Regeneration Company**

**Mr Campbell** asked the First Minister and deputy First Minister, since its inception in 2003, how many years has the ILEX Regeneration Company had a Chief Executive in post.

(AQW 31164/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Since Ilex Urban Regeneration Company was established in July 2003, the company has had Chief Executives in post for a total of 8 years 7 months.

#### **Internet Safety: Gapping and Mapping Exercise**

**Mrs Overend** asked the First Minister and deputy First Minister when the report on the Gapping and Mapping Exercise on Internet Safety was given to the Safeguarding Board NI for amendment; and when they expect to publish its findings.

(AQW 31637/11-15)

**Mr P Robinson and Mr M McGuinness:** OFMDFM wrote to the Safeguarding Board for Northern Ireland (SBNI) on 10 December 2013 to establish whether, in its capacity as the statutory body charged with safeguarding children, it would be willing to carry out an assessment on the risks identified in the Gapping and Mapping Exercise. At that stage, the Department only provided the SBNI with a copy of the template which was used to carry out the exercise rather than the full report until we had obtained their agreement to carry out the assessment.

This issue was raised during the recent Assembly debate on 10 February 2014 to mark Safer Internet Day and Junior Ministers have now written to the Speaker to provide clarification around this issue.

Officials met with the SBNI on 10 March 2014 and a letter has now been issued to DHSSPS to ask it to commission the SBNI to carry out the assessment.

The safety of children is our paramount concern and we want to make sure that any action we take will not expose children to additional risk. As a result, we are also asking DHSSPS to request advice from the SBNI on whether it is appropriate to publish the gap analysis report at any stage.

#### **Strategic Investment Board: Pension Schemes for Senior Management**

**Mr Dallat** asked the First Minister and deputy First Minister to detail (i) the amount of money contributed to pension schemes for senior management within the Strategic Investment Board; and (ii) the number of employees involved, in the last five years.

(AQW 31816/11-15)

**Mr P Robinson and Mr M McGuinness:** The amount of money contributed to pension schemes for senior management within the Strategic Investment Board (SIB) and the number of employees involved in the last five years are listed in the table below.

Financial year	09/10	10/11	11/12	12/13	13/14
No of staff (Full yr equivalent)	18	17	24	33	40
<b>Total Pension contribution (£)</b>	<b>154,397</b>	<b>126,039</b>	<b>185,217</b>	<b>265,885</b>	<b>350,319</b>

The Strategic Investment Board pension scheme is a money purchase scheme outside the public sector, not a final salary scheme; and all staff, senior managers and junior staff alike receive the same 10% contribution.

#### **Childcare Policy**

**Mrs Cochrane** asked the First Minister and deputy First Minister how the recent 2014 UK Budget announcement on help with childcare costs will affect their childcare policy.

(AQO 5998/11-15)



**Mr P Robinson and Mr M McGuinness:** The first phase of the Bright Start School Age Childcare Strategy will promote current government assistance with the costs of childcare (childcare vouchers and the childcare element of tax credits) with a view to increasing local levels of uptake.

A particular focus will be on encouraging parents who use childcare services supported under Bright Start to avail of the type of financial assistance most suited to their needs. We are aware of the Coalition Government's plans to introduce a tax-free childcare scheme and we are currently considering this in the local context.

### Bright Start

**Mr F McCann** asked the First Minister and deputy First Minister for an update on the Bright Start childcare scheme. (AQO 6004/11-15)

**Mr P Robinson and Mr M McGuinness:** The Bright Start School Age Childcare Grant Scheme was launched on 27 March 2014 and is currently open to applicants. The Scheme aims to create or sustain up to 7,000 school age childcare places by assisting current and prospective childcare providers. These envisaged childcare places will begin to address the need for additional school age childcare services. The Grant Scheme will assist childcare settings serving disadvantaged and rural communities, and settings based on the schools estate. The first letters of offer are expected to be issued in the autumn.

### Bright Start

**Mr Newton** asked the First Minister and deputy First Minister how the proposed 8,000 childcare places under Bright Start will be created and sustained. (AQO 6005/11-15)

**Mr P Robinson and Mr M McGuinness:** The Bright Start School Age Childcare Grant Scheme aims to create or sustain up to 7,000 school age childcare places by assisting current and prospective childcare providers. These childcare places will begin to address current unmet need for school age childcare services.

The Grant Scheme was launched on 27 March 2014 and is open to applicants. A second grant scheme – to create up to 1,000 new childminder places in rural areas – is currently in development with a view to launching later in the year.

### Planning Appeals Commission

**Mr Hazzard** asked the First Minister and deputy First Minister to outline the role of the Planning Appeals Commission. (AQW 33136/11-15)

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent appellate body operating at arms length from government. It was established under statute to deal with a wide range of land use planning issues and related matters.

The function of the body can be viewed on the following website <http://www.pacni.gov.uk/>.

### Planning Appeals Commission

**Mr Hazzard** asked the First Minister and deputy First Minister to outline the process for appointments to the Planning Appeals Commission. (AQW 33137/11-15)

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent appellate body operating at arms length from government. Appointments to the Commission are made by us in accordance with The Planning NI Order 1991 legislation.

### Planning Appeals Commission

**Mr Hazzard** asked the First Minister and deputy First Minister whether decisions taken by the Planning Appeals Commission can be overturned. (AQW 33138/11-15)

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent appellate body. Given its status, we have asked its Chief Commissioner to provide a response directly to you.

### Planning Appeals Commission

**Mr Hazzard** asked the First Minister and deputy First Minister whether, when ruling on planning applications, the Planning Appeals Commission is bound to examine and consider all relevant information including (i) district area plans; (ii) economic development; and (iii) local opposition. (AQW 33139/11-15)

**Mr P Robinson and Mr M McGuinness:** The Planning Appeals Commission is an independent appellate body. Given its status, we have asked its Chief Commissioner to provide a response directly to you.

## Department of Agriculture and Rural Development

### Animal Welfare Legislation

**Mr Lyttle** asked the Minister of Agriculture and Rural Development for an update on the review of the implementation of Animal Welfare legislation, as agreed by the Assembly on 31 March 2014. (AQW 33024/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** I welcomed the opportunity to debate the issue of animal cruelty in the Assembly on 31 March 2014 and supported the Motion calling for a review of the implementation of the Welfare of Animals Act 2011. My officials are currently developing terms of reference for the review, which will include engagement with the Department of Justice, and I anticipate the review commencing shortly thereafter.

### Poultry Litter

**Mr Swann** asked the Minister of Agriculture and Rural Development for an update on allowing farmers to store poultry litter 'on field'. (AQW 33076/11-15)

**Mrs O'Neill:** The Nitrates Action Programme (NAP) Regulations (2011) contain a provision allowing poultry litter to be stored in temporary field heaps subject to certain conditions. These include where, how and for how long poultry litter can be stored on field prior to it being spread as an organic fertiliser. The purpose of these conditions is to reduce the risk of water pollution.

There is also a requirement for field heaps of poultry litter to be notified to and authorised by the NI Environment Agency (NIEA), which is responsible for inspection and enforcement of the NAP Regulations.

Since 2011, 24 field heaps of poultry litter have been notified to and authorised by NIEA.

The provision in the NAP for 2011-2014 for poultry litter to be stored in field heaps was agreed by the European Commission on the basis that it was a temporary rather than being a long term measure.

Given this, and the limited uptake by farmers as evidenced by notifications to NIEA, there does not appear to be a sufficient basis for this provision to continue beyond the end of 2014 and into the next NAP for 2015-2018.

### Test and Vaccinate or Remove Research Scheme

**Mr Swann** asked the Minister of Agriculture and Rural Development whether the Test and Vaccinate or Remove (TVR) proposal is classed as a research project. (AQW 33078/11-15)

**Mrs O'Neill:** The Test and Vaccinate or Remove (TVR) proposal is a research project. The proposal for this research emerged following discussion with industry stakeholders in 2012, and was informed by the views of the external experts who attended the international TB vaccination symposium in Belfast in May 2012. At the outset I made it clear that it is vital that we should embark on an intervention research project which could provide a unique contribution or insight into TB in cattle and the reservoir of TB in wildlife, such as badgers. Such research will be unique to these islands and avoid simply replicating expensive interventions or research projects being undertaken elsewhere.

### Animal Welfare Legislation

**Mr Newton** asked the Minister of Agriculture and Rural Development what contact she has had with local councils following the Assembly motion on 31 March 2014 calling for a review of the implementation of animal welfare legislation. (AQW 33092/11-15)

**Mrs O'Neill:** Enforcement of the Welfare of Animals Act 2011 by Councils in respect of non-farmed animals is overseen by a Council-chaired Animal Welfare Project Board, on which my Department is represented.

Following the Assembly Motion on 31 March 2014, my officials are developing terms of reference for the review of the implementation of the Welfare of Animals Act 2011 and I anticipate the review commencing shortly thereafter.

While I have not been in personal contact with Councils on this subject since the Assembly Motion, my officials have ongoing contact with the Project Board and are engaging with the Board as the terms of reference are developed.

### Annual Salary: DARD Staff

**Mr Campbell** asked the Minister of Agriculture and Rural Development to detail the average annual salary payable to staff at grades (a) AO/AA ; (b) SO/EO1/EO11; (c) G6/G7/DP; and (d) Senior Civil Servants at G5 and above. (AQW 33099/11-15)

**Mrs O'Neill:** The average annual gross salaries paid to staff in DARD at December 2013 are detailed in the table below:-

Grade	Average Annual Salary (£)
Senior Civil Servants at Grade 5 and above and analogous grades	£71,339
Grade 6 / Grade 7 / DP and analogous grades	£42,164
SO / EO1 / EOII and analogous grades	£26,406
AO / AA and analogous grades	£18,147

### Bovine Viral Diarrhoea Voluntary Testing Scheme

**Mr Swann** asked the Minister of Agriculture and Rural Development for her assessment of the future of the voluntary Bovine Viral Diarrhoea testing scheme now that some tag suppliers are introducing charges for retests after they receive a blank disc. **(AQW 33110/11-15)**

**Mrs O'Neill:** Following my announcement, on 5 December 2013, to make the testing of bovines for BVD compulsory, it is envisaged that the voluntary BVD programme will continue to operate as is until new legislation comes into force. We anticipate that this will be later this year.

Under the current voluntary programme, herd keepers are required to bear the costs associated with the tissue tag and testing, and I do not envisage any change to this when new legislation is introduced, given the clear economic benefits of tackling this disease. The arrangement between the individual herd keeper and tag supplier is a commercial matter and it is for the farmer to use the designated supplier of their choice. I am aware that a small number of samples for testing may have to be retested due to empty sample tags and that there may be a charge, which may vary between suppliers. I have been advised, however, by Animal Health and Welfare NI that the incidence of sample failures is low, approximately 1% of tags are empty, and, therefore, would not envisage the additional tag charges having a significant impact on the future of the BVD programme going forward.

### Public Bodies: DARD Appointments

**Mr Campbell** asked the Minister of Agriculture and Rural Development what is the perceived community background of the total number of people she has appointed to Public Bodies that are sponsored by her Department, in each of the last two years. **(AQW 33151/11-15)**

**Mrs O'Neill:** During the period 1 April 2012 to 31 March 2013 I made 19 appointments, including re-appointments, to Public Bodies sponsored by my Department. Of these appointees, 6 declared community background as Roman Catholic, 11 as Protestant, 1 as Neither and 1 is Unknown. Eight of these appointments were made jointly with the DETI Minister.

From 1 April 2013 to date I made 4 appointments, including re-appointments, to public bodies sponsored by my Department. Of these appointees, 3 declared community background as Roman Catholic and 1 as Protestant.

### DARD Headquarters: Relocation

**Mr Frew** asked the Minister of Agriculture and Rural Development, given the recent Wales Audit Office Report which questioned the value for money of Welsh decentralisation of civil service jobs, what plans her Department has in place to ensure that the relocation of departmental headquarters to Ballykelly represents good value for money. **(AQW 33157/11-15)**

**Mrs O'Neill:** One of the key recommendations from the Welsh Audit Office Report is to have an established governance arrangement to oversee the programme including the monitoring of benefits and in turn the value for money. The governance arrangements for my relocation programme are well established and this includes representation from the Strategic Investment Board, Property Services, Central Procurement Directorate and Land and Property Services. In addition both I and the Departmental Board receive regular updates on the programme.

We have adopted a phased approach to relocation which allows us to gather and apply lessons learned while measuring benefits as we go. Identifying staff willing to relocate seemed to be a problem for our Welsh colleagues but we have surveyed staff across the wider NICS and have established that there is a demand for posts that would be available in Ballykelly.

I fully expect that the benefits identified in the Welsh report, including the greater decentralisation of posts away from the administrative centre, increased job opportunities in rural areas and the improved working environment for staff, will be realised by our relocation programme. I recently issued a paper for discussion at a future meeting of the Executive about our Programme for Government Target to relocate DARD Headquarters to a rural area.

### DARD Headquarters: Relocation

**Mr Frew** asked the Minister of Agriculture and Rural Development, in relation to the relocation of her Department's Headquarters, what consideration has been given to alternative options rather than building new offices at Ballykelly. **(AQW 33159/11-15)**

**Mrs O'Neill:** The decision to build a new office at the Shackleton Barracks site in Ballykelly to accommodate my departmental headquarters came at the end of a lengthy and considered process.

The first stage in the process was to develop a long list of potential locations derived from the Spatial Framework contained in the agreed Regional Development Strategy. Each of the 23 local government districts were scored each against a defined set of criteria which included 9 different socio-economic factors considering such things as unemployment levels, deprivation and earnings levels, as well as practical considerations such as the number of public sector and civil service jobs already sited in the area. The top two areas identified in this analysis were both in the North West: Strabane and Limavady.

My decision to select Ballykelly takes into account a number of factors not least that the former Shackleton Barracks is an Executive-owned site.

The options for development within the site were informed by a feasibility study carried out by DFP's Central Procurement Directorate (CPD) which examined the use of existing buildings on the site versus new build. The preferred option in the business case is a new build office block of around 400 workstations, to be available in 2017, followed by an additional block of 200 workstations to be available from end of 2020. A paper on DARD Relocation is with the Executive for consideration.

### Cattle Markets: Penalties

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for her assessment of the financial implications on farmers and the farming industry of the penalties proposed by cattle markets should cattle have undertaken more than four moves. **(AQW 33175/11-15)**

**Mrs O'Neill:** At the outset, I must say that we all want a profitable and sustainable local beef industry with farmers seeing a fair return for their efforts. I am aware that local meat plants have been planning to make significant changes to the pricing structures for in-spec and out-of-spec cattle. I understand that, amongst other things, animals with more than four moves are considered to be out-of-spec. However, given that specifications vary from plant to plant and the application of penalties and associated deductions also vary I am unable to provide an accurate analysis of the overall financial impact of the proposed changes. It is worth noting though that, according to the LMC, since April 2013 less than five per cent of slaughtered prime cattle have been resident on more than four farms, with over 95 per cent of prime cattle slaughtered having been resident on four farms or fewer.

I have met with representatives of the local processing industry to impress upon them my concern about the potential impact of the proposed changes to pricing structures in this difficult trading environment. I informed them that they need to re-think these proposed changes. Clearly, robust traceability is the cornerstone of our beef industry. However, it is not fair that farmers who bought animals in good faith should be penalised by the proposed changes in pricing structure at this difficult time. I have also asked the industry to strive for timely and transparent communication with both the farming representatives and the wider beef industry, when any changes in specification are being proposed.

Whilst changes to in-spec incentives are a commercial matter between the cattle keepers, the abattoirs and the major meat retailers, I hope that the industry can work together to get to a mutually agreeable resolution that will ensure a sustainable local beef farming industry. As part of our customer service my Department is trying to support farmers in meeting the new requirements. Whilst we are not in a position to confirm whether individual animals meet abattoir specifications, we can provide herd keepers with a report on the movement history of all the cattle in their herd, allowing them to calculate the number of farm residencies for each animal. This information is being provided to farmers through local DARD Direct offices. There are also improvements planned in the sharing of cattle movement information which will assist in providing the information essential to the effective marketing of all our animals.

Looking to the future, my Department is already supporting efforts to develop additional export markets to add value to the local industry's output. Most recently Singapore announced it was opening its markets to beef from the north and northern beef sourced from southern cattle.

I trust that this response addresses your concerns and reassures you of my commitment to a successful local beef industry.

### Cattle: Official Movements

**Mrs Dobson** asked the Minister of Agriculture and Rural Development to define what constitutes an official movement of cattle. **(AQW 33176/11-15)**

**Mrs O'Neill:** The identification, registration and movement of cattle is regulated by EC Regulation 1760/2000 and enforced by DARD, the competent authority. An official movement takes place when a correctly identified animal, registered on database of the competent authority, moves from one holding to another holding. In this context the term "holding" may refer to a farm, a livestock market, show or abattoir. The animal must be accompanied by a movement document completed by the keeper of the holding from which the animal is being moved. If the animal is subject to a movement restriction, it must be accompanied by a licence issued by DARD. Both the origin and destination holding must be registered on APHIS as part of the official movement approval process.



## Flooding in Glenone, Derry

**Mr McGlone** asked the Minister of Agriculture and Rural Development, in relation to flooding in the Glenone area of Derry, what progress has been made on the issue following the Rivers Agency's meetings with NI Water earlier this year.

(AQW 33374/11-15)

**Mrs O'Neill:** Rivers Agency staff have been pressing NI Water and their consultants for a solution to the flooding issues at this location caused by the installation of undersized pipes. An undertaking has now been given by NI Water that a proposal will be submitted to Rivers Agency for consideration before the middle of May 2014. Rivers Agency is hopeful that this proposal will provide an acceptable long term solution that will resolve the flooding issues. In the meantime Rivers Agency remains available to provide assistance to any future flooding emergency as required.

## Department of Education

### Early Years Pilot Programme

**Mrs McKeivitt** asked the Minister of Education to detail the benefits of the pilot Early Years programme to date.

(AQW 33046/11-15)

**Mr O'Dowd (The Minister of Education):** The Education and Training Inspectorate (ETI) have been involved in ongoing evaluation of the Early Years pilot and to date the feedback has been positive.

After the first full year of operation of the pilot, ETI indicated that considerable progress had been made and that there was evidence of very good practice developing across the range of pilot settings. ETI also indicated that some evidence showed that, as a result of the work of the pilot teams with parents, there had been a dramatic impact on the home lives of children involved. Some settings reported to ETI that the training is the best that has been provided and that the opportunities for clustering and whole setting training have been invaluable.

A number of stakeholders, including various early years' specialists and an attached Health Visitor, have reported their views on the benefits of the pilot to date and again feedback has been positive. Some of their comments have indicated that staff are better informed, can recognise needs early and can put in place appropriate strategies to help.

The pilot is funded to continue over the summer months and is due to finish in the settings at the end of September 2014 when it will move into its evaluation phase. As well as evaluative work conducted within the pilot, the Education and Training Inspectorate (ETI) will complete an independent report following the end of December 2014.

### Early Years Pilot Programme

**Mrs McKeivitt** asked the Minister of Education whether he will consider continuing the Early Years pilot programme during the summer months.

(AQW 33047/11-15)

**Mr O'Dowd:** The Education and Training Inspectorate (ETI) have been involved in ongoing evaluation of the Early Years pilot and to date the feedback has been positive.

After the first full year of operation of the pilot, ETI indicated that considerable progress had been made and that there was evidence of very good practice developing across the range of pilot settings. ETI also indicated that some evidence showed that, as a result of the work of the pilot teams with parents, there had been a dramatic impact on the home lives of children involved. Some settings reported to ETI that the training is the best that has been provided and that the opportunities for clustering and whole setting training have been invaluable.

A number of stakeholders, including various early years' specialists and an attached Health Visitor, have reported their views on the benefits of the pilot to date and again feedback has been positive. Some of their comments have indicated that staff are better informed, can recognise needs early and can put in place appropriate strategies to help.

The pilot is funded to continue over the summer months and is due to finish in the settings at the end of September 2014 when it will move into its evaluation phase. As well as evaluative work conducted within the pilot, the Education and Training Inspectorate (ETI) will complete an independent report following the end of December 2014.

### Primary Schools in the Foyle Constituency: Budget Reduction

**Mr Eastwood** asked the Minister of Education to detail the primary schools in the Foyle constituency that have experienced a budget reduction in 2014/15; and the (i) 2013/14; and (ii) 2014/15 budgets for the affected schools.

(AQW 33066/11-15)

**Mr O'Dowd:** Of the 40 primary schools in Foyle constituency, 10 have seen a reduction in funding against last year's budget allocations. Nine of the schools have lost pupils since last year; with the other school losing 4 Year 2 (Foundation Stage) pupils. Many of the schools have also seen a reduction in the number of FSME pupils.

It should be remembered that budget allocations for individual schools change on an annual basis due, not only to demographic or estate changes at that individual school, but also due to the total impact of all demographic and school estate changes and the size of the Aggregated Schools' Budget.

In line with my commitment that no school would lose funding in 2014-15 solely as a result of any changes I made to the Common Funding Formula, 3 of these schools were awarded transitional funding of between £1,018 and £2,725.

Whilst the remaining 7 schools experienced a budget reduction, this was less than it would have been, had I made no changes to the formula and the budget.

School	Total CFF Funding for 2013/14	Primary School Transitional Funding	Total 2014/15 Funding Including Transition
Craigbrack PS	188,835	1,018	150,331
Hollybush PS	1,079,212	2,725	1,041,234
Mullabuoy PS	366,533		350,182
Culmore PS	306,592	1,421	292,285
St Eugene's PS, Derry	591,476		578,730
Bunscoil Cholmcille	437,970		428,390
Groarty Integrated PS	178,457		175,228
Holy Family PS, Ballymagroarty	1,395,287		1,392,901
Chapel Road PS	600,058		598,961
St Anne's PS, Derry	1,192,677		1,192,291

### Hollybush Primary School, Derry

**Mr Eastwood** asked the Minister of Education to outline the rationale for reducing the budget for Hollybush Primary School, Derry in 2014/15.

(AQW 33067/11-15)

**Mr O'Dowd:** It is important to note that individual school budgets are impacted not just by the number and type of pupils within an individual school but by changes to the school population and estate as a whole.

If I had made no changes to either, the Common Funding Formula or the budget, Hollybush Primary School's allocation in the current year would have been £1,041,234, some £37,978 less than it received last year.

It is important to note that Hollybush Primary School has 14 fewer pupils this year than last year. Hollybush Primary School's per capita figure is £2,636 – hence the loss of 14 pupils would result in a loss of just under £37,000. In addition, Hollybush Primary School has lost funds for Teacher Salary Protection (TSP) and Foundation Stage funding of approximately £2,000 but has gained funding under the new support for Looked After Children in 2014-15.

These funding losses are not due to my changes and would have impacted the school due to changes in overall Teachers salary costs for the sector and the school's pupil profile as well as pupil numbers.

When I announced my final decisions on changes to the Common Funding Scheme on 13 March 2014, I announced that transition payments would be made to those schools whose budget under the new arrangements is less than the school would have received, had the Common Funding Formula and budget remained the same as in 2013-14. Hollybush Primary School received £2,725 under this transitional funding for 2014-15.

### Home-to-school Transport: Spend

**Mr Kinahan** asked the Minister of Education what percentage of the Education budget has been spent on home to school transport in each of the last five financial years.

(AQW 33095/11-15)

**Mr O'Dowd:** The percentage of the Education budget which has been spent on home to school transport in each of the last five financial years is listed below:

	2009/10	2010/11	2011/12	2012/13	2013/14
% of Total Budget spent on Transport	4.25%	3.66%	3.68%	3.82%	4.37%

**Notes:**

- 2013/14 information is provisional at this stage.
- Budgets exclude Youth as transport costs are incurred in respect of the Schools element of the DE budget.

### Early Years Capacity Building Pilots

**Mr Kinahan** asked the Minister of Education whether the multi-disciplinary teams put in place to deliver Special Educational Needs Early Years Capacity Building pilot projects will be kept together to continue their work during the evaluation phase once the pilots have been completed.

**(AQW 33098/11-15)**

**Mr O'Dowd:** The Early Years pilot is due to end in the pre-school settings at the end of September 2014 and will be followed by an evaluation phase ending in December 2014. Following on from this, a full evaluation of the pilot will be completed by the Education and Training Inspectorate (ETI).

In preparation for the Early Years pilot ending in September, DE in conjunction with the Education and Library Boards will consider the possibility of any interim arrangements that might be made, subject to the availability of funding. Decisions on what might be the future shape of SEN early years provision beyond the pilot stage will not be made until the final ETI evaluation has been considered.

Whilst I recognise the importance of collaborative working, there is no provision for the continuation, beyond September 2014, of the pilot multi-disciplinary teams as they currently stand.

### Early Years Capacity Building Pilots

**Mr Kinahan** asked the Minister of Education when the results of the Early Years Capacity Building pilots will be evaluated; and what plans are in place to build on the progress which has been made in identifying and supporting children with special educational needs.

**(AQW 33104/11-15)**

**Mr O'Dowd:** The Early Years pilot is due to end in the pre-school settings at the end of September 2014 and will be followed by an evaluation phase ending in December 2014. Following on from this, a full evaluation of the pilot will be completed by the Education and Training Inspectorate (ETI).

In preparation for the Early Years pilot ending in September, DE in conjunction with the Education and Library Boards will consider the possibility of any interim arrangements that might be made, subject to the availability of funding. Decisions on what might be the future shape of SEN early years provision beyond the pilot stage will not be made until the final ETI evaluation has been considered.

Whilst I recognise the importance of collaborative working, there is no provision for the continuation, beyond September 2014, of the pilot multi-disciplinary teams as they currently stand.

### Early Years Capacity Building Pilots

**Mr Kinahan** asked the Minister of Education what consideration he is giving to continuing and mainstreaming the multi-disciplinary work of the Special Educational Needs Early Years Capacity Building pilots across the Education and Library Boards.

**(AQW 33105/11-15)**

**Mr O'Dowd:** The Early Years pilot is due to end in the pre-school settings at the end of September 2014 and will be followed by an evaluation phase ending in December 2014. Following on from this, a full evaluation of the pilot will be completed by the Education and Training Inspectorate (ETI).

In preparation for the Early Years pilot ending in September, DE in conjunction with the Education and Library Boards will consider the possibility of any interim arrangements that might be made, subject to the availability of funding. Decisions on what might be the future shape of SEN early years provision beyond the pilot stage will not be made until the final ETI evaluation has been considered.

Whilst I recognise the importance of collaborative working, there is no provision for the continuation, beyond September 2014, of the pilot multi-disciplinary teams as they currently stand.

### Pilot Projects: DE

**Mr Kinahan** asked the Minister of Education to list the pilot projects that his Department has sponsored since June 2011.

**(AQW 33106/11-15)**

**Mr O'Dowd:** The pilot projects sponsored by the Department of Education since June 2011 are:

A voluntary pilot of Computer Based Assessment in primary schools;

#### Unique Learner Number;

Full Service Schools based at Belfast Boys and Girls Model Schools in North Belfast;

Full Service Community Network in West Belfast;

### Léargus Irish Language Programme;

Teacher e-Portfolio; and

Joint QUB/UU Post-Primary PGCE in Main Subject with Special Educational Needs Education and Inclusion;

Early Years Pilot;

The Educational Testing Pilot;

Nurture Units Signature Project,

Sentinus Smart Gear Programme.

### Attacks on Teachers

**Mr Weir** asked the Minister of Education to detail the number of attacks on teachers in each of the last five years.

**(AQW 33203/11-15)**

**Mr O'Dowd:**

	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
BELB	62	31	40	42	32
NEELB	*	13	14	24	15
SEELB	11	15	32	20	34
WELB	6	10	7	6	9

The Southern Education and Library Board advised that it was unable to provide figures as it does not hold a complete record. CCMS advised that it does not hold this information. \*The 2009/2010 figures for the North-Eastern Education and Library Board cannot be provided as the small numbers involved would require a high level of suppression to prevent the identification of an individual, in line with the confidentiality principle of the Statistics Authority's Code of Practice on Official Statistics.

Details provided do not include Voluntary Grammar and Grant Maintained Integrated schools.

Assaults on teachers, or any other staff in schools, whether physical, verbal, written or electronic are intolerable, totally unacceptable and must be condemned.

All the key stakeholders in education must work together and stand together against any abuse or violence directed at the workforce. Teachers and support staff, and indeed pupils too, should feel secure and protected in the school environment. Teachers must be allowed to carry out their duties without fear for their personal safety.

My Department will continue to work with the employing authorities and teachers unions to explore ways of preventing violence and abuse against teachers and support staff who are subjected to it.

Co-operation on this issue has included a workshop hosted by my Department and a working group established by the Teachers' Negotiating Committee. A policy statement on tackling violence against teachers was issued in June 2011 and in November 2012, the NI Teachers' Council issued a follow-up leaflet to all teachers explaining what they should do and where they can get support, if they are subject to violence or abuse.

The Department will also continue to co-operate fully with the police with regard to any advice and recommendations about the protection of teachers and school staff.

### Attacks on Teachers

**Mr Weir** asked the Minister of Education what additional strategies are being pursued by his Department to protect teachers from violent attacks.

**(AQW 33204/11-15)**

**Mr O'Dowd:**

	2009/2010	2010/2011	2011/2012	2012/2013	2013/2014
BELB	62	31	40	42	32
NEELB	*	13	14	24	15
SEELB	11	15	32	20	34
WELB	6	10	7	6	9

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The Department will also continue to co-operate fully with the police with regard to any advice and recommendations about the protection of teachers and school staff.

### Early Years Pilot Programme

**Ms Lo** asked the Minister of Education whether his Department would reconsider the decision to end the Early Years pre-school Pilot Programme.  
(AQW 33209/11-15)

**Mr O'Dowd:** The Early Years pilot began in 2011/12 and will finish at the end of September 2014. It was initially intended to run for 2 school years but I secured funding to extend the pilot for 12 months to September 2014. I believe that this has provided sufficient time to conduct a proper and thorough evaluation of the work. As well as evaluative work conducted within the pilot, the Education and Training Inspectorate (ETI) will complete an independent report.

The Department of Education in conjunction with the Education and Library Boards will consider the possibility of any interim arrangements that might be made, subject to the availability of funding. Decisions on what might be the future shape of SEN early years provision beyond the pilot stage will not be made until the final ETI evaluation has been considered.

### Schools: Boards of Governors

**Mr Kinahan** asked the Minister of Education for an update on the reconstitution of school Boards of Governors in terms of (i) how many vacancies existed; and (ii) how many application were received to fill those vacancies.  
(AQW 33219/11-15)

**Mr O'Dowd:** At the reconstitution of school Boards of Governors all governor posts are subject to renewal. In relation to the governor posts which are currently open to public recruitment the information is as follows:

	(i) Number of Posts	(ii) Applications received
DE Governor Posts	1056	1226
ELB Governor Posts	2415	2300

The size and composition of the membership of school Boards of Governors is determined by the Education Orders and the schemes of management for grant-aided schools as approved by the Department.

The owners or former owners of schools, which include the four main Churches, have the right to nominate a proportion of the members and elections are arranged for parent and teacher members.

The reconstitution process includes a number of stages and normally takes 12 to 18 months to complete. Most Boards of Governors will be reconstituted and in operation by the end of 2014.

### Elective Home Schooling

**Mrs Dobson** asked the Minister of Education what powers Education and Library Boards have in relation to pupils who are receiving elective home schooling.  
(AQW 33226/11-15)

**Mr O'Dowd:** The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986, which makes provision for the enforcement of Article 45 (1), places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

### Devenish College, Fermanagh

**Mr Allister** asked the Minister of Education why a new build has not been provided for Devenish College.  
(AQW 33244/11-15)

**Mr O'Dowd:** A Development proposal has been approved for the amalgamation of Devenish College and Lisnaskea High School.

An Economic Appraisal recommending a new build school for 800 pupils on the Tempo Road site has been submitted to the Department for consideration.

Following approval to the Economic Appraisal the WELB will proceed to appoint an Integrated Design Team to take forward the design/planning of the new school.

### Slemish College, Ballymena

**Mr McKay** asked the Minister of Education how he plans to improve the resources and capital provision for Slemish College, Ballymena.  
(AQW 33279/11-15)

**Mr O'Dowd:** Following an application by Slemish College to the Schools Enhancement Programme (SEP), and the completion of a scoping report and economic appraisal (EA), the following proposal was deemed to be the most appropriate to address the issues for the school within the SEP criteria:

*"Implementation of new sports hall, floodlit synthetic pitch and three tennis courts. Repairs to existing rugby pitch."*

The estimated value of the project is between £3 - 4m. The Department is currently proceeding with the procurement of professional teams. Progression to the construction stage will be subject to availability of funding.

### Elective Home Education

**Mr Clarke** asked the Minister of Education to outline his Department's policy on Elective Home Education.  
(AQW 33320/11-15)

**Mr O'Dowd:** The Education and Libraries (NI) Order 1986 sets out the statutory duty which applies to parents and to the Education and Library Boards in relation to the education of children of compulsory school age including those who are educated at home.

This permits pupils to be educated in accordance with their parents wishes (Article 44), with the requirement that parents ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have (Article 45 (1)).

In addition, Schedule 13 of the Education and Libraries (NI) Order 1986, places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

### Nursery School Provision: Hollywood Area

**Mr Dunne** asked the Minister of Education what action the South Eastern Education and Library Board are planning to take to increase nursery school provision in the Hollywood area.  
(AQW 33342/11-15)

**Mr O'Dowd:** The Chief Executive of the South Eastern Education and Library Board (SEELB) has advised that, at the end of stage one of the pre-school admissions process, 16 pre-school places remained available in the Hollywood area. At that time, 17 children had not received the offer of a pre-school place; six of whom had applied after the closing date for stage one.

The SEELB has also advised that it has engaged a new provider for stage two of the process which will provide between eight and twenty additional pre-school places, depending on demand. Hollywood Nursery School also applied for, and has been granted, temporary flexibility for an additional eight pre-school places for the 2014/15 academic year.

### Children Removed from School During Term Time

**Mr Dunne** asked the Minister of Education how legal judgements which allow children to be removed by non-resident parents from school during term time for the purpose of holidays can be deterred.  
(AQW 33345/11-15)

**Mr O'Dowd:** My Department will not take any action, nor will intervene in any respect, in relation to orders made by a court.

### Children Removed from School During Term Time

**Mr Dunne** asked the Minister of Education what action his Department is taking to prevent court orders being granted to non-resident parents which enables them to remove children from school during term time for the purpose of holidays.  
(AQW 33346/11-15)

**Mr O'Dowd:** My Department will not take any action, nor will intervene in any respect, in relation to orders made by a court.

### Preschool Places: Ballycastle

**Mr Swann** asked the Minister of Education, pursuant to AQW 33037/11-15, of the 88 children placed, how many were placed in their first preference location.  
(AQW 33378/11-15)

**Mr O'Dowd:** The North Eastern Education and Library Board has advised that, of the 88 children offered a funded place at stage one of the pre-school admissions process, 81 were offered a place in their first preference setting.

### St Patrick's Primary School, Mullanaskea

**Mr Flanagan** asked the Minister of Education to list the townlands included in the catchment area for St Patrick's Primary School, Mullanaskea.  
(AQW 33393/11-15)

**Mr O'Dowd:** The Department of Education does not set catchment areas for schools. Should a school set catchment area as a criterion for entry, it is the responsibility of that school's Board of Governors to define the nature and extent of the catchment area. The townlands in which pupils attending Mullanaskea Primary School in the 2013/14 school year reside, are listed below:

- |                                 |                |                     |
|---------------------------------|----------------|---------------------|
| ■ Moneynoe Glebe or Chanterhill | ■ Mullanaskea  | ■ Cavantillycormick |
| ■ Killee                        | ■ Breagho      | ■ Drumclay          |
| ■ Cavanaleck                    | ■ COA          | ■ Tattygare         |
| ■ Cavanacross                   | ■ Agharainy    | ■ Windmill Hill     |
| ■ Killyvilly                    | ■ Cavancarragh | ■ Cooltrain         |
| ■ Shankill                      | ■ Ballyreagh   | ■ Derryraghan       |
| ■ Cavanalough Glebe             | ■ Garvary      | ■ Killynure         |
|                                 | ■ Ballylucas   | ■ Largy             |

- |               |                |                                 |
|---------------|----------------|---------------------------------|
| ■ Lissan      | ■ Tonystick    | ■ Killyculla                    |
| ■ Beagh       | ■ Tullykelter  | ■ Killykeeran                   |
| ■ Bellanaleck | ■ Tullyrain    | ■ Kilmacormick                  |
| ■ Carntrone   | ■ Ballintarsan | ■ Mullyknock or Topped Mountain |
| ■ Carrowkeel  | ■ Ballydoolagh | ■ Tattymacall                   |
| ■ Coolbuck    | ■ Breandrum    | ■ Tullynagarn                   |
| ■ Drumsluice  | ■ Cackinish    | ■ Woaghternerry                 |
| ■ Killyhevlin | ■ Cornagrade   |                                 |
| ■ Tamlaght    | ■ Glasdrumman  |                                 |

## Department for Employment and Learning

### Rathmoyle Day Centre, Ballycastle

**Mr McMullan** asked the Minister for Employment and Learning to detail whether (i) Rathmoyle Day Centre, Ballycastle incurred any financial penalties within the past 6 years when employing further education tutors to teach young people with learning disabilities that cannot attend the local college; and (ii) day care facilities in general incur a fee for this type of service.  
(AQW 33043/11-15)

**Dr Farry (The Minister for Employment and Learning):**

- (i) All matters relating to the finances of Rathmoyle Day Centre, including whether or not they incur costs for engaging with further education colleges, are issues for the Department of Health, Social Services and Public Safety (DHSSPS). I have been advised by DHSSPS that Rathmoyle Day Centre has incurred no financial penalties within the past 6 years for utilising further education tutors to teach young people with learning disabilities who cannot attend the local college.
- (ii) The issue of fees charged for the delivery of provision by further education colleges in third party organisations is an arrangement exclusively between the parties involved. My Department has no role in these arrangements.

### Rathmoyle Day Centre, Ballycastle

**Mr McMullan** asked the Minister for Employment and Learning, pursuant to AQW 32625/11-15, how many times in the last 6 years Rathmoyle Day Centre, Ballycastle has applied to have further education tutors teach young people with learning disabilities that cannot attend their local college.  
(AQW 33048/11-15)

**Dr Farry:** As stated in my response to AQW 33043/11-15, matters relating to Rathmoyle Day Centre are issues for the Department of Health, Social Services and Public Safety (DHSSPS). I have been advised by DHSSPS, that over the past six years, Rathmoyle Day Centre has had tutoring in Information Technology and Literacy & Numeracy, provided by Northern Regional College, on five occasions.

### Adult Day Care Facilities

**Mr McMullan** asked the Minister for Employment and Learning to list the names of adult day care facilities in the Northern Trust area, that have had further education tutors taking courses, in the last 5 years.  
(AQW 33289/11-15)

**Dr Farry:** I can advise that, in the last five years, Northern Regional College and South West College have provided further education tutors to deliver courses at adult day care facilities in the Northern Trust area.

I have attached at Annex A, the list of adult day care facilities in the Northern Trust area in which further education tutors have delivered courses in the last five years.

#### Annex A

**Adult Day Care Facilities in the Northern Trust Area in which Further Education Tutors have delivered courses, in the last five years and in which provision is currently being delivered.**

- Cookstown Adult Centre
- The Base in Cookstown
- Armour Day Centre
- Pavestone Vocational and Leisure Rehabilitation Centre
- Rathmoyle Resource Centre
- Antrim Adult Centre



- Antrim Day Centre
- Magherafelt Adult Centre
- Maghera Day Centre
- Wilson House Day Centre
- Hawthorns Adult Centre

**Drumross Adult Centre Adult Day Care Facilities in the Northern Trust Area in which Further Education Tutors have delivered courses, in the last five years, but where courses are no longer being delivered currently.**

- The Base Ballycastle
- Gloucester Park Day Centre
- Larne Adult Centre
- Inniscoole Day Centre
- Millbrook Adult Centre
- Mountfern Adult Centre

**Student Union: Legality of Ban**

**Mr Swann** asked the Minister for Employment and Learning for his assessment of the legality of a student union introducing a ban on wearing a poppy.  
(AQW 33299/11-15)

**Dr Farry:** The Departmental Solicitor's office advised that as student unions meet on college premises the matter of the legality of any activity (including wearing any item such as a poppy) is a matter for the college authority, not the Department.

Departmental officials contacted the Equality Commission NI for its views. Its guidance for employers and service providers is that the wearing of poppies, in a respectful manner and within the appropriate period, should not be regarded as something which would cause offence, and that there is no requirement under equality law to exclude people wearing poppies from the workplace or from other premises.

Departmental officials also sought the view of Queen's University Belfast who stated that the Students' Union at Queen's promotes an inclusive and neutral environment which is used by students from all backgrounds, both undergraduate and postgraduate, home and international. The Students' Union is fully committed to actively promoting equality of opportunity and to respecting and celebrating cultural diversity. In line with these values, Queen's University Belfast has stated that any student wishing to wear a poppy in the Students' Union is free to do so.

**Occupations of People Registered as Unemployed**

**Ms McGahan** asked the Minister for Employment and Learning to list the (i) sought occupations and; (ii) usual occupations by people unemployed, or registered as unemployed, from April 2013, in the Dungannon and South Tyrone area.  
(AQW 33303/11-15)

**Dr Farry:** Please find attached table at Annex 1 which lists the sought occupations of clients claiming Jobseeker's Allowance in the Dungannon and South Tyrone Area for the period 1 April 2013 to 8 May 2014. The data in the table relates to clients who attended Dungannon and Enniskillen Jobs and Benefits offices. Occupations are recorded on the Employment Service's Client Management System using the Standard Occupational Classification (SOC) which is a common classification of occupational information for the United Kingdom. Data on clients' usual occupations is not available.

**Annex 1**

**Table showing sought occupations for Jobseekers in the Dungannon and South Tyrone area (1 April 2013 – 8 May 2014)**

Standard Occupational Classification	No. of Jobseekers
Sales Assistants	1330
Skilled Construction Trades	1020
Food / Drink Process Operative	818
Clerical Occupations	676
Driver / Machine Drivers	636
Semi Skilled Construction	465
Other Professions	361
Agriculture, Forestry and Fishing	355
Cleaners	324
Skilled Engineering Trades	314

Standard Occupational Classification	No. of Jobseekers
Childcare	280
Teaching Professionals	255
Care Assistant / Nursing Auxiliary	232
Kitchen/Counter Staff	222
Stores / Despatch Operatives	193
Auto Trade	192
Bar Staff	177
Corporate Managers and Administrators	171
<b>Total</b>	<b>8021</b>

**Employers: Dungannon and South Tyrone**

**Ms McGahan** asked the Minister for Employment and Learning to detail any requests from employers in Dungannon and South Tyrone regarding upskilling.  
(AQW 33379/11-15)

**Dr Farry:** The Skills Solutions service has received 36 upskilling requests from employers in Dungannon and South Tyrone across a range of sectors in the 2013/14 financial year and to date in 2014/15.

**Department of Enterprise, Trade and Investment**

**Procurement of Local Products and Services**

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment whether companies in receipt of funding from her Department have a duty to prioritise procuring products and services locally.  
(AQW 33091/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Attaching such a duty to Invest NI grant support is not possible as this would contravene the EU State Aid and DeMinimis aid regulations that Invest NI schemes operate under. These rules contain a general prohibition on providing "aid contingent upon the use of domestic over imported products".

**Electricity Generators: Constraint Charges**

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment for a breakdown of the constraint charges paid to electricity generators, broken down by fuel source, in each of the last three years.  
(AQW 33189/11-15)

**Mrs Foster:** My Department does not hold this information. However, I am informed by the Single Electricity Market Operator (SEMO) that the following constraint charges have been paid for the tariff years 2011/12 and 2012/13 and the period October 2013 to April 2014:

**Net Constraints Payments and Charges by Fuel type (in € millions)**

Fuel Type	Time Period (Tariff Year)		
	Oct 2011 - Sep 2012	Oct 2012 - Sep 2013	Oct 2013 - Apr 2014
Coal	34.47	-44.27	-16.64
Distillate	2.90	1.92	1.31
Gas	69.42	79.04	57.55
Multi	18.07	115.76	89.90
Oil	8.34	6.55	4.12
Peat	0.29	0.27	0.07
Interconnector	1.23	-0.47	-1.37
Demand Side Unit	0.00	0.00	-0.01
<b>*Total</b>	<b>134.71</b>	<b>158.80</b>	<b>134.92</b>

\* Totals subject to rounding

SEMO has further advised that the values presented are total net figures for each fuel type. Positive values indicate a net payment from the market to the generators and vice versa.

### Fibre Optic Broadband: Coopers Mill, Dundonald

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment whether there are any plans to extend fibre optic broadband provision to Coopers Mill in Dundonald.

**(AQW 33262/11-15)**

**Mrs Foster:** The Northern Ireland Broadband Improvement Project announced on 7th February, aims to provide improvements in access to a basic fixed line broadband service of 2Megabits per second and to increase the availability of superfast broadband of 24Megabits per second, or more. It is anticipated that the project will deliver more choice and improved broadband speeds to some 45,000 premises across Northern Ireland.

Detailed planning is still ongoing and I am unable at this time to provide information on the exact nature of the improvements or the full postcode areas that will benefit from this funding. Plans will be developed on a phased basis that will consider the technical feasibility of the solution for an area coupled with the objective of delivering maximum value for money as well as aiming to benefit the greatest number of premises.

Further details on the roll-out will be published as they become available and DETI officials are currently looking at the most appropriate mechanisms for doing this.

### Broadband Provision: Newtownabbey Area

**Mr A Maginness** asked the Minister of Enterprise, Trade and Investment for an update on future broadband provision in the Newtownabbey area.

**(AQW 33341/11-15)**

**Mrs Foster:** On 4 February 2014 my Department signed a contract with BT for delivery of the £23.5 million Northern Ireland Broadband Improvement project, the aim of which is to provide improvements in access to a basic broadband service of 2 Megabits per second (Mbps) and increase the availability of superfast broadband services of 24 Mbps or more. It is anticipated that this project will bring more choice and improved broadband speeds to over 45,000 premises across Northern Ireland by the end of 2015.

A number of postcodes covering Newtownabbey and the surrounding area (BT36 and BT37) were included in both the basic and superfast broadband intervention areas identified for the project (available on the DETI website at <http://www.deti.gov.uk/deti-telecoms-index/deti-telecoms-whats-new.htm>).

BT has commenced the project implementation phase and is currently undertaking an extensive survey and design process using an agreed engineering model that has been used across the UK and which addresses technical feasibility, quality of existing infrastructure, reasonable costs and number of anticipated customers.

Until this is complete, it will not be possible to be precise as to which areas or premises are likely to benefit but the aim is to seek to achieve the greatest value for money and the highest number of beneficiaries.

Further details on the roll-out will be published as they become available and DETI officials are currently looking at the most appropriate mechanisms for doing this.

## Department of the Environment

### Portavoe Reservoir

**Mr Dunne** asked the Minister of the Environment for his assessment of the environmental damage resulting from the draining of Portavoe reservoir by NI Water.

**(AQW 32981/11-15)**

**Mr Durkan (The Minister of the Environment):** The Northern Ireland Environment Agency (NIEA) met with NI Water (NIW) in 2012 for initial discussions on how best to minimise the environmental impact that could potentially result from the emptying of 17 reservoirs. The lowering of the water levels is necessary in order to carry out essential maintenance work related to the inspection and planned valve replacement works required from a health and safety / reduction in flood risk perspective.

NIEA officials have met with NIW officials and their consultants to discuss mitigation measures. As part of these measures NIW commenced draining Portavoe Reservoir in autumn 2013, well before the start of the breeding season for wildfowl (such as grebes, ducks and swans) although there will be temporary displacement of some these birds during this breeding season. The work has also had an impact on a local population of swan mussels, where water levels have been lowered the mussels have been left exposed and have died. However, NI Water has advised NIEA that by way of mitigation a proportion of the mussels are to be collected alive and transferred to a temporary holding facility. They propose to return these mussels to the reservoir on completion of the works, thereby creating a seed population.

The above mitigation measures are being adopted to try to ensure that the essential valve replacement works are undertaken in a manner that will reduce the impact on the wildlife. NIW is currently reviewing its approach and drafting a revised action plan to ensure that the remainder of the work will not further adversely impact upon the wildlife living within or around Portavoe reservoir. NIW officials have been unable to give an exact timeframe for this revised action plan, however they have assured me that once drafted by NIW it will be shared with local stakeholders.

After visiting the site and considering the species affected by the water level lowering it is the assessment of the NIEA Wildlife Team that no breaches of the Wildlife (NI) Order 1985 have occurred during the water lowering at Portavoe Reservoir.

### Scrabo Tower

**Miss M McIlveen** asked the Minister of the Environment what steps he will take with the Northern Ireland Environment Agency to ensure that Scrabo Tower will reopen to the public at the earliest possible opportunity.

**(AQW 33018/11-15)**

**Mr Durkan:** I appreciate the historical and cultural importance of Scrabo Tower and the deep attachment that many people feel towards it. Its closure, following severe water ingress, is an unfortunate but necessary temporary measure to ensure visitor safety.

The ingress of water has compromised the Tower's internal electrical supply and caused slippery, unsafe conditions within the Tower structure. As a first step, the NIEA has asked electrical experts to specify the actions needed to quickly restore a safe electrical supply to the tower.

The Agency is also arranging for immediate maintenance to address the other physical risks. In addition, I have instructed officials to introduce longer term improvements so that in future, visitors' enjoyment of this important landmark is uninterrupted.

It is my aim to ensure that the building is once again safe for the public to visit and enjoy at the earliest opportunity.

### Driver and Vehicle Agency Staff

**Mr Weir** asked the Minister of the Environment to detail the (i) number; and (ii) location of Driver and Vehicle Agency workers in Northern Ireland, other than those based in Coleraine.

**(AQW 33029/11-15)**

**Mr Durkan:** There is currently a total of 681 permanent staff based outside Coleraine in the Driver and Vehicle Agency. These staff are based in 14 locations, excluding Coleraine. The staff numbers and location are as detailed in the table below.

Town/City	No. of Staff in Each Location
Armagh	31
Ballymena	39
Belfast	229
Cookstown	32
Craigavon	48
Downpatrick	30
Enniskillen	27
Larne	25
Lisburn	32
Londonderry	44
Mallusk	34
Newry	32
Newtownards	48
Omagh	30
	<b>681</b>

### Dunluce Castle

**Mr Swann** asked the Minister of the Environment to detail the management structure of the Northern Ireland Environment Agency at Dunluce Castle.

**(AQW 33039/11-15)**

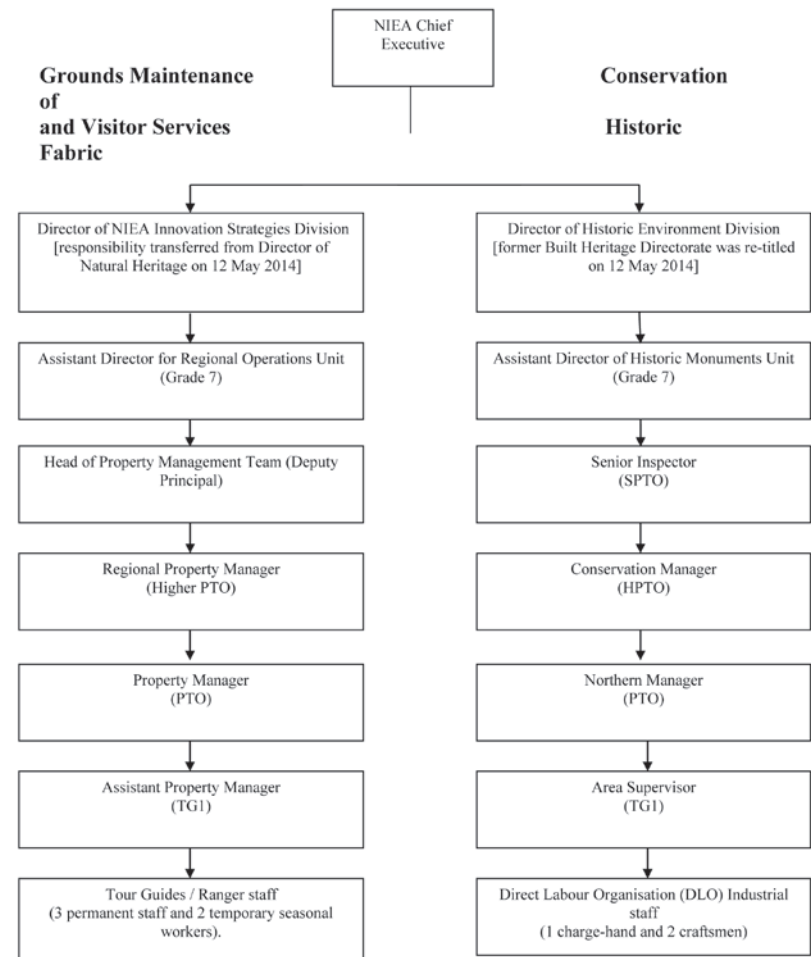
**Mr Durkan:** The flow chart provided in Appendix 1 details the new management structure of the Northern Ireland Environment Agency (NIEA) regarding responsibilities for the day-to-day management of Dunluce Castle. These have been put in place following my direction to the NIEA Chief Executive to implement the results of a root and branch review of the Agency.



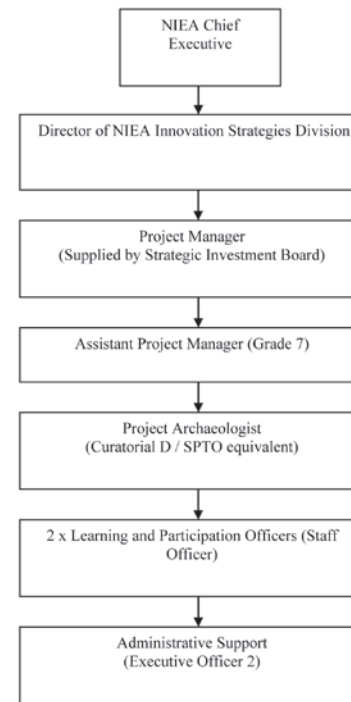
The Innovation Strategies Division now has responsibility for visitor access and grounds maintenance and an 'Innovation Trial' at Dunluce Castle. This Innovation Trial Development Project at Dunluce Castle is designed to provide visitors with a world-class experience at this site. The Dunluce Development Project Team will establish and deliver a strategic plan for the future of Dunluce and the staff structure for this team is provided as Appendix 2. The Historic Environment Division supports all of this work by providing the heritage expertise for the management of the historic fabric of the Castle.

The flow chart reflects the new structure in place as of 12 May 2014.

**Appendix 1  
Day-to-day Management Structure**



**Appendix 2  
Development Project Team Structure**



**Dunluce Castle: Contractors**

**Mr Swann** asked the Minister of the Environment to list the contractors who provide services for Dunluce Castle. (AQW 33075/11-15)

**Mr Durkan:** The table provided in Appendix 1 lists the contractors who currently provide services for Dunluce Castle.

**Appendix 1**

Contractor	Description of service
Acoustiguide	Maintenance of multimedia guides.
Graham Facilities Management	Planned Property Maintenance (PPM) Services (provided through DFP Properties Division).
Crane Communication	Audio equipment maintenance.
Irish Arms Historical Reproductions	Event support services (Living History events)
1440 Design	Event support services (Medieval fair)
Queens University Belfast - Centre for Archaeological Fieldwork	Archaeological fieldwork support services.
Deloitte	Development of business case and business plan for the Dunluce Development Project.

Contractor	Description of service
Strategic Investment Board	Partnership agreement for the provision of Dunluce project support.
Kennedy Recruitment	Seasonal support workers

**Dunluce Castle: Consultants**

**Mr Swann** asked the Minister of the Environment how much the Northern Ireland Environment Agency has spent on consultants in relation to Dunluce Castle, in each of the last four years. (AQW 33077/11-15)

**Mr Durkan:** Since 2010, £3,195 has been spent on consultants in relation to Dunluce Castle. During the development of the current exhibition and interpretation at Dunluce Castle, £3,195 was spent on consultants in the 2010/11 financial year. There has been no other spend on consultants in any of the other years in question in relation to Dunluce Castle.

The breakdown of this spend is as follows:

- £2,700 was to provide archaeological and historical consultancy in order to deliver the Dunluce Castle interpretation project.
- £495 was paid for a consultant to sit on the tender evaluation panel for the appointment of an interpretive company to carry out the full interpretive refit of the castle.

**Factory Girls Sculpture in Harbour Square, Derry**

**Ms Maeve McLaughlin** asked the Minister of the Environment for an update on the planning application for the Factory Girls sculpture in Harbour Square, Derry. (AQW 33080/11-15)

**Mr Durkan:** My Department has not received a planning application for the erection of the Factory Girls Sculpture in Harbour Square, Derry. However, I am aware that pre application discussions have taken place. My planning officials have met with officials from the Department of Social Development and also Derry City Council regarding the proposed development. It is anticipated that a planning application will be forthcoming.

**Public Inquiry into Mobuoy Road**

**Mr Agnew** asked the Minister of the Environment to outline the steps that he has taken and the progress made in setting up the public inquiry into Mobuoy Road and other waste crime as directed by the Assembly on 12 March 2014. (AQW 33132/11-15)

**Mr Durkan:** I wrote to my Ministerial Colleagues on 7 April asking them to agree to establishing a full independent public inquiry into waste management and disposal arrangements in Northern Ireland and to commit to funding the costs associated with such an inquiry. I have received a response from five Executive Ministers and I am awaiting responses from the others.

**River Faughan Special Area of Conservation: Pollution**

**Mr Agnew** asked the Minister of the Environment for an update on the pollution of the tributary of the River Faughan Special Area of Conservation adjacent to Campsie Sand and Gravel, given there are recent signs of leachate, sewage fungus and other types of pollution visible in this stream and adjoining embankment; and whether any pollution is reaching the river. (AQW 33133/11-15)

**Mr Durkan:** The Northern Ireland Environment Agency (NIEA) is taking a structured approach in dealing with the waste issues on the Mobouy Road site. In the past 9 months, works at the site have focussed on removing waste materials from the City Waste Materials Recovery Facility (MRF) site and implementing immediate works to try and capture polluting liquids and leachate from reaching surrounding watercourses.

A significant volume of contaminated surface water is currently being directed to a cut-off drain on the site and removed on a regular basis through tankering from the City Waste site. This contaminated liquid is treated at a local Wastewater Treatment Works, working in conjunction with Northern Ireland Water. To date 1,426,435 litres of leachate has been removed from the site.

In addition NIEA is undertaking environmental monitoring of the water quality in rivers upstream, in the middle of and downstream of the site, including the River Faughan. No significant pollution has been identified in the River Faughan. There has been some pollution in the local stream adjacent to the site, however a visual inspection by NIEA staff in April noted that this has receded. This may be due in part to the works undertaken to remove leachate or it may also be due to low levels of rainfall causing lower levels of infiltration at the site.

NIEA will continue to monitor the water quality in the local watercourses whilst developing both an extensive plan to clearly identify the risk of further leachate impacting on local environmental receptors and a management plan for resolving the issues in both the short and medium future term.

### Taxis: Wheelchair Accessibility Consultation

**Lord Morrow** asked the Minister of the Environment what is the (i) cost to date; and (ii) estimated final cost for the consultation on wheelchair accessibility specifications for taxis.

(AQW 33166/11-15)

**Mr Durkan:** The consultation on proposed Taxi Accessibility Regulations ran from 7 February to 4 April 2014. The direct costs (classified advertising and postage) of the consultation to date have been £2,347.81. No further direct costs are expected. The amount of staff time to prepare, issue and collate the responses to the consultation cannot be separated from the staff's time on other duties.

### Taxis: Single-tier System Consultations

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 32974/11-15, why is not possible to provide costings for these consultations and whether he will review his response on the grounds that public money has been expended in each of these four processes; and if, following a review, his Department is still unwilling to provide same, to supply an estimated costing in respect of each consultation in total and cumulatively.

(AQW 33194/11-15)

**Mr Durkan:** Direct costs figures for consultations 1 and 2 below have been estimated based on the actual costs of consultation 3. The costs for consultation 3 were for postage and printing of A6 postcards to all licensed taxi drivers notifying them of the consultation. Consultation 4 was in the form of a letter which was sent to all licensed taxi drivers.

**1 The Regulation of Taxis and Private Hire Vehicles Consultation (2005)**

The direct costs of this consultation are estimated at £4,000.

**2 Consultation on proposals for a draft Order in Council (2006)**

The direct costs of this consultation are estimated at £4,000.

**3 Taxi Licence and Powers of Seizure Consultation (2011)**

The direct costs of this consultation were £4,730

**4 Single Tier Taxi Licensing Consultation (2013)**

The direct costs of this consultation were £6,978

The amount of staff time to prepare, issue and collate the responses to these consultations cannot be separated from the staff's time on other duties.

### Taxis: Touting for Passengers

**Lord Morrow** asked the Minister of the Environment whether it is legal for a taxi driver to tout for passengers for a taxi other than his or her own vehicle; and if so, to outline the relevant legislation.

(AQW 33317/11-15)

**Mr Durkan:** Regulation 49 of the Public Service Vehicles (Northern Ireland) Regulations 1985 prohibits a person employed as driver of a vehicle from touting, calling out or importuning any person to be carried for hire in the vehicle.

### Avian Botulism

**Mr Agnew** asked the Minister of the Environment whether cases of avian botulism have been confirmed in any dead birds found in the area of Portavoe Reservoir; and if so, to detail (i) what action has been taken to prevent any further spread of this disease; and (ii) what investigations will take place to ascertain the source of the disease.

(AQW 33351/11-15)

**Mr Durkan:** There are no confirmed reports of avian botulism in any dead birds in the area of Portavoe Reservoir.

Wildlife protection at Portavoe is the responsibility of the site owners, Northern Ireland Water.

The PSNI has received complaints about the impacts of the water lowering at Portavoe and is currently carrying out an investigation at the site to determine whether any wildlife crime has been committed.

NIEA staff have visited the site on a number of occasions and have reported their observations to the PSNI to assist in their investigation.

### Illegal Dumping: Costs

**Mr Anderson** asked the Minister of the Environment to outline any action he is taking to recover the costs incurred by his Department from those responsible for illegal dumping.

(AQO 6089/11-15)

**Mr Durkan:** Provision is made under waste legislation to seek the recovery of costs incurred by the Department in circumstances where a person has been convicted of charges relating to the deposit or disposal of waste. A compensation order may be sought by the Department (or others) in removing waste or taking steps to reduce the consequences of the deposit or disposal. This provision was made in June 2007, however there are a range of operational and legal issues (including the significant costs involved in dealing with illegal waste, which defendants often do not have available) that have made its use challenging.

Further options are presently being considered through use of the Environmental Liability Regulations. This regime makes provision for cost recovery where an operator fails to comply with a statutory notice. In the event of an operator failing to comply with a notice they are liable for any reasonable costs incurred by the Department in taking reasonable action to discharge its duty.

Local councils also have powers under Article 28 of the Waste and Contaminated Land (Northern Ireland) Order 1997 as amended – these powers enable councils to remove waste following a prescribed process and to recover costs from the occupier. I am not aware of any significant case where these powers have been used.

The NIEA makes regular use of Proceeds of Crime legislation to carryout investigation of the criminal benefit that waste offenders make and in identifying assets held by the offender. The PPS can then ask the prosecuting court to make a confiscation order to recover the benefit from offending. While the monies paid for confiscation orders cannot be used directly for cleaning up illegal waste, the use of this tool is very powerful in acting as a deterrent to waste offending and in rendering offenders unable to continue illegal activity.

It is worthy of note that many of those involved in waste crime are careful to manage their finances in a way that attempts to limit the ability of enforcement organisations to trace or restrain/confiscate

assets. This is not unexpected given that we know organised crime is present in the waste sector and serves to highlight the challenges my Department faces while working with law enforcement partners to tackle this form of criminality.

### Road Traffic Collisions

**Mr Beggs** asked the Minister of the Environment what further action has he taken to work with road safety partners to tackle causes of death and serious injury as a result of road traffic collisions, given the recent rise in fatalities.

(AQO 6090/11-15)

**Mr Durkan:** 57 people were killed on our roads in 2013. This was a rise on the 2012 figure of 48 deaths but was lower than in 2011 when there were 59 deaths. There were 720 serious injuries last year, which was a reduction from 795 in 2012 and 825 in 2011. Up to 13 May this year 24 people had died, compared with 21 at the same date last year and 12 in 2012.

It is impossible to be definitive about the reasons for the rise in deaths in 2013 because of the range of different factors that can impact on road safety and on individual collisions. We do know that the principal causes of collisions in which someone died or was seriously injured were inattention or attention diverted, speeding, carelessness and drink/drug driving. These same causation factors tend to recur in collision statistics each year.

The rise in fatalities in 2013 and so far this year is disappointing, but we must not become disillusioned. The overall trend in road casualties in recent years has been down. Indeed, over the last five years the number of people killed on our roads in Northern Ireland has halved. In terms of serious injuries, the 2013 total of 720 is the lowest level of serious injuries since records began being collated on this figure in 1971: a reduction of 66% on the 1971 total of 2,135 and a reduction of 30% over the last five years, from 1,035 in 2009.

Neither must we allow ourselves to be complacent. I convened an urgent meeting of the Road Safety Forum in January and a number of immediate actions were agreed by its members. A further meeting of the Forum was held on 17 April 2014 at which encouraging progress was reported. DOE has provided additional focussed road safety advertising and messages. We have also provided young people's groups with materials to help them better communicate key road safety messages to their members. PSNI has continued its focus on visible road traffic policing while DRD reviewed its provision of information to those who make decisions on road gritting.

I have recently written to the Chief Constable suggesting that we meet to assess the current road safety position and determine if there is anything further we might do to help address the rise in road fatalities.

I am very pleased to have introduced the Road Traffic (Amendment) Bill to this Assembly earlier today. The Bill includes measures to tackle drink driving; and to better prepare, test and protect young drivers as they gain experience. This legislation will therefore help tackle the main causes of serious and fatal collisions I referred to earlier.

My Department has also commenced the development of a Motorcycle Safety Strategy, in partnership with key stakeholders including statutory bodies and groups representing the motorcycle community.

My Department addresses high risk behaviours through our information campaigns. Most recently, a cyclist safety campaign was launched on 18 April. I have also commissioned a campaign that will address inappropriate speed which I will launch next month. Cyclist safety and inappropriate speed have both been identified as priority issues.

I believe that every death on our roads is one too many. I can assure you that I will continue to keep the position under review and work with all stakeholders further to improve road safety and continue to reduce casualties. We will continue to place a strong emphasis on road user responsibility, recognizing that almost all casualties on our roads result from poor road user



behaviour. My Department and our road safety partners can educate, engineer and enforce, but ultimately collisions occur through poor road user behaviours.

### Dereliction Funding

**Mr Moutray** asked the Minister of the Environment when the next tranche of dereliction funding will be made available to council areas that did not benefit from the last scheme.

(AQO 6091/11-15)

**Mr Durkan:** As many of you know, the Dereliction Intervention Funding Programme was introduced in March 2012 to provide councils with funding to enhance and improve the cosmetic and aesthetic appearance of an area, whether it is a city, town, village or neighbourhood. Over the past three years over £4m has been allocated by my Department to councils through the Programme.

The scheme is a competitive one, designed to ensure that the limited funds available to it are directed to projects which will have the greatest possible impact for those monies. Each council bid is assessed against set criteria. Given that background, it would not be fitting to automatically make funding available to any council which did not benefit from either the last scheme, or any other bidding opportunity. It is a matter for each council to put forward a bid which is the strongest it can be in terms of the scheme criteria. The bidding process has been explained to all councils, and indeed my officials continue to work with them to ensure that submissions are made with a clear understanding of the scheme's requirements.

There are only two councils that have not received any dereliction funding. One only applied once, while the other has not applied in any of the three opportunities for all councils to apply to the scheme.

I will be making a bid for additional funding for the Dereliction programme in the June Monitoring Round. My officials have already written to all councils inviting them to prepare bids for submission at the end of May.

### Listed Buildings

**Miss M McIlveen** asked the Minister of the Environment whether he will consider a review of the restrictions placed on people who own homes that are designated as listed buildings.

(AQO 6092/11-15)

**Mr Durkan:** I do not consider that such a review is necessary. The restrictions imposed upon listed buildings were subject to public consultation and scrutiny by the Assembly, during the passage of the Planning Act (Northern Ireland) 2011. Strategic planning policy is also currently out to public consultation.

The principal additional restriction imposed upon the owners of listed buildings is that they must apply for Listed Building Consent for demolition of their building or for its 'alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.' This special interest is also a material concern in regard to any planning application which affects the building or its setting.

### Recycling Targets

**Mr Douglas** asked the Minister of the Environment for an update on achieving targets for recycling.

(AQO 6093/11-15)

**Mr Durkan:** Over the past four years the Department's Rethink Waste Programme has assisted local councils to increase their recycling rates through a range of incentives from the provision of financial assistance to technical advice to communications.

Under the Rethink Waste Fund, grants of over £8.8 million have been awarded to councils to cover the capital costs of improving or extending their existing waste collection, re-use and recycling infrastructure. To date in 2014/15 a further £2.9 million of capital monies has been allocated for councils.

Although recycling rates plateaued in 2012/13 (the inclement weather had a significant impact), recent quarterly figures have shown a return to increasing recycling rates. The most recent figures show that household waste recycling between October to December 2013 was 39.2%; an increase of 2.9 percentage points compared with the same period in 2012 when 36.2% was recycled or composted

Councils and other stakeholders have made great strides in increasing recycling rates and encouraging waste prevention over the last decade. To maintain the momentum of increasing recycling rates, further plans for significant funding for the development of kerbside services and recycling infrastructure, communications and training are being developed by my Department to assist the new councils.

### School Transport

**Mr Storey** asked the Minister of the Environment what involvement his Department will have in the Department of Education's Home to School Transport Review.

(AQO 6094/11-15)

**Mr Durkan:** My Department is involved in the Department of Education's review of home to school transport because of its responsibility for road transport regulation. Officials met with representatives of the independent review panel on 27 February to discuss the review and, in particular, matters related to the licensing of buses, their operators and drivers.

At that meeting, my officials briefed the review team on the rules which apply to buses, their operators and drivers to ensure compliance with the law and to promote road and passenger safety. They also covered the current review of bus operator licensing, in terms of potential impact on the regulation of home to school transport, and answered the review team's questions on these issues.

My Department will continue to engage with the independent review team where appropriate to ensure that any proposals they make comply with road transport rules and recognise the need for all parts of the bus industry here to be safe, fair and fit for purpose.

### Lisburn and Castlereagh Council: Dundonald Residents

**Mr Copeland** asked the Minister of the Environment for his assessment of the concerns of Dundonald residents who are opposed to the establishment of the new Lisburn and Castlereagh Council.

(AQO 6095/11-15)

**Mr Durkan:** The decisions relating to the reorganisation of local government and the creation of the eleven new local government districts, including the new Lisburn and Castlereagh district, have been subject to extensive public consultation and Assembly scrutiny.

In 2008, following a review by the Northern Ireland Executive, Arlene Foster MLA (then Minister of the Environment) announced the Executive's decision to create 11 new councils.

This commitment was reaffirmed by the Executive in its Programme for Government 2011-2015.

In order to give effect to the Executive's decision, a Local Government Boundaries Commissioner was appointed to make recommendations on the boundaries of the 11 new local government district and the boundaries and number of wards therein.

Prior to submitting his final recommendations report in June 2009, the Commissioner's recommendations underwent an extensive public consultation process, including a series of public meetings in various locations throughout Northern Ireland.

These recommendations were made into law by way of the Local Government (Boundaries) Order (NI) 2012, which was subject to debate in the Assembly before a vote was taken to approve the legislation.

I have no doubt that the new council for Lisburn and Castlereagh will serve the interests of residents in Dundonald and all other areas within the district, and that those residents will benefit from a modern, efficient and streamlined system of local government which caters to the needs of all people in Northern Ireland.

### Strategic Planning Policy Statement

**Mr McCartney** asked the Minister of the Environment to outline the key emerging themes contained in responses to the public consultation on his Department's Draft Strategic Planning Policy Statement.

(AQO 6096/11-15)

**Mr Durkan:** The Draft Strategic Planning policy Statement (SPPS) was published on 4th February 2014 for a 12 week period ending on 29th April. A total of 726 responses were received by the close of the consultation period from a wide range of stakeholders such as Business and Industry interests (including CBI, NIIRTA, IOD, NIFHA); Environmental interests (including NIEL, RSPB); Community/Academic/NGO interests (including Royal Town Planning Institute, Belfast Civic Trust, Historic Monuments Council, various residents groups); and, Local Government interests (including NILGA and a number of local councils).

Work is ongoing to acknowledge, collate and transfer these responses to a database designed for the purpose of facilitating detailed analysis of the comments received. Until this initial work is progressed further it is not possible for me to provide a fair and accurate summary of the information on key themes emerging from the consultation responses. My officials are aiming to have completed their analysis of consultation responses before the summer recess and I will make public a summary of the consultation responses as soon as possible thereafter.

### Local Government Bill: Subordinate Legislation

**Mr Milne** asked the Minister of the Environment how his Department will develop subordinate legislation and guidance in relation to the Local Government Bill (NIA 28/11-15) in order to strengthen the promotion of equality.

(AQO 6097/11-15)

**Mr Durkan:** I want to reiterate the commitment to the promotion of equality of opportunity in the operation of the new councils that I made during the debates on the Local Government Bill, which was passed by the Assembly on 8 April.

The Bill makes detailed provision for the sharing of positions of responsibility across the political parties represented on a council and, for the membership of committees to reflect the political balance of the council. My Department will issue guidance to assist council officers and elected members in their understanding of the practical operation of the processes.

The Bill also introduces a process for members of a council to requisition the reconsideration of a decision in specified circumstances – the call-in process. My officials are working with senior officers from local government and NILGA to develop the practical operational aspects of this process. These will be specified as a mandatory element of a council's standing orders. Provision is also made in the Bill for standing orders to specify decisions that must be taken by a qualified majority to ensure that the interests of minority communities are protected.

These draft Regulations will be the subject of a public consultation associated with an in-depth targeted consultation with local government. The draft Regulations will also be shared with the political parties through their members on the Political Reference Group.

The statutory guidance that will be issued by my Department to support the operation of community planning will assist councils and their community planning partners in taking forward their statutory duties in relation to this important function. This guidance will draw on the experiences in other regions that have been operating community planning for a number of years and lessons learned from the Community Planning Foundation Programme. It will provide material on all the key aspects that a council and its community planning partners will need to consider in taking forward community planning including in relation to promoting equality of opportunity and good relations.

### Heavy Goods Vehicle Road User Levy

**Mr Brady** asked the Minister of the Environment whether his Department is currently involved in enforcing the Heavy Goods Vehicle Road User Levy on hauliers from the rest of the island of Ireland.  
(AQO 6098/11-15)

**Mr Durkan:** The HGV levy is a tax which has been introduced by the UK Government. As a tax, it is an excepted matter under the Northern Ireland Act. It has applied, under UK law, across the UK's roads since 1 April 2014.

The Department for Transport's plans for enforcement of the levy have been based on the premise that my Department, through DVA, will enforce it in Northern Ireland by means of the use of fixed penalty notices and deposits. I have to date not agreed to this position.

My Department is therefore not currently involved in enforcement of the levy. DVA staff have been issuing information leaflets to non-UK hauliers who they stop for roadside checks. These leaflets provide information on the levy and guidance on how it can be paid.

## Department of Finance and Personnel

### North/South Ministerial Council: SEUPB

**Mr Allister** asked the Minister of Finance and Personnel why it took over three months to report to the Assembly on the 16th North South Ministerial SEUPB meeting held on 6 December 2013.  
(AQW 32283/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** The statement on the sixteenth North South Ministerial Council SEUPB Sectoral meeting was arranged and reported to the Assembly as soon as was practicable.

### INTERREG IVa

**Mr P Ramsey** asked the Minister of Finance and Personnel how much funding remains unclaimed in the INTERREG IV A programme in respect of the financial year 2013/14.  
(AQO 6104/11-15)

**Mr Hamilton:** The INTERREG IVA Programme has met and exceeded all of its annual N+2 expenditure targets to date. The programme is now fully committed.

### Economic Growth

**Mr Craig** asked the Minister of Finance and Personnel for his assessment of current economic growth, including its impact on overall public expenditure.  
(AQO 6103/11-15)

**Mr Hamilton:** Whilst the Office for Budget Responsibility has indicated that economic recovery is forecast to continue over the coming years, it is important to note that a relatively buoyant economy will not immediately translate into increased Public Expenditure.

The Chancellor has indicated that his austerity plan will see the benefits of economic growth go to addressing the UK Government deficit. It is therefore expected that the Public Expenditure position will remain constrained until the end of this decade, especially on the Resource DEL side.

### Payroll Failures

**Mrs D Kelly** asked the Minister of Finance and Personnel to outline what measures his Department is taking to ensure that public sector staff receive their full pay on time following recent payroll failures.  
(AQO 6105/11-15)

**Mr Hamilton:** My Department is only responsible for the payroll services to the Northern Ireland Civil Service and a small number of public bodies, not the wider public sector, which I understand has experienced recent payroll difficulties.

My Department makes over 30,000 individual payments each month and monitors the performance of the payroll service continuously. As a result, I am pleased to report payroll accuracy of over 99% and, more often than not, over 99.9%.

### Resource Budgets 2014-15

**Mrs Cameron** asked the Minister of Finance and Personnel for his assessment of the need to cut all 2014/15 resource budgets in the June monitoring exercise.  
(AQO 6106/11-15)

**Mr Hamilton:** The Executive is facing a range of inescapable pressures in 2014-15, not least the impact of a significant reduction to our resource budget as a consequence of not progressing welfare reform.

I recently wrote to Executive colleagues informing them that in order to fund these inescapable Resource DEL pressures, the 2014-15 June Monitoring round would require departmental baseline reductions in the order of 1.5 per cent.

Without urgent agreement on welfare reform, there is no alternative to the proposed reductions to departmental budgets.

### Gross Operating Surplus

**Mr McCartney** asked the Minister of Finance and Personnel to outline the reasons for his Department's adjustment of the estimate of Gross Operating Surplus generated locally.  
(AQO 6107/11-15)

**Mr Hamilton:** The UK figure for Gross Operating Surplus (GOS) is produced by ONS and as a regional breakdown of this is not provided, a share of GOS is apportioned to Northern Ireland in the Net Fiscal Balance Report. Our general approach here is to replicate as far as is possible the approach used in the Government Expenditure and Revenue Scotland (GERS) report, which is a certified national statistic. During production of the 2012-13 Net Fiscal Balance Report officials were able to source data which enabled them to refine the apportionment process and in doing so bring the methodology more into line with that used in GERS.

### Land and Property Services: Payment Refunds

**Mrs Overend** asked the Minister of Finance and Personnel to outline the process Land and Property Services use to refund payments.  
(AQO 6108/11-15)

**Mr Hamilton:** Land & Property Services follow a standard process to refund an overpayment of rates.

When an overpayment of rates is identified, LPS check the potential refund against the relevant rate account. This involves examining all transactions, preparing refund papers, and ensuring that the refund amount and address are correct. When a refund is approved, it triggers the issue of a Payable Order (similar to a cheque). All Payable Orders are issued by post, accompanied by a letter that clearly states the property for which the refund is due.

### Peace III and INTERREG IVa

**Mr Elliott** asked the Minister of Finance and Personnel for his assessment of the effectiveness of the Peace III and INTERREG IV A funding programmes.  
(AQO 6109/11-15)

**Mr Hamilton:** The PEACE III Programme aims to reinforce progress towards a peaceful and stable society and to promote reconciliation, and has a specific focus on reconciling communities and contributing towards a shared society. INTERREG IVA aims to support strategic cross-border co-operation for a more prosperous and sustainable region.

All projects supported contribute towards the achievement of the goals outlined, and mid-term evaluations have indicated that both programmes are achieving their objectives.

Under INTERREG IVA, for example, over 1,800 businesses have been assisted, over 300 have developed new products or processes, and almost 400 have collaborated on a cross border basis as a result of participation in networks supported. Survey research has indicated that participants in PEACE III projects are more likely to engage with and trust members of the other community, and achievements of PEACE III projects include facilitation of over 24,000 participants in conflict resolution workshops, and provision of trauma counselling to over 7,000 people.

Both programmes have fully committed their budgets, and have met all of their annual EU expenditure targets to date.



### Civil Service: Gender Balance

**Mr McGimpsey** asked the Minister of Finance and Personnel when he expects to be able to report progress in achieving a more equal gender balance in the senior civil service by the appointment of at least one female permanent secretary. (AQO 6110/11-15)

**Mr Hamilton:** I acknowledge that women are under-represented in the most senior grades in the NICS and action to ensure that gender should not be an impediment to recruitment, promotion or retention will continue. Whilst there have been female Permanent Secretaries appointed in the past, currently there is only one woman employed at a level equivalent to Permanent Secretary.

### Property Management

**Mr Beggs** asked the Minister of Finance and Personnel for an update on the review of regulation for apartment and property management companies. (AQO 6111/11-15)

**Mr Hamilton:** The Northern Ireland Law Commission has recommended the regulation of managing agents rather than management companies and, in doing so, has favoured the Scottish model of regulation, which provides for complaints in respect of managing agents to be considered by a specific body, namely the Homeowner Housing Panel.

The Apartments Report Implementation Group, which is comprised of senior officials from the Department of Enterprise, Trade and Investment, the Department of Finance and Personnel, the Department of the Environment, the Department of Justice and the Department of Social Development has been considering how a regulation scheme for managing agents would operate in this jurisdiction. In particular, it has been considering which body should handle disputes in relation to the conduct of the management agent and the Department of Justice is undertaking further work in that regard. It is also considering whether there are any services that could be put in place to assist apartment owners involved in a dispute.

It is envisaged that the outcomes from that additional work will be fed through to the Implementation Group to allow for the preparation of the final policy proposals with regard to the regulation scheme and advisory services. Thereafter attention will turn to the broader recommendations in the Law Commission's report. However, at this stage, I should point out that an initial assessment has suggested that some of those broader recommendations could be more difficult to implement, particularly where they envisage the revision of existing property rights.

### Cerberus Capital Management

**Mr Campbell** asked the Minister of Finance and Personnel to outline any development opportunities that have been identified following the acquisition of the National Asset Management Agency's Northern Ireland portfolio by Cerberus Capital Management. (AQO 6112/11-15)

**Mr Hamilton:** I believe the sale of NAMA's Northern Ireland portfolio to an investor such as Cerberus Capital Management that takes a long term approach, has the experience globally of improving the assets it acquires and has the ability to invest in those assets will lead to many positive development opportunities in the future.

### Rates

**Mr Irwin** asked the Minister of Finance and Personnel what is the average rates bill. (AQO 6113/11-15)

**Mr Hamilton:** The average domestic rates bill based on an average capital value £113,000 is £825 and the average non-domestic rates bill is £10,544 based on an average NAV £18,000.

## Department of Health, Social Services and Public Safety

### Retired Consultants

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety to detail the number of Consultants, and their specific speciality, that have retired from the (i) Tyrone County Hospital; and (ii) Tyrone and Fermanagh Hospital, in each of the last five financial years; and how many of these Consultant posts have been filled by Consultants who were based in the (a) Tyrone County Hospital; (b) Tyrone and Fermanagh Hospital; and (c) South West Acute Hospital, detailing the specialities of the replacement Consultant. (AQW 33020/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The information requested is set out in the table below which was provided by the Western Health and Social Care Trust:

	Number of consultants retired from TCH & speciality	Number of consultants retired from T&F & speciality	How many of these posts were filled by consultants based in TCH & speciality	How many of these posts were filled by consultants based in T&F & speciality	How many of these posts were filled by consultants based in SWAH & speciality
09/10	1 x ENT		ENT service centralised at Altnagelvin with outreach to TCH and SWAH		
10/11		1 x Psychiatry		1 x Psychiatry	
11/12	1 x Renal		1 x Renal		
12/13	1 x Care of Elderly		Agency doctor covering 0.5 TCH and 0.5 SWAH. Post awaiting interview		
13/14		1 x Psychiatry		Post awaiting interview	

TCH = Tyrone County Hospital

T&F = Tyrone and Fermanagh Hospital

SWAH = South West Acute Hospital

### Diabetic Specialist Nurse: Altnagelvin Hospital

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety whether there are any plans for additional funding to be made available for the provision of an additional diabetic specialist nurse at Altnagelvin Hospital. (AQW 33030/11-15)

**Mr Poots:** Currently, there are two full-time Diabetic Nurse Specialists within the Emergency Care & Medicine Division at Altnagelvin Hospital. At this stage, plans are being progressed to establish two further part-time Diabetic Nurse Specialists at Altnagelvin Hospital.

### Bariatric Surgery: National Institute for Health and Care Excellence Guidelines

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety (i) whether, under National Institute for Health and Care Excellence guidelines, the first line of assessment for bariatric surgery is a BMI of greater than 50 and a secondary condition; (ii) whether sleep apnoea is a secondary condition; and (iii) whether any special funding will be made available for bariatric surgery. (AQW 33031/11-15)

**Mr Poots:**

- (i) The National Institute for Health and Clinical Excellence (NICE) Clinical Guideline 43 (CG 43) states that bariatric surgery is recommended as a treatment option for adults with obesity if all of the following criteria are fulfilled:
- they have a BMI of 40 kg/m<sup>2</sup> or more, or between 35 kg/m<sup>2</sup> and 40 kg/m<sup>2</sup> and other significant disease (for example, type 2 diabetes or high blood pressure) that could be improved if they lost weight;
  - all appropriate non-surgical measures have been tried but have failed to achieve or maintain adequate, clinically beneficial weight loss for at least six months;
  - the person has been receiving or will receive intensive management in a specialist obesity service;
  - the person is generally fit for anaesthesia and surgery; and
  - the person commits to the need for long-term follow-up.

CG 43 also recommends bariatric surgery as a first-line option (instead of lifestyle interventions or drug treatment) for adults with a BMI of more than 50 kg/m<sup>2</sup> in whom surgical intervention is considered appropriate.

- (ii) CG 43 cites sleep apnoea as a co-morbidity of being overweight or obese.

- (iii) The Health and Social Care (HSC) Board is currently evaluating the outcome of its 2009/10 bariatric surgery pilot in order to assess demand for a comprehensive bariatric service in Northern Ireland. An interim evaluation report is expected in June 2014. In the meantime, if a patient has an exceptional clinical need for bariatric surgery, a consultant

clinician may make an extra-contractual referral (ECR) request for funding to the Board through their HSC Trust for that patient to be referred for this procedure to be carried out elsewhere in the United Kingdom.

### Heart Surgery Waiting Lists

**Mr Allister** asked the Minister of Health, Social Services and Public Safety how many patients on hospital waiting lists for heart surgery have died in each of the last five years while awaiting surgery.

**(AQW 33049/11-15)**

**Mr Poots:** Information on the number of patients who have died whilst on a hospital waiting list for heart surgery is not available and could only be provided at disproportionate cost.

### Thrombolysis Treatment

**Ms P Bradley** asked the Minister of Health, Social Services and Public Safety whether the thrombolysis treatment provided at Antrim Area Hospital is on a 24 hour basis.

**(AQW 33051/11-15)**

**Mr Poots:** The Northern HSC Trust has confirmed that thrombolysis is available at Antrim Area Hospital on a 24 hour basis.

### Multiple Sclerosis: Cost of Drugs

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what action he is taking to address the costs that people diagnosed with Multiple Sclerosis have to pay to get access to drugs such as famprya.

**(AQW 33061/11-15)**

**Mr Poots:** Research conducted by the MS Society shows that Northern Ireland is at the head of the field in terms of ensuring access to specialist drugs for MS patients. More than 1500 patients are currently receiving these drugs in Northern Ireland, that's around 68% of suitable patients and higher than the overall UK figure of 60%. The Health and Social Care Board (HSCB) aims to make all MS drugs available subject to evidence on clinical and cost effectiveness as determined by the National Institute for Health and Care Excellence (NICE).

This access to MS drugs is supported by significant investment; the current budget for this service is in excess of £10m per year.

Famprya (fampridine) is currently not under consideration within the NICE Technical Appraisal work programme. In instances where there is no explicit advice from NICE the HSCB takes into consideration guidance issued by other recognised appraisal bodies. In this context it should be noted that the use of this therapy is not recommended for use by the Scottish Medicines Consortium and the NHS England Commissioning Board recently issued its Commissioning Policy in April 2013 advising that this therapy would not be routinely funded for use within its licensed indication. In these circumstances I would not expect to see this treatment routinely commissioned in Northern Ireland.

For treatments not currently commissioned in Northern Ireland, the HSCB has a clear process by which individual patient requests can be considered, details of which can be found at the following link;

[http://www.hscbusiness.hscni.net/pdf/Protocol\\_ECR\\_and\\_\\_IFR\\_arrangements.pdf](http://www.hscbusiness.hscni.net/pdf/Protocol_ECR_and__IFR_arrangements.pdf)

### Licensing and Adoption of New Drugs

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety to outline the process for the licensing and adoption of new drugs such as famprya, without a direct cost to the user.

**(AQW 33063/11-15)**

**Mr Poots:** Before a medicine can be sold in the UK it must have a marketing authorisation or licence. In order to gain a marketing authorisation a drug must demonstrate safety, quality and efficacy. New drugs are granted marketing authorisations by the Medicines and Healthcare Products Regulatory Agency only after a rigorous assessment process has established that they are safe and efficacious.

The Health and Social Care Board (HSCB) has responsibility for commissioning all drug therapies in Northern Ireland. In determining what new drugs should be adopted and made routinely available in Northern Ireland the HSCB is guided by the National Institute for Health and Care Excellence (NICE). NICE is a Non Departmental Public Body which publishes national guidance on good clinical practice and on the clinical and cost-effective use of new drugs which hold a marketing authorisation.

The Department established formal links with NICE on 1 July 2006 whereby guidance, including guidance on new drugs, published by the Institute from that date would be locally reviewed for applicability to Northern Ireland and, where appropriate, endorsed for implementation in Health and Social Care (HSC). This link has ensured that Northern Ireland has access to up-to-date, independent, professional, evidence-based guidance on the value of health care interventions.

In instances where there is no explicit advice from NICE the HSCB takes into consideration the guidance issued by other recognised appraisal bodies.

### Sarcoma Multidisciplinary Team

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety (i) whether the opportunity exists for patients diagnosed with sarcoma to be referred to a Sarcoma Multi-Disciplinary Team, as recommended by the National Institute for Health and Care Excellence, within Northern Ireland; and (ii) whether the composition of this team includes a specialist sarcoma surgeon, a radiologist with a special interest in sarcoma, a pathologist with a special interest in sarcoma, and a sarcoma nurse specialist.

**(AQW 33064/11-15)**

**Mr Poots:** Patients in Northern Ireland diagnosed with sarcoma have the opportunity to be referred to one of several sarcoma multidisciplinary teams. These include the bone and soft tissue sarcoma multidisciplinary team (MDT), the soft tissue sarcoma MDT and where appropriate the paediatric sarcoma MDT. These meetings are attended by appropriately trained and skilled specialist staff including consultant surgeons, consultant radiologists, consultant pathologists, consultant oncologists and a specialist nurse – all of which have a specialist interest in sarcoma.

For a cohort of patients with very complex/rare disease, highly specialist treatment is available via tertiary referral to English centres (through the Extra Contractual Referral route).

In addition the Northern Ireland Cancer Network (NICaN) is currently establishing a Network Site Specific Group for sarcoma and it is anticipated that its first meeting will take place in September 2014. This group's remit will be to streamline referral routes and patient pathways, and to standardise supporting information and care provided to people with sarcoma regardless of geographic location.

### IVF: National Institute of Health and Care Excellence Guidance

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether this year's budget will allow for the implementation of the National Institute of Health and Care Excellence guidance of three treatment cycles of IVF, or whether a phased approach of two treatments will be considered.

**(AQW 33082/11-15)**

**Mr Poots:** Since 2006, my Department has established formal links with NICE whereby all Clinical Guidelines and Technology Appraisals published by them from that date are locally reviewed for their applicability to Northern Ireland and, where appropriate, endorsed here.

NICE Clinical Guideline CG156 on fertility has recently been considered and endorsed by my Department, and it is now the responsibility of the HSC Board, as commissioner of services, to set out its approach to implementing the guidance within the context of currently available resources and other HSC priorities.

Full implementation of the revised guideline is expected to have significant financial implications and, until my Department's budget allocations for 2014/15 are finalised, the Board is unable to give definitive plans for implementation at this time.

### Sarcoma Cancer Diagnosis

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what measures can be taken to raise awareness of the increasing levels of sarcoma cancer diagnosis.

**(AQW 33083/11-15)**

**Mr Poots:** The Public Health Agency (PHA) is taking forward work to establish a baseline of the levels of knowledge and awareness of cancer amongst the population. The PHA is also hosting a stakeholder workshop to ensure that key individuals and organisations are fully engaged in planning and supporting the cancer awareness programme. This work is essential in order to develop a cancer awareness campaign that is evidence-based and appropriate to the needs of the public in Northern Ireland. It is expected this work will be finalised by September or October with commencement of the campaign shortly thereafter.

The National Institute for Health and Clinical Excellence (NICE) guideline CG27: "Referral for suspected cancer" includes guidance on bone and soft tissue sarcomas and forms the basis for red flag referrals by GPs. The guidance aims to improve awareness amongst doctors of those symptoms which may be due to sarcoma which need urgent investigation.

### Commissioner for Older People: Mediation Process

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety when the mediation process facilitated by the Commissioner for Older People, between residents of Slievemore Nursing Unit, their families and the Western Health and Social Care Trust, will be completed.

**(AQW 33107/11-15)**

**Mr Poots:** The Western Health and Social Care Trust advise that the mediation process between the Trust, families and clients in the Slievemore Nursing Unit is ongoing and in order to maintain this meaningful engagement they would not wish to put a time frame on a completion date.



## Under the Surface Campaign

**Mrs Overend** asked the Minister of Health, Social Services and Public Safety whether there have been any changes to the policy on public information campaigns to improve the impact in rural communities following the Public Health Agency's evaluation of the Under the Surface campaign.

(AQW 33108/11-15)

**Mr Poots:** The "Under the Surface" campaign was designed to convey key messages on mental health awareness, support, and help-seeking to the entire Northern Ireland population but with the primary target being those most at risk of attempting suicide - males and those from more deprived backgrounds. Post-campaign evaluation found that "Under the Surface" was successful across Northern Ireland in terms of raising public awareness. The recall rate was 79% for the campaign overall, with the largely rural Northern Area recording a slightly higher recall rate of 80%. Furthermore, a significant number of adults exposed to the campaign stated that they had engaged in positive health actions as a direct result of this exposure. The survey results were analysed by gender, age, social class group and Trust area to inform future campaign planning and media buying.

The Public Health Agency's public awareness campaigns are designed to reach a mass audience across Northern Ireland rather than being tailored for specific groups. These campaigns are one element of the Agency's broader mental health promotion programme which also includes regional training programmes and very localised community support, including rural areas, to promote positive mental health and wellbeing. There has been no specific change, regarding the impact in rural communities, to the Agency's policy on mass media campaigns. Rural issues are handled by local Public Health Agency offices for specific locality targeting. There are locally commissioned initiatives and services, resources and publications based on evidence of need from local self-harm and suicide data, and on knowledge of local issues.

## Medicines: Return to Pharmacies

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety whether there is scope for the return of medicines, which patients are prescribed in case of need but do not take, particularly medications in blister packs which would remain untouched, to pharmacies for re-issue.

(AQW 33109/11-15)

**Mr Poots:** The Code of Ethics for pharmacists requires that the prime concern of pharmacists is the safety and welfare of patients and as such they should ensure that products supplied to patients are safe and effective and of the required quality. A pharmacist cannot be sure that unused medicines returned to pharmacies, even in untouched blister packs, have been stored under suitable conditions nor whether they have been tampered with. These medicines cannot, therefore, be reused.

## Multiple Sclerosis

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) people who have a diagnosis of relapsing or remitting multiple sclerosis (MS); (ii) these patients who are currently being treated with disease-modifying drugs approved for prescription by the National Institute for Health and Care Excellence and his Department (NICE); (iii) these patients who are currently being treated with disease-modifying drugs available on the guidance of the Association of British Neurologists; and (iv) these patients who are currently being treated with disease-modifying drugs which are licensed for the treatment of MS without NICE approval.

(AQW 33111/11-15)

**Mr Poots:**

- (i) Information on the number of people who have a diagnosis of relapsing or remitting multiple sclerosis is not available.
- (ii) The number of patients currently being treated with disease-modifying drugs approved for prescription by the National Institute for Health and Care Excellence (NICE) and my Department at the end of March 2014, are listed in the table below by HSC Trust.

Trust of Residence	Disease-modifying drugs approved by NICE		Total Number of Patients on Treatment
	Tysabri	Fingolimod	
Belfast HSC Trust	15	1	16
Northern HSC Trust	26	6	32
South Eastern HSC Trust	24	10	34
Southern HSC Trust	6	2	8
Western HSC Trust	15	4	19
Northern Ireland	86	23	109

Source: Belfast HSC Trust

- (iii) The number of patients currently being treated with disease-modifying drugs available on the guidance of the Association of British Neurologists at the end of March 2014, are listed in the table below by HSC Trust.

Trust of Residence	Disease-modifying drugs available in accordance with ABN 2009 Guidelines						Total Number of Patients on Treatment
	Copaxone	Rebif 22	Rebif 44	Betaferon	Avonex	Extavia	
Belfast HSC Trust	61	37	43	8	64	8	221
Northern HSC Trust	75	82	74	31	116	2	380
South Eastern HSC Trust	75	28	62	20	85	9	279
Southern HSC Trust	50	55	47	16	83	0	251
Western HSC Trust	52	7	58	7	92	0	216
<b>Northern Ireland</b>	<b>313</b>	<b>209</b>	<b>284</b>	<b>82</b>	<b>440</b>	<b>19</b>	<b>1,347</b>

Source: Belfast HSC Trust

- (iv) All patients detailed in part (iii) are being treated with disease-modifying drugs licensed for treatment of multiple sclerosis without NICE approval.

## Specialist Neurological Services

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety (i) whether specialist neurological services for people with relapsing or remitting multiple sclerosis comprise of consultant neurologists, specialist nurses, physiotherapists and occupational therapists, speech and language therapists, clinical psychologists, and social workers in line with the National Institute for Health and Care Excellence guidelines; and whether arrangements are in place for the specialist neurology services to access dietetic, liaison psychiatry, continence advisory and management, pain management, chiropody and podiatry, and ophthalmology services for patients with relapsing or remitting multiple sclerosis.

(AQW 33112/11-15)

**Mr Poots:** The two tables appended at Annex A provide the requested information by individual HSC Trust for both aspects of this question.

### ANNEX A

Trusts	Whether Specialist Neurological Services for People with Relapsing or Remitting ME Consist Of The Following Listed Disciplines						
	Consultant Neurologists	Specialist Nurses	Physio-Therapists	Occupational Therapists	Speech & Language Therapists	Clinical Psychologists	Social Workers
Belfast	Yes	Yes	Yes	No (but have access within Trust)	No (but have access within the Trust)	No (but have access within Trust)	No (but have access within Trust)
Northern	Yes	No (but have access within Trust)	No (but have access within Trust)	No (but have access within Trust)	No (but have access within Trust)	No	No (but have access within Trust)
South Eastern	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Southern	No (but have access within Trust)	Yes	Yes	Yes	Yes	No	No (but have access within Trust)
Western	Yes	Yes	Yes	No (but have access within Trust)	No (but have access within Trust)	No	No (but have access within Trust)

Trusts	Whether Specialist Neurological Services for Patients with Relapsing or Remitting MS can Access the Following Services in the Trust					
	Dietetic	Liaison Psychiatry	Continence Advisory & Management	Pain Management	Chiropody & Podiatry	Ophthalmology Services
Belfast	Yes	Yes	Yes	Yes	Yes	Yes
Northern	Yes	Yes	Yes	Yes	Yes	No
South Eastern	Yes	Yes	Yes	Yes	Yes	Yes
Southern	Yes	Yes	Yes	Yes	Yes	Yes
Western	Yes	Yes	Yes	Yes	Yes	Yes

### Specialist Neurological Services

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety for his assessment of the accessibility of specialist neurology services for people with relapsing or remitting multiple sclerosis; and whether provision will be made within these specialist services to offer additional review appointments for eligible patients when the disease-modifying drug Aubagio, approved in February 2014 by the National Institute for Health and Care Excellence, becomes available in Northern Ireland. (AQW 33113/11-15)

**Mr Poots:** Patients with relapsing or remitting multiple sclerosis (MS) should have access to neurologists and nurses with a specialist interest in MS, although the provision of access does vary across the Health and Social Care Trusts.

I have been advised by the Health and Social Care Board that it has recently been notified of the positive NICE recommendation for the use of the oral preparation teriflunomide (trade name Aubagio) for MS patients. While the Board is in the process of finalising a service notification for this drug it can be made available now to patients in Northern Ireland on a cost per case basis if requested by their clinician.

I have also been advised by Trusts that they have no plans to offer additional review appointments when the drug becomes available. The timing of review appointments for patients is a clinical decision and will be arranged as required.

### Addiction Services

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety what plans he has to enhance addiction services in the Western Health and Social Care Trust. (AQW 33114/11-15)

**Mr Poots:** The recent consultation by the Health & Social Care Board (HSCB) provided everyone with opportunity to influence what Addiction Treatment Services will look like across Northern Ireland over the next 5 to 10 years. The issue of access to specialist addiction services in the Western Health and Social Care Trust area was reflected in many of the comments received, and this has been noted by the HSCB along with other key issues raised by the consultation exercise.

HSCB is currently considering a revised position with regard to the future configuration of addiction services, taking account of service user concerns regarding the original consultation proposals. At this stage, HSCB is clarifying potential funding requirements for a revised proposal and anticipates bringing forward proposals for future service developments by the end of June 2014.

Accordingly no decisions have as yet been made about the future of Tier 3 and Tier 4 addiction services across the whole of Northern Ireland, including the Western Trust area.

### Surgical Podiatrists

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety (i) to detail each step in the timeline of the process by which his Department came to the decision to use Surgical Podiatrists to fill the demand gap in foot and ankle surgery provision rather than Orthopaedic Surgeons; (ii) to list the stakeholders who were consulted in this process; (iii) to outline the specific procedures which Surgical Podiatrists are competent to carry out; and (iv) for his assessment of the impact that redirection of such procedures to a Surgical Podiatry service would have on the training opportunities afforded to junior Orthopaedic trainees. (AQW 33115/11-15)

**Mr Poots:**

- (i) The Commissioning Plan Direction for 2012/13 required the Health and Social Care Board to examine the potential development of a podiatric surgical service in Northern Ireland.
- (ii) The Board has discussed the proposed development with representatives of the orthopaedic consultant body and the Society of Chiropodists and Podiatrists.

- (iii) The majority of the procedures carried out by a podiatric surgeon (approximately 85%) are on the forefoot; these include correction of lesser toe deformities, Hallus Valgus/bunion surgery, removal of soft tissue swellings and minor amputations.
- (iv) The Health and Social Care Board has advised that demand for these services is such that it is likely there will be minimal impact on the training opportunities afforded to junior orthopaedic trainees.

### Royal Victoria Hospital: Managers

**Mr Allister** asked the Minister of Health, Social Services and Public Safety whether his Department has any plans to employ more managers in the Royal Victoria Hospital. (AQW 33130/11-15)

**Mr Poots:** I am advised that the Belfast HSC Trust is currently recruiting 7 Senior Manager posts at Agenda for Change Pay Band 8a and above. All of these are replacement posts. Five of these are clinical based and 2 purely administrative.

### Antrim Area Hospital: Emergency Department

**Mr McKay** asked the Minister of Health, Social Services and Public Safety for an explanation for the increased waiting times at Antrim Area Hospital Emergency Department. (AQW 33148/11-15)

**Mr Poots:** Emergency department performance is subject to fluctuating pressures and increasing demand. The emergency department in Antrim Area Hospital has seen an increase in attendances and admissions in 2013/14 compared to the previous year, with attendances up by around 2% and non-elective admissions up by 5.6%. Improved performance in waiting times was sustained for much of 2013, although it has declined over the winter months.

Although there has been an increase in recent months in the number of patients waiting longer than 12 hours, the overall trend is an improving one compared to the same period in the previous year. Nonetheless I find it unacceptable that anyone should have to wait for long periods in our emergency departments and I look to the Health and Social Care Board to continue to work with the Northern Health and Social Care Trust to sustain the improvement achieved last year.

The Northern Trust has introduced a number of developments to support further improvement, with other measures planned. Improvements include: changes to the work patterns for senior medical, nursing, allied health professional and managerial staff including enhanced 7 day working; direct admission to specialty wards; an Acute Assessment Area where GPs can refer patients directly for assessment by senior clinicians; and, improvements in integrated community teams and community care services.

### Antrim Area Hospital: Emergency Department

**Mr McKay** asked the Minister of Health, Social Services and Public Safety why there has been an increase in the number of twelve hour waiting time breaches at Antrim Area Hospital's Emergency Department. (AQW 33149/11-15)

**Mr Poots:** Emergency department performance is subject to fluctuating pressures and increasing demand. The emergency department in Antrim Area Hospital has seen an increase in attendances and admissions in 2013/14 compared to the previous year, with attendances up by around 2% and non-elective admissions up by 5.6%. Improved performance in waiting times was sustained for much of 2013, although it has declined over the winter months.

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### Parkinson's Disease

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 32760/11-15, why Health and Social Care Trusts do not meet the National Institute for Health and Care Excellence recommendation of providing two specialist nurses; and what action will be taken to provide cover of future maternity leave. (AQW 33152/11-15)

**Mr Poots:** The National Institute for Health and Clinical Excellence Clinical Guidelines (CG35) recommend that patients with Parkinson's disease should have access to a Parkinson's Nurse Specialist. Currently, each Health and Social Care Trust in Northern Ireland employs one Parkinson's Nurse Specialist, with the Western Trust employing 2 nurse specialists. I am not



aware that NICE makes any specific recommendation about the number of Parkinson's Nurse Specialists that each Health and Social Care Trust should employ.

Some HSC Trusts report no particular issues around the provision of staff cover for maternity leave in respect of nurse specialists whilst others in such circumstances ensure sign-posting for patients to information and support workers within Parkinson's UK for general support and, as appropriate, their GP or Consultant for medical support.

### GP Practices: Foreign Language Interpreters

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how many GP practices employ foreign language interpreters; and what is the annual cost to the Health Service.

**(AQW 33158/11-15)**

**Mr Poots:** GP Practices do not employ foreign language interpreters. Under current arrangements GPs can access interpreting services through the Regional Interpreting Service hosted by the Belfast HSC Trust and through three separate external providers that have contracts with the Business Service Organisation to provide interpreting services. The cost of providing the services during 2012/13 was as follows:

- Regional Interpreting Service £2.6m;
- External provider face to face interpreting service £59k (February 2012 – 31 January 2013); and
- External provider telephone interpreting service £38k (February 2012 – 31 January 2013).

I am not aware of GP practices engaging in block booking patient appointments for foreign nationals. As independent contractors GPs are responsible for the day to day management of their Practice, including patient appointment arrangements. GP practices are required to provide services as appropriate to meet the reasonable needs of registered patients during core hours. Practices respond to patient requests for appointments and manage these on an individual patient basis depending upon clinical need, and the volume of appointments requested or the level of demand at any given time.

### GP Practices: Foreign Language Interpreters

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how many GP practices engage in block booking patient appointments for foreign nationals, including those supported by language interpreter services.

**(AQW 33160/11-15)**

**Mr Poots:** GP Practices do not employ foreign language interpreters. Under current arrangements GPs can access interpreting services through the Regional Interpreting Service hosted by the Belfast HSC Trust and through three separate external providers that have contracts with the Business Service Organisation to provide interpreting services. The cost of providing the services during 2012/13 was as follows:

- Regional Interpreting Service £2.6m;
- External provider face to face interpreting service £59k (February 2012 – 31 January 2013); and
- External provider telephone interpreting service £38k (February 2012 – 31 January 2013).

I am not aware of GP practices engaging in block booking patient appointments for foreign nationals. As independent contractors GPs are responsible for the day to day management of their Practice, including patient appointment arrangements. GP practices are required to provide services as appropriate to meet the reasonable needs of registered patients during core hours. Practices respond to patient requests for appointments and manage these on an individual patient basis depending upon clinical need, and the volume of appointments requested or the level of demand at any given time.

### Spot Purchase

**Mr Frew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 32661/11-15, (i) what is a spot purchase; (ii) how much does this cost; and (iii) how does it affect a patient who is requiring a step down bed because of a hip break or fracture.

**(AQW 33161/11-15)**

**Mr Poots:**

- (i) The term "spot purchase" is used to describe the short term purchase of a bed in the private sector to facilitate an intermediate care patient. They are used at times of increased demand for intermediate care/step-down beds and are only ever considered once all core community bed stock is fully utilised.
- (ii) The regional tariff for private nursing home care is £567 per week and that for private residential home care is £450 per week.
- (iii) Orthopaedic patients are part of the intermediate care pathway. Therefore patients assessed as requiring on-going bed care following a hip fracture will be placed in a community bed. These patients are often planned admissions and generally are placed in one of the core community beds. It is unusual to "spot purchase" a bed for these patients and this would only be considered in exceptional circumstances.

### Compression Bandaging

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety how many staff in the Downe Hospital are authorised to carry out compression bandaging.

**(AQW 33171/11-15)**

**Mr Poots:** The South Eastern Health and Social Care (HSC) Trust has advised that no staff at the Downe Hospital are able to apply high compression bandaging. Application of this compression is a highly skilled technique, which requires regular training and practice. Where a patient presents in an acute setting with existing compression bandaging, or a suspected need for this, they are assessed by the Tissue Viability Nursing Team, which then carries out, or refers the patient for, the most appropriate dressing.

My Department's policy on compression bandaging is based on the Guidelines and Audit Implementation Network (GAIN) Clinical Guidelines for Lymphoedema. Complex Decongestive Therapy, which initially uses compression bandaging, is the recommended treatment for conservative management of lymphoedema.

The provision for compression bandaging in hospitals for patients suffering from oedema, and the list of those hospitals within each Trust where provision is available is as follows:

#### Belfast HSC Trust

The Tissue Viability Nursing team provides a wide range of specialist wound care services, including compression bandaging, to patients in all of its hospitals, as well as community settings (Health and Well-Being Centres, GP surgeries, residential homes, the patient's own home, and the hospice). In the acute setting, compression bandaging is most commonly applied in the Royal Victoria Hospital, Belfast City Hospital, the Mater Hospital and Musgrave Park Hospital. It is also carried out in Muckamore Abbey and Knockbracken if required.

#### Northern HSC Trust

There is a Tissue Viability service three days a week at Antrim Area Hospital, and two days a week at Causeway Hospital. Urgent cases are centrally managed by the Tissue Viability Team on a daily basis and responded to within 24 hours depending on clinical need. Within the remaining hospital sites there are aligned Community Tissue Viability nurses who provide this care. Tissue Viability Link nurses have also been identified for each hospital site/ rehabilitation/ community hospital sites.

#### South Eastern HSC Trust

The Lymphoedema Service is a community-based service with out-patient clinics in Bangor, Lisburn and Downpatrick (Ballymote Centre) at least once a week. Patients with lymphoedema in the acute setting are usually referred by nursing or medical professionals to the lymphoedema team and are added to their out-patient waiting list.

Patients with limb oedema are commonly referred to the Tissue Viability Team which assesses and advises on appropriate dressings to manage exudate, elevation of the limb, and usually light compression such as wool and crepe. For most mild oedemas this is suitable management. However, in some cases where the patient is unable to elevate the limb, or where severe oedema is present, higher compression is required.

#### Southern HSC Trust

The Lymphoedema Service is primarily an outpatient service with occasional domiciliary and acute hospital visits for consultative purposes only. Those patients identified while they are inpatients are referred to attend a clinic as an outpatient following discharge. When possible, exceptions will be made for palliative patients. Staff are based at Dungannon, Portadown, and Newry.

#### Western HSC Trust

Compression therapy is available at Altnagelvin Area Hospital, Tyrone County Hospital, and South West Acute Hospital.

Information regarding the number of nurses authorised to apply compression bandages within each hospital is not available, however within each HSC Trust the number of staff providing this service is as follows:

#### Belfast HSC Trust

10.04 WTE Tissue Viability Nurse Specialists and one WTE Healthcare Support worker.

#### Northern HSC Trust

One Tissue Viability nurse within each acute / rehabilitation / community hospital site. 25 Tissue Viability Link nurses also identified to cover all Trust sites.

#### South Eastern

Lymphoedema service: 0.8 WTE Team Lead, 0.8 WTE Clinical Specialist, 0.5 WTE Support Worker.

**Southern HSC Trust**

Lymphoedema service: 1.0 WTE Clinical Lead (Trust-wide), 1.5 WTE Specialist, 0.4 Practitioner (temporary), and 1.0 WTE Clinical Support assistant.

**Western HSC Trust**

22 nursing and five physiotherapy staff have the skills and knowledge to safely and competently apply compression therapy in the Trust's hospitals.

Each Trust advised that the frequency of compression bandage change is determined by patient need.

**Compression Bandaging**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety to outline his Department's policy on compression bandaging for hospital patients.  
(AQW 33173/11-15)

**Mr Poots:** The South Eastern Health and Social Care (HSC) Trust has advised that no staff at the Downe Hospital are able to apply high compression bandaging. Application of this compression is a highly skilled technique, which requires regular training and practice. Where a patient presents in an acute setting with existing compression bandaging, or a suspected need for this, they are assessed by the Tissue Viability Nursing Team, which then carries out, or refers the patient for, the most appropriate dressing.

My Department's policy on compression bandaging is based on the Guidelines and Audit Implementation Network (GAIN) Clinical Guidelines for Lymphoedema. Complex Decongestive Therapy, which initially uses compression bandaging, is the recommended treatment for conservative management of lymphoedema.

The provision for compression bandaging in hospitals for patients suffering from oedema, and the list of those hospitals within each Trust where provision is available is as follows:

Belfast HSC Trust: The Tissue Viability Nursing team provides a wide range of specialist wound care services, including compression bandaging, to patients in all of its hospitals, as well as community settings (Health and Well-Being Centres, GP surgeries, residential homes, the patient's own home, and the hospice). In the acute setting, compression bandaging is most commonly applied in the Royal Victoria Hospital, Belfast City Hospital, the Mater Hospital and Musgrave Park Hospital. It is also carried out in Muckamore Abbey and Knockbracken if required.

Northern HSC Trust: There is a Tissue Viability service three days a week at Antrim Area Hospital, and two days a week at Causeway Hospital. Urgent cases are centrally managed by the Tissue Viability Team on a daily basis and responded to within 24 hours depending on clinical need. Within the remaining hospital sites there are aligned Community Tissue Viability nurses who provide this care. Tissue Viability Link nurses have also been identified for each hospital site/ rehabilitation/ community hospital sites.

South Eastern HSC Trust: The Lymphoedema Service is a community-based service with out-patient clinics in Bangor, Lisburn and Downpatrick (Ballymote Centre) at least once a week. Patients with lymphoedema in the acute setting are usually referred by nursing or medical professionals to the lymphoedema team and are added to their out-patient waiting list.

Patients with limb oedema are commonly referred to the Tissue Viability Team which assesses and advises on appropriate dressings to manage exudate, elevation of the limb, and usually light compression such as wool and crepe. For most mild oedemas this is suitable management. However, in some cases where the patient is unable to elevate the limb, or where severe oedema is present, higher compression is required.

**Southern HSC Trust**

The Lymphoedema Service is primarily an outpatient service with occasional domiciliary and acute hospital visits for consultative purposes only. Those patients identified while they are inpatients are referred to attend a clinic as an outpatient following discharge. When possible, exceptions will be made for palliative patients. Staff are based at Dungannon, Portadown, and Newry.

**Western HSC Trust**

Compression therapy is available at Altnagelvin Area Hospital, Tyrone County Hospital, and South West Acute Hospital.

Information regarding the number of nurses authorised to apply compression bandages within each hospital is not available, however within each HSC Trust the number of staff providing this service is as follows:

**Belfast HSC Trust**

10.04 WTE Tissue Viability Nurse Specialists and one WTE Healthcare Support worker.

**Northern HSC Trust**

One Tissue Viability nurse within each acute / rehabilitation / community hospital site. 25 Tissue Viability Link nurses also identified to cover all Trust sites.

**South Eastern**

Lymphoedema service: 0.8 WTE Team Lead, 0.8 WTE Clinical Specialist, 0.5 WTE Support Worker.

**Southern HSC Trust**

Lymphoedema service: 1.0 WTE Clinical Lead (Trust-wide), 1.5 WTE Specialist, 0.4 Practitioner (temporary), and 1.0 WTE Clinical Support assistant.

**Western HSC Trust**

22 nursing and five physiotherapy staff have the skills and knowledge to safely and competently apply compression therapy in the Trust's hospitals.

Each Trust advised that the frequency of compression bandage change is determined by patient need.

**Compression Bandaging**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety what provision for compression bandaging is made in hospitals for patients suffering from Oedema; and (ii) to list the hospitals where such provision is available.  
(AQW 33174/11-15)

**Mr Poots:** The South Eastern Health and Social Care (HSC) Trust has advised that no staff at the Downe Hospital are able to apply high compression bandaging. Application of this compression is a highly skilled technique, which requires regular training and practice. Where a patient presents in an acute setting with existing compression bandaging, or a suspected need for this, they are assessed by the Tissue Viability Nursing Team, which then carries out, or refers the patient for, the most appropriate dressing.

My Department's policy on compression bandaging is based on the Guidelines and Audit Implementation Network (GAIN) Clinical Guidelines for Lymphoedema. Complex Decongestive Therapy, which initially uses compression bandaging, is the recommended treatment for conservative management of lymphoedema.

The provision for compression bandaging in hospitals for patients suffering from oedema, and the list of those hospitals within each Trust where provision is available is as follows:

**Belfast HSC Trust**

The Tissue Viability Nursing team provides a wide range of specialist wound care services, including compression bandaging, to patients in all of its hospitals, as well as community settings (Health and Well-Being Centres, GP surgeries, residential homes, the patient's own home, and the hospice). In the acute setting, compression bandaging is most commonly applied in the Royal Victoria Hospital, Belfast City Hospital, the Mater Hospital and Musgrave Park Hospital. It is also carried out in Muckamore Abbey and Knockbracken if required.

**Northern HSC Trust**

There is a Tissue Viability service three days a week at Antrim Area Hospital, and two days a week at Causeway Hospital. Urgent cases are centrally managed by the Tissue Viability Team on a daily basis and responded to within 24 hours depending on clinical need. Within the remaining hospital sites there are aligned Community Tissue Viability nurses who provide this care. Tissue Viability Link nurses have also been identified for each hospital site/ rehabilitation/ community hospital sites.

**South Eastern HSC Trust**

The Lymphoedema Service is a community-based service with out-patient clinics in Bangor, Lisburn and Downpatrick (Ballymote Centre) at least once a week. Patients with lymphoedema in the acute setting are usually referred by nursing or medical professionals to the lymphoedema team and are added to their out-patient waiting list.

Patients with limb oedema are commonly referred to the Tissue Viability Team which assesses and advises on appropriate dressings to manage exudate, elevation of the limb, and usually light compression such as wool and crepe. For most mild oedemas this is suitable management. However, in some cases where the patient is unable to elevate the limb, or where severe oedema is present, higher compression is required.

**Southern HSC Trust**

The Lymphoedema Service is primarily an outpatient service with occasional domiciliary and acute hospital visits for consultative purposes only. Those patients identified while they are inpatients are referred to attend a clinic as an outpatient following discharge. When possible, exceptions will be made for palliative patients. Staff are based at Dungannon, Portadown, and Newry.

**Western HSC Trust**

Compression therapy is available at Altnagelvin Area Hospital, Tyrone County Hospital, and South West Acute Hospital.



Information regarding the number of nurses authorised to apply compression bandages within each hospital is not available, however within each HSC Trust the number of staff providing this service is as follows:

#### **Belfast HSC Trust**

10.04 WTE Tissue Viability Nurse Specialists and one WTE Healthcare Support worker.

#### **Northern HSC Trust**

One Tissue Viability nurse within each acute / rehabilitation / community hospital site. 25 Tissue Viability Link nurses also identified to cover all Trust sites.

#### **South Eastern**

Lymphoedema service: 0.8 WTE Team Lead, 0.8 WTE Clinical Specialist, 0.5 WTE Support Worker.

#### **Southern HSC Trust**

Lymphoedema service: 1.0 WTE Clinical Lead (Trust-wide), 1.5 WTE Specialist, 0.4 Practitioner (temporary), and 1.0 WTE Clinical Support assistant.

#### **Western HSC Trust**

22 nursing and five physiotherapy staff have the skills and knowledge to safely and competently apply compression therapy in the Trust's hospitals.

Each Trust advised that the frequency of compression bandage change is determined by patient need.

### **Compression Bandaging**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety how many nurses in each Health and Social Care Trust are authorised to apply compression bandages, broken down by hospital.

**(AQW 33177/11-15)**

**Mr Poots:** The South Eastern Health and Social Care (HSC) Trust has advised that no staff at the Downe Hospital are able to apply high compression bandaging. Application of this compression is a highly skilled technique, which requires regular training and practice. Where a patient presents in an acute setting with existing compression bandaging, or a suspected need for this, they are assessed by the Tissue Viability Nursing Team, which then carries out, or refers the patient for, the most appropriate dressing.

My Department's policy on compression bandaging is based on the Guidelines and Audit Implementation Network (GAIN) Clinical Guidelines for Lymphoedema. Complex Decongestive Therapy, which initially uses compression bandaging, is the recommended treatment for conservative management of lymphoedema.

The provision for compression bandaging in hospitals for patients suffering from oedema, and the list of those hospitals within each Trust where provision is available is as follows:

#### **Belfast HSC Trust**

The Tissue Viability Nursing team provides a wide range of specialist wound care services, including compression bandaging, to patients in all of its hospitals, as well as community settings (Health and Well-Being Centres, GP surgeries, residential homes, the patient's own home, and the hospice). In the acute setting, compression bandaging is most commonly applied in the Royal Victoria Hospital, Belfast City Hospital, the Mater Hospital and Musgrave Park Hospital. It is also carried out in Muckamore Abbey and Knockbracken if required.

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oedemas this is suitable management. However, in some cases where the patient is unable to elevate the limb, or where severe oedema is present, higher compression is required.

#### **Southern HSC Trust**

The Lymphoedema Service is primarily an outpatient service with occasional domiciliary and acute hospital visits for consultative purposes only. Those patients identified while they are inpatients are referred to attend a clinic as an outpatient following discharge. When possible, exceptions will be made for palliative patients. Staff are based at Dungannon, Portadown, and Newry.

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Information regarding the number of nurses authorised to apply compression bandages within each hospital is not available, however within each HSC Trust the number of staff providing this service is as follows:

#### **Belfast HSC Trust**

10.04 WTE Tissue Viability Nurse Specialists and one WTE Healthcare Support worker.

#### **Northern HSC Trust**

One Tissue Viability nurse within each acute / rehabilitation / community hospital site. 25 Tissue Viability Link nurses also identified to cover all Trust sites.

#### **South Eastern**

Lymphoedema service: 0.8 WTE Team Lead, 0.8 WTE Clinical Specialist, 0.5 WTE Support Worker.

#### **Southern HSC Trust**

Lymphoedema service: 1.0 WTE Clinical Lead (Trust-wide), 1.5 WTE Specialist, 0.4 Practitioner (temporary), and 1.0 WTE Clinical Support assistant.

#### **Western HSC Trust**

22 nursing and five physiotherapy staff have the skills and knowledge to safely and competently apply compression therapy in the Trust's hospitals.

Each Trust advised that the frequency of compression bandage change is determined by patient need.

### **Compression Bandaging**

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety how frequently each hospital refresh patients' compression bandages.

**(AQW 33178/11-15)**

**Mr Poots:** The South Eastern Health and Social Care (HSC) Trust has advised that no staff at the Downe Hospital are able to apply high compression bandaging. Application of this compression is a highly skilled technique, which requires regular training and practice. Where a patient presents in an acute setting with existing compression bandaging, or a suspected need for this, they are assessed by the Tissue Viability Nursing Team, which then carries out, or refers the patient for, the most appropriate dressing.

My Department's policy on compression bandaging is based on the Guidelines and Audit Implementation Network (GAIN) Clinical Guidelines for Lymphoedema. Complex Decongestive Therapy, which initially uses compression bandaging, is the recommended treatment for conservative management of lymphoedema.

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#### Western HSC Trust

22 nursing and five physiotherapy staff have the skills and knowledge to safely and competently apply compression therapy in the Trust's hospitals.

Each Trust advised that the frequency of compression bandage change is determined by patient need.

#### Ranolazine

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether the anti-anginal medicine Ranolazine is included within Chapter 2 of the Northern Ireland Formulary. **(AQW 33182/11-15)**

**Mr Poots:** I can confirm that the antianginal medicine Ranolazine is included within Chapter 2 of the Northern Ireland Formulary.

#### Northern Ireland Formulary

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether the Northern Ireland Formulary applies to all Health and Social Care Trusts. **(AQW 33183/11-15)**

**Mr Poots:** The aim of the Northern Ireland Formulary is to promote safe, clinically effective and cost-effective prescribing of medicines. It provides guidance to prescribers on first and second line drug choices covering the majority of prescribing

choices in Northern Ireland. It is intended to be used across both the primary and secondary care sectors in Northern Ireland to ensure consistency and continuity of supply and it applies to all Health and Social Care Trusts.

#### Ranolazine

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety whether hospital doctors can prescribe the anti-anginal medicine Ranolazine in each Health and Social Care Trust. **(AQW 33184/11-15)**

**Mr Poots:** The antianginal medicine Ranolazine is included in Chapter 2 of the Northern Ireland Formulary and can be prescribed by hospital doctors in each Health and Social Care Trust.

#### Early Intervention Transitional Fund

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to outline the allocation and timeline for the introduction of the Early Intervention Transitional Fund. **(AQW 33210/11-15)**

**Mr Poots:** The Early Intervention Transformation Programme (EITP) is a proposed investment delivered as part of the Delivering Social Change initiative, which seeks through a commitment to prevention and early intervention approaches to transform how children's services are designed, planned and implemented, leading to improved outcomes for children. Funded by five government Departments (DHSSPS, DSD, DOJ, DE, DEL), OFMDFM and private philanthropy, the Early Intervention Transformation Programme presents a unique opportunity to address the lifelong poor outcomes that some children experience in Northern Ireland.

The Early Intervention Transformation Programme is currently going through the final stages of approval, at Executive level, and I expect that confirmation of allocations and timelines will be able to be outlined imminently.

#### Second Acute Mental Health Unit

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety for his assessment of the Health and Social Care Board's recommendations on the location of the second Acute Mental Health Unit in the Western Health and Social Care Trust area; and to detail the date for his decision on this matter. **(AQW 33255/11-15)**

**Mr Poots:** I have not yet received the Health and Social Care Board's option appraisal report. I understand the report will be considered by the Board of the HSCB at its meeting on 8 May and, if approved, forwarded to me soon thereafter.

As with any capital investment, the proposed second Mental Health In-patient facility in the Western Trust area will require a business case which must be developed in line with the Northern Ireland Guidance on Expenditure Appraisal and Evaluation (NIGEA). The HSCB work will inform the business case, covering all the options and outlining the costs of each, which the Western Trust will be invited to develop and submit to the Department. Only after consideration of the business case by both the Department and DFP will Minister be in a position to decide and announce the location.

Timing of this project will be subject to budgetary availability and it will be considered alongside all other demands on my capital budget as we move to the next budgetary period commencing in 2015/16.

#### Addiction Treatment Unit, Omagh

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety whether he will provide reassurance to the people of Tyrone and Fermanagh by committing to the retention and development of the Addiction and Treatment Unit in Omagh. **(AQW 33257/11-15)**

**Mr Poots:** The recent consultation by the Health & Social Care Board (HSCB) provided everyone with opportunity to influence what Addiction Treatment Services will look like across Northern Ireland over the next 5 to 10 years. The issue of access to specialist addiction services in the Western Health and Social Care Trust area was reflected in many of the comments received, and this has been noted by the HSCB along all with other key issues raised by the consultation exercise. The particular issue of The Addiction Treatment Unit at the Tyrone & Fermanagh Hospital in Omagh was discussed extensively at the Adjournment Debate on 21 January 2014.

Taking due account of responses to the consultation, and a number of issues that were raised, HSCB is developing final proposals for the future configuration of Tier 3 and Tier 4 addiction services across the whole of Northern Ireland.

At this stage, HSCB is clarifying potential funding requirements and anticipates bringing forward revised proposals for future service developments by the end of June 2014. Accordingly no decisions have as yet been made about the future of addiction services, including those currently provided by the Omagh Addiction Treatment Unit.



## Medicines: Internet Sales

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what safeguards are in place regarding the purchase of medicines online.

**(AQW 33282/11-15)**

**Mr Poots:** In the UK, there are strict legal controls imposed by the Human Medicines Regulations on the retail sale, supply and advertising of prescription only medicines (POMs). Such medicines can only be sold or supplied at registered pharmacies by, or under the supervision of, a pharmacist and in general only in accordance with a prescription from an appropriate practitioner. However, these restrictions do not apply to countries outside UK jurisdiction and UK legislation does not place an impediment on an individual who imports a medicine into the UK provided it is for their own personal use.

In the UK, there are registered, regulated internet pharmacies which are attached to a 'bricks and mortar' registered pharmacy. The General Pharmaceutical Council, which regulates pharmacies in GB, operates an internet pharmacy logo scheme to identify legitimate online pharmacies. A similar system is in operation in Northern Ireland which allows members of the public to access the pharmacy register (which is maintained by the Pharmaceutical Society of Northern Ireland) and link through the register directly to the websites of any registered internet pharmacy here.

The availability of medicines via the internet is a global issue and UK regulatory bodies recognise that a multi-faceted approach is essential to ensure any illegal activity is countermanded. The Medicines and Healthcare products Regulatory Agency and this Department through the Medicines Regulatory Group (MRG), work with key partner agencies including Police and Customs to continue to act against those illegally importing or selling medicines. MRG have had a number of notable successes in a Northern Ireland context including multiple seizures of illegal POMs (including controlled drugs) destined for addresses throughout Northern Ireland. MRG have successfully instigated proceedings against those involved.

To ensure international co-operation, MRG is an active member of the Permanent Forum on International Pharmaceutical Crime and Heads of Medicines Agencies Working Group of Enforcement Officers. In June 2013, Northern Ireland was one of some 100 countries worldwide who took part in Operation Pangea VI, an International Internet Week of Action. This consisted of co-ordinated action led by Interpol and involving Police, Medicine Regulators and Customs and Excise Officers and was aimed at disrupting the supply by illegal web-sites offering sub-standard and counterfeit medicines on-line. It resulted in an estimated 9610 illegal websites being closed down worldwide and over 9 million doses of unlicensed medicinal products to the value of an estimated £26 million being seized. In Northern Ireland illegal medicinal products worth over £100,000 on the black market were seized as part of the international crackdown week. MRG will be leading Northern Ireland's response to Operation Pangea VII during 2014.

In addition, a Senior Medicines Investigator from within MRG sits on the Organised Crime Task Force Drugs Expert Group and regularly briefs the Group on the activities of MRG allied to its role in enforcing medicines-related legislation here.

## National Screening Committee: Pulse Oximetry

**Mr Swann** asked the Minister of Health, Social Services and Public Safety, following the announcement by the National Screening Committee on pulse oximetry, whether he will commission a pilot on this monitoring process, taking into consideration the cross party support obtained to the motion debated in the Assembly on 3 March 2014.

**(AQW 33398/11-15)**

**Mr Poots:** The UK National Screening Committee (NSC) has recommended piloting the use of pulse oximetry to screen newborn babies for congenital heart defects. The pilot study will be commissioned in England, but officials from DHSSPS will be meeting with the NSC and officials from the other Devolved Administrations to agree the protocols and questions to be answered through the pilot study.

The NSC will use the pilot to better understand the implications of using the test in services for newborn babies. Following the evaluation of this pilot the NSC will make a policy recommendation for the UK.

It would not be cost-effective to commission a separate pilot study for pulse oximetry in Northern Ireland. I will await the evaluation of the NSC pilot study and the NSC's recommendations before making a policy decision on this for Northern Ireland.

## Emergency Departments: 12-hour Waits

**Mr Dunne** asked the Minister of Health, Social Services and Public Safety how the number of 12 hour waits in Emergency Departments in winter 2013/14 compares with previous years.

**(AQO 6118/11-15)**

**Mr Poots:** I am pleased to say that last winter we had the fewest number of people in the last 5 years waiting more than 12 hours in our emergency departments. The numbers waiting reduced from 5,574 in the winter months of 2011/12 to 1,085 in 2013/14. While this is a significant improvement I find it unacceptable that anyone should have to wait unduly and I look to the Health and Social Care Board to continue working with the Trusts to secure further improvement. I have also asked the RQIA to review unscheduled care in the Belfast Trust with learning from this to be applied regionally. I expect to receive the RQIA's report in June which will compliment the work being undertaken by the College of Emergency Medicine and the Royal College of Nursing to bring forward proposals to improve the delivery of emergency care.

## Transforming Your Care

**Mr Byrne** asked the Minister of Health, Social Services and Public Safety how many of the 99 original proposals in Transforming Your Care have been either completed or measured in terms of progress.

**(AQO 6128/11-15)**

**Mr Poots:** 'Transforming Your Care: A Review of Health and Social Care in Northern Ireland' set out 99 proposals for change across Health and Social Care in Northern Ireland. The transformation set out in TYC, provides a roadmap for a 3 to 5 year journey to reshape services in order to ensure that they are safe, resilient and sustainable into the future.

My Department is preparing a written summary of actions to implement the 99 recommendations for the Health Committee. I would be happy to provide the Member with a copy of that document and I will place a copy in the Library of the House.

## City Hospital Emergency Department

**Mr Sheehan** asked the Minister of Health, Social Services and Public Safety, given the recent concerns expressed by staff at the Royal Victoria Hospital Emergency Department, what assurances he can provide to the residents of South and East Belfast who are concerned about the continued closure of the City Hospital Emergency Department.

**(AQO 6122/11-15)**

**Mr Poots:** Following the temporary closure of the Belfast City Hospital's (BCH) emergency department, additional capacity was created at the Royal Victoria, Mater and Ulster Hospitals, and community services were enhanced to support discharges and prevent unnecessary admissions. There is also GP direct access to the Medical Assessment Unit at the BCH for elderly medical patients and arrangements for patients with stable chest pain to attend rapid access chest pain clinics and cardiology outpatient clinics. There are also direct access arrangements at the BCH for cancer, haematology, renal and urology patients. On 3 March 2014 the Belfast Trust commenced the OPTIMAL 7 service (Older People's Timely Intervention, Management and Admission service) in the BCH, providing an alternative pathway for frail older people who do not need the services of an emergency department.

I trust that these significant measures will provide reassurance for the residents of south and east Belfast that all available action has been taken to alleviate the impact of the temporary closure of the emergency department.

## Home Adaptations

**Mr G Robinson** asked the Minister of Health, Social Services and Public Safety what action he has taken to assist people with a disability to be more involved in any adaptations made to their homes.

**(AQO 6123/11-15)**

**Mr Poots:** The Housing Adaptations Design Communications Toolkit, which I jointly launched with Minister McCausland in April 2014, is the product of cross sector collaborative working with disabled people, occupational therapists and housing designers/providers and will give disabled people more say in their housing adaptations.

DHSSPS and DSD have both endorsed the toolkit as best practice guidance for cross sector housing adaptations design benchmarking, for interagency communications protocols, and for the provision of those minor housing adaptations which do not require Health and Social Care Trust Occupational Therapy assessment.

The Toolkit includes improved design formats that will help disabled people visualise and discuss proposed housing adaptations.

The consultation events on the Interdepartmental Review of Housing Adaptations in 2013 enabled full participation and ensured inclusiveness on a pan-disability basis.

In addition, service user responses on the final report on housing adaptations services will help inform the development of an action plan to take forward the implementation of the review's recommendations, which it is anticipated will be subject to public consultation later this year.

## Cancer Drugs Fund Model

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety whether he has any plans to engage with his ministerial counterparts in England and Wales, Scotland and the Republic of Ireland regarding the establishment of a local cancer drugs fund model.

**(AQO 6125/11-15)**

**Mr Poots:** During a debate on this issue, held on the 6th May, many Members spoke of their concerns regarding access to specialist drugs, including cancer drugs. I have listened carefully to those concerns and to the views of other key stakeholders and as a result I have instructed my Department to evaluate the process of access to specialist and cancer drugs in Northern Ireland. This evaluation will take account of measures that other devolved administrations are considering in their approach towards access to specialist drugs. The terms of reference for the evaluation are being finalised and I will inform members as soon as they have been agreed. I expect my Department to report on their findings later this year.

### Firefighter Joseph McCloskey

**Mr Ó hÓisín** asked the Minister of Health, Social Services and Public Safety if he is considering an independent review into the death of Firefighter Joseph McCloskey in Limavady in 2003.

(AQO 6126/11-15)

**Mr Poots:** I have met with Mrs McCloskey and her family and listened carefully to their concerns about Joe's death. I have every sympathy with them and genuinely feel for their loss.

That said there has already been three separate investigations, into the circumstances of this tragic incident, and none of these was able to provide a definitive conclusion. Two of these investigations were independent. I am not aware of any fresh evidence on which to base a further review and it is with regret therefore that I advise I have no plans to commission one.

### Outpatient Capacity and Facilities

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what steps he is taking to improve local outpatient capacity and facilities.

(AQO 6127/11-15)

**Mr Poots:** The Health and Social Care Board works with the Trusts to determine an agreed position in relation to the level of capacity in each elective specialty (outpatients and inpatient/day-case), taking into account levels of productivity and efficiency, and the demand for each specialty based on referrals received.

Individual Trusts are taking forward a range of initiatives to improve facilities. These include a new general outpatients facility at Craigavon Area Hospital and the expansion of Antrim Area Hospital's outpatient facility which is nearing completion. These developments have increased both the quality and capacity of outpatient facilities.

## Department of Justice

### Sexual Offences Prevention Order: Address

**Lord Morrow** asked the Minister of Justice (i) how John George Kennedy Reid, who is currently under a ten year Sexual Offences Prevention Order (SOPO), has been permitted to reside at an address given as the bus stop beside the Europa Hotel, Belfast; (ii) what monitoring can be put in place in such circumstances; and (iii) whether the terms of SOPO state this is the address at which he is to reside; and if so, whether it is enforceable in respect of the potential risk to the public and under public protection arrangements.

(AQW 33011/11-15)

**Mr Ford (The Minister of Justice):** Sexual Offences Prevention Orders (SOPO) are civil court orders and the conditions which may be attached are a matter for the presiding judge to determine. A SOPO can, where the court believes this is necessary for the protection of the public from serious harm, include a prohibition from residing at an address which is not approved by a relevant authority. There is no such requirement on Mr Reid's SOPO.

On conviction, Mr Reid was also ordered by the court to comply with notification requirements under the Sexual Offences Act 2003 and must, amongst other things, notify police where he is living and of any change in those arrangements. PSNI are the designated public protection risk managers in this case and monitor his compliance with the statutory requirements.

### Prisoners: Rehabilitation

**Miss M McIlveen** asked the Minister of Justice how much his Department has spent on the rehabilitation of former prisoners in each of the last ten years.

(AQW 33017/11-15)

**Mr Ford:** Rehabilitation of former prisoners is at the core of the work undertaken by the Probation Board for Northern Ireland (PBNI) whose work is grant funded by the Department of Justice. PBNI delivers this through one to one intervention work with offenders, group programmes and a Community Grants scheme. The DOJ also provides grants to a number of voluntary and community organisations for work they undertake in this area.

Table one, below, provides detail of expenditure since the creation of the DOJ in April 2010.

Table One

Year	Total £K
2010/2011	22,561
2011/2012	22,014
2012/2013	21,806

Year	Total £K
2013/2014	20,869
<b>Total</b>	<b>87,250</b>

### Civil Service Voluntary Redundancy Package: Disciplinary Investigations

**Mr Allister** asked the Minister of Justice, pursuant to AQW 32729/11-15, whether there are any pending disciplinary investigations in respect of the anticipated beneficiary of the voluntary redundancy package; and to detail how this would be impacted by any such proceedings.

(AQW 33059/11-15)

**Mr Ford:** There are no pending or past disciplinary actions and, therefore, no impact in respect of the beneficiary of the voluntary redundancy package.

### Non-payment of Television Licence Fee

**Mr Campbell** asked the Minister of Justice, pursuant to AQW 32800/11-15, following the Court ruling and given that the number of people sentenced to a period of imprisonment for non-payment of a television licence fee has reduced by 90 per cent, what has replaced the imprisonment option for those 90 per cent.

(AQW 33094/11-15)

**Mr Ford:** The penalty for failure to pay a court imposed fine, including fines imposed for non-payment of a television licence, is a period of imprisonment.

Later this year, I plan to introduce a Bill into the Assembly to establish a new fine collection and enforcement service with a wider range of options to encourage payment. In cases where default occurs, a community-based Supervised Activity Order will be available as an alternative to imprisonment.

In the interim, until the new fine collection and enforcement service becomes available, new processes are being put in place to introduce default hearings. At the default hearing the Judge will set the default imprisonment period and a fine warrant will be issued for enforcement purposes.

In the longer term, I consider it would be desirable to treat non-payment of a television licence as a civil money debt rather than a crime. This is, however, not a devolved matter.

### Prisoners: Photographs

**Lord Morrow** asked the Minister of Justice, in relation to Lee McCausland, (i) why he was permitted to have a mobile phone whilst in custody in the cells of Dungannon Court House from where he took a photograph of himself which was later posted on social media; (ii) whether he was a remanded prisoner when an additional photograph was taken of the courtroom and if this was taken from the dock, or on the way to or from the cells; and (iii) whether he will be charged with contempt of court or any similar offence in respect of the taking of these images; and to detail whether current searching techniques for prisoners leaving custody to travel to court and on their return, as well as before entering courtrooms, particularly the dock, will be reviewed.

(AQW 33101/11-15)

**Mr Ford:** It is NIPS policy that no prisoner should have access to an illicit telephone and as such Lee McCausland was not given permission to have a mobile phone on his person when in Dungannon Crown Courthouse holding cells.

The photograph showing a courtroom setting was taken from the public gallery area and directed through the glass panels of the Dock area. This photograph was taken several days before Mr McCausland's case was heard. At that time Mr McCausland was on bail and was not a remand prisoner.

As the photograph of the courtroom was taken at a time when the Court was not in session the Court Service does not intend to take any further action.

Male prisoners leaving Prison establishments to travel to Courthouses are required to be full body-searched and again on their return. Mr McCausland was not in custody prior to his court appearance. When he appeared in Court off-bail he was given a rub down search prior to entering the Dock area in accordance with search procedures. When taken from the Courtroom to the holding cells he was again rub-down searched which was followed up by using a hand held electronic search detector. PECCS management reviewed the search procedures applied to Mr McCausland and are satisfied they were appropriately followed. PECCS management has reminded staff in all other Courthouses of this incident and to be vigilant in respect of small and easily concealable electronic communication devices, during search procedures.

### Sexual Offences Prevention Order: Address

**Lord Morrow** asked the Minister of Justice, given that John George Kennedy Reid's address was given as "The Bus Stop Beside the Europa Hotel", and prior to this Ciaran Kelly's address was given as residing at "Under the Bridge, Campsie",



whether he will instigate an immediate review into the living arrangements of sex offenders and people with Sexual Offences Prevention Orders, particularly in the wake of cases such as David Paige who was not residing at his required address and was not appropriately monitored as a result.

**(AQW 33170/11-15)**

**Mr Ford:** There are a range of measures in place, and further enhancements which will shortly be implemented, which address the issue of sex offenders who have no fixed abode in the community.

Sexual and violent offenders sentenced to a period of imprisonment of 12 months or more under the provisions of the Criminal Justice (Northern Ireland) Order 2008 are subject to post-release supervision with standard licence conditions which include residence at an address approved by a probation officer. Where it is appropriate, this may be in approved premises or other managed hostel accommodation. Where this is not required in terms of risk management, and an individual being supervised is homeless, the Probation Board and Northern Ireland Housing Executive will explore options to identify suitable accommodation commensurate with the level of risk being managed.

Where the court has ordered an individual to comply with notification requirements under the Sexual Offences Act 2003 they must, amongst other things, notify police where they are living and of any changes in those arrangements within prescribed statutory timescales.

The Department has already reviewed the legislation covering sex offender notification requirements and draft regulations will shortly be laid in the Assembly which will strengthen the existing arrangements. One of the new provisions will require sex offenders with no fixed address to make confirmatory notification to the police on a weekly basis, as to a place where they can regularly be found.

Offenders who are subject solely to a civil Sexual Offences Prevention Order (SOPO) may be prohibited from residing at an address which is not approved by a relevant authority but this is a decision for the court where it believes this is a course of action necessary for the protection of the public from serious harm. Provisions were made in the Criminal Justice Act (Northern Ireland) 2013 to strengthen the SOPO by enabling a court to order that an offender comply with specific requirements which could include, for example, residing at a particular address where this is considered necessary for the protection of the public. This provision is due to be commenced at the same time as the regulations on changes to the sex offender notification requirements are made.

On this basis, I am satisfied that there is no requirement for an immediate review of accommodation issues for sex offenders in the community at this time.

### Bus Service: Europa Buscentre, Belfast to Hydebank Wood

**Mr A Maginness** asked the Minister of Justice to detail any consultation his Department had with the Department for Regional Development in regard to the decision to terminate the 313 bus service from the Europa Buscentre, Belfast to Hydebank Wood.

**(AQW 33181/11-15)**

**Mr Ford:** Prior to 26 April 2014, Hydebank Wood funded a bus service from Europa Buscentre into Hydebank Wood Prison two days a week.

As part of the 2014/15 budget allocation process for NIPS, Hydebank undertook a review of the services and with reluctance it was agreed funding for this service would be withdrawn. Given the low usage of the service, Translink decided to discontinue the route.

Visitors to Hydebank Wood were informed of the proposed change in advance and information was provided to inform them of the alternative Translink services on the routes close to the Prison.

### Night Custody Officers

**Lord Morrow** asked the Minister of Justice what changes have been made for night custody officers as a result of the death in custody of Colin Bell, shown against the original procedures and/or working arrangements they replaced, and including all dates of amendment.

**(AQW 33193/11-15)**

**Mr Ford:** Following her investigation into the death in custody of Colin Bell the then Prisoner Ombudsman Pauline McCabe made 44 recommendations to the Northern Ireland Prison Service, 16 of which related to the recruitment, training, secondary employment and working practices of Night Custody Officers.

All 16 recommendations were accepted by the Northern Ireland Prison Service and the appropriate changes introduced for each. Most of these were implemented by 30 September 2009 and the last one relating to the recruitment of staff was introduced in August 2012, which was the earliest opportunity to do so given this was the first recruitment campaign by the Northern Ireland Prison Service since the publication of the report. The Ombudsman's report is readily available in the public domain should the Member wish to view the recommendations.

Senior managers within the Northern Ireland Prison Service scrutinise all practices and procedures within the organisation on an ongoing basis.

### Anti-social Behaviour Orders: Dungannon

**Lord Morrow** asked the Minister of Justice how many Anti-Social Behaviour Orders imposed for public order offences in the Dungannon area in each of the last five years have not been breached.

**(AQW 33195/11-15)**

**Mr Ford:** There have been no Anti-Social Behaviour Orders granted in Dungannon during the period 2009 to 2013.

### Mixed Committal Proceedings

**Lord Morrow** asked the Minister of Justice how many Preliminary Investigations involving mixed committal proceedings have been at Magistrates Court, broken down by court division, in each of the last five years; and of these, to detail (i) how many were funded by Legal Aid; (ii) how many required more than one day for hearing; and (iii) how many had counsel instructed, broken down by (i) senior; and (ii) junior.

**(AQW 33196/11-15)**

**Mr Ford:** The tables below outline the information requested for the calendar years 2011 to 2013. Provision of data prior to 2011 would incur a disproportionate cost.

#### Mixed Committals at Magistrates' Court in 2011

Court Division	No. of mixed committals	No. of defendants involved	No. of defendants funded by legal aid	No. of mixed committals requiring more than one hearing day	No. of defendants funded by legal aid with counsel instructed	
					Senior	Junior
Belfast	14	31	31	7	0	16
Londonderry	4	5	4	0	0	1
Antrim	4	5	5	0	0	1
Fermanagh and Tyrone	3	3	3	2	0	1
Armagh and South Down	8	10	10	5	0	3
Ards	2	2	2	2	0	0
Craigavon	7	7	7	5	0	2
<b>Total</b>	<b>42</b>	<b>63</b>	<b>62</b>	<b>21</b>	<b>0</b>	<b>24</b>

Source: Integrated Court Operations System

#### Table 2: Mixed Committals at Magistrates' Court in 2012

Court Division	No. of mixed committals	No. of defendants involved	No. of defendants funded by legal aid	No. of mixed committals requiring more than one hearing day	No. of defendants funded by legal aid with counsel instructed	
					Senior	Junior
Belfast	15	43	43	9	0	17
Londonderry	1	1	1	0	0	1
Antrim	2	2	2	2	0	1
Fermanagh and Tyrone	2	2	2	1	0	1
Armagh and South Down	2	2	2	1	0	1
Ards	0	0	0	0	0	0
Craigavon	2	7	7	2	0	3
<b>Total</b>	<b>24</b>	<b>57</b>	<b>57</b>	<b>15</b>	<b>0</b>	<b>24</b>

Source: Integrated Court Operations System

**Table 3: Mixed Committals in Magistrates' Court 2013P**

Court Division	No. of mixed committals	No. of defendants involved	No. of defendants funded by legal aid	No. of mixed committals requiring more than one hearing day	No. of defendants funded by legal aid with counsel instructed	
					Senior	Junior
Belfast	15	22	22	10	0	6
Londonderry	0	0	0	0	0	0
Antrim	5	11	9	3	0	1
Fermanagh and Tyrone	0	0	0	0	0	0
Armagh and South Down	9	16	13	3	0	3
Ards	0	0	0	0	0	0
Craigavon	2	4	4	0	1	3
<b>Total</b>	<b>31</b>	<b>53</b>	<b>48</b>	<b>16</b>	<b>1</b>	<b>13</b>

Source: Integrated Court Operations System

P Data are currently provisional and may be subject to change

### Preliminary Investigations and Mixed Committals

**Lord Morrow** asked the Minister of Justice, given the excessive costs of Legal Aid in respect of Preliminary Investigations and Mixed Committals, whether their abolition would bring Northern Ireland in line with England and Wales and help achieving savings in Legal Aid, particularly as such cases generally require counsel at Magistrates Court stage; and to provide an estimate of potential savings from each of the last five years.

(AQW 33224/11-15)

**Mr Ford:** The proposed abolition of preliminary investigations and mixed committals will not bring Northern Ireland into line with England and Wales, where all committal proceedings have been abolished and cases are sent directly to the Crown Court. The current proposals in Northern Ireland would result in most cases being committed to the Crown Court by way of preliminary inquiry. Certain offences would be transferred to the Crown Court without committal. This would apply initially to murder and manslaughter cases and to cases where a defendant indicates his intention to plead guilty.

The purpose of these proposals is to ensure that cases are managed at the appropriate court level and to expedite the disposal of cases where defendants are pleading guilty. They are not designed to reduce costs and I do not envisage that there will be any significant impact on the cost of legal aid.

### Anti-social Behaviour Orders: Dungannon

**Lord Morrow** asked the Minister of Justice how many Anti-Social Behaviour Orders have been handed down (i) in conjunction with; or (ii) as an alternative to, a sentence or binding over, conditional discharge or any other disposal for public order offences in the Dungannon area, in each of the last two years to date.

(AQW 33225/11-15)

**Mr Ford:** There have been no Anti-Social Behaviour Orders granted in Dungannon during the years 2012 and 2013.

### Victims and Witnesses of Crime

**Mr Weir** asked the Minister of Justice what additional measures are being taken to protect the victims and witnesses of crime in courts and the justice system.

(AQW 33241/11-15)

**Mr Ford:** A range of measures are available to protect victims and witnesses of crime, both at court and during their engagement with the criminal justice system.

A formal needs assessment process has been introduced to identify the particular needs of individual victims and witnesses, including through the use of special measures at court and other support. The needs of the victim are considered by both the police and the new Victim and Witness Care Unit. This is completed at the earliest stage possible after contact has been made with one of the criminal justice organisations.

This process means that a range of measures may be applied for to help vulnerable and intimidated witnesses (which can include a victim) give their best evidence at court. These measures include screening a witness from the defendant, live links to enable the witness to give evidence from outside the court, evidence being given in private, the use of Registered

Intermediaries to enable witnesses with significant communication difficulties give their best evidence and the use of video recorded interviews.

I have also given a commitment in the Victim and Witness Strategy to introduce video-recorded cross examination and re-examination of victims and witnesses. This will allow victims and witnesses to give their account in advance of the trial and be cross-examined in front of a judge. A recording would then be shown to the jury during the subsequent trial.

In terms of more general protection, where a victim or witness has concerns about their safety, they should bring this to the attention of the police so that any necessary safeguards and additional protections can be put in place. At court, where facilities permit, victims and witnesses can use a separate entrance and waiting facilities to reduce the risk of contact with the defendant and their supporters. Where someone poses a threat to the safety of other court users, they will be removed from the court building.

My Department will shortly be publishing intimidation guidance, in the form of a manual for police and criminal justice practitioners who are responsible for identifying and supporting intimidated witnesses. This outlines strategies for effectively identifying, managing and supporting intimidated witnesses as they progress through the criminal justice system.

As part of the Victim and Witness Strategy, the facilities available in courthouses are also being reviewed, with the aim of identifying specific improvements to provide a more comfortable environment where victims and witnesses can feel safe.

### Rehabilitative Programmes

**Lord Morrow** asked the Minister of Justice, in relation to the judgement of 21 December 2010 in the Court of Appeal in respect of the sentencing of Eamon Coyle, to detail the rehabilitative programmes he participated whilst on bail, including who hosted the programmes.

(AQW 33242/11-15)

**Mr Ford:** The Data Protection Act 1998 gives individuals certain rights in relation to personal information held on them by public authorities. The additional information requested over and above that already in the public domain through the judgement of 21 December 2010 in the Court of Appeal cannot be provided as disclosure would be contrary to the Data Protection Act.

### Anti-social Behaviour Orders: Dungannon

**Lord Morrow** asked the Minister of Justice how many Anti-Social Behaviour Orders (ASBO) have been handed down for public order offences in the Dungannon area in each of the last two years to date in instances where there has been an indication and/or reports of behaviour leading to necessitating an application for an ASBO but no action was taken to prosecute in conjunction with, or separately for, public order offences.

(AQW 33264/11-15)

**Mr Ford:** There have been no Anti-Social Behaviour Orders granted in Dungannon during the years 2012 and 2013.

### Magherafelt Courthouse/Hearing Centre

**Lord Morrow** asked the Minister of Justice for an update on the proposed closure of Magherafelt Courthouse/Hearing Centre.

(AQW 33266/11-15)

**Mr Ford:** On 22 November 2012 I announced my decision to close Magherafelt Hearing Centre and transfer court business to Antrim Courthouse.

At that stage I anticipated these changes would take effect in 2014 following the implementation of a single territorial jurisdiction for County Courts and Magistrates' Courts. These provisions will be carried in a Justice Bill to be introduced into the Assembly later this year. The administrative arrangements to facilitate the transfer of business will be agreed once the supporting legislation receives Royal Assent. It is anticipated the Bill will be enacted by Autumn 2015.

### Courts and Tribunals Service

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 31148/11-15, when he will take action to correct this and issue a regulation/directive ensuring that the Northern Ireland Courts Tribunal Service refuse to accept cases for listing from either the PSNI or the Public Prosecution Service for Northern Ireland, without correct names clearly stated.

(AQW 33323/11-15)

**Mr Ford:** As noted in my previous answer, in a case where details are unclear or incomplete they may be clarified or amended in court. I have no plans to take any further action.

### Security Cameras: Lower Oldpark Road Junction

**Mr Copeland** asked the Minister of Justice to detail how many hours, in the last six months, security cameras situated in the Lower Oldpark Road junction with the Hillview Road have recorded activities in the area.

(AQW 33438/11-15)



**Mr Ford:** There are two CCTV cameras situated on the Oldpark Road, close to the junction with Hillview Road. Images from these are recorded twenty four hours a day, every day. The images are fed back to Antrim Road police station where they are also displayed constantly on one of the screens for viewing by the monitoring staff.

In line with PSNI retention policy the recordings made are held for one calendar month and, if not required for evidential purposes, will then be overwritten.

## Department for Regional Development

### Park and Ride: Portadown

**Mrs Dobson** asked the Minister for Regional Development for an update on the provision of a park and ride facility in Portadown.  
(AQW 33027/11-15)

**Mr Kennedy (The Minister for Regional Development):** The provision of additional Park & Ride facilities to serve Portadown Railway Station has been included in my Department's Strategic Park & Ride delivery programme.

My Department has determined that the site bounded by the A3 Northway/Corcrain Road/Curran Street (known as Bodega Junction) is the most suitable prospect for a Park & Ride at Portadown.

Translink estimates that a Planning Application and Economic Appraisal will be complete by February 2015, with construction commencing in February 2016. This will be dependent upon the successful completion of the necessary statutory processes and the availability of funding.

### Footpath Resurfacing: Millisle

**Mr Easton** asked the Minister for Regional Development to outline the reasons for the delay in footpath resurfacing in Millisle, as agreed in the last financial year.  
(AQW 33087/11-15)

**Mr Kennedy:** My Department had originally planned to carry out this work during the last financial year, however, due to the location coinciding with the diversionary route for traffic arising from the road closure at Whitechurch Road, Ballywalter associated with the tidal surge event earlier in the year, it was decided to defer commencement of the works until the road had re-opened. I can, however, confirm the work should be completed within the next 6 weeks.

### Footpath Resurfacing: Beechfield and Ashfield Estates

**Mr Easton** asked the Minister for Regional Development to outline the reasons for the delay in footpath resurfacing between Beechfield and Ashfield Estates, as agreed in the last financial year.  
(AQW 33088/11-15)

**Mr Kennedy:** I can advise the Member this work is well under way. He may not be aware that my Department has decided to take the opportunity to extend the scheme with additional footway and drainage work. In addition, upgrading of the existing street lighting system is taking place but there has been a difficulty with equipment supply which has impacted on the timing of the final resurfacing of the footpath. This, coupled with the Easter holiday period taken by the construction industry, has resulted in a minor delay in completing the scheme.

### Gransha Roundabout, Bangor

**Mr Easton** asked the Minister for Regional Development for an update on pedestrian safety proposals for the Gransha Roundabout, Bangor.  
(AQW 33089/11-15)

**Mr Kennedy:** My Department has commissioned consultants to examine possible options to improve pedestrian facilities at the Gransha Road Roundabout, Bangor. An initial report has now been received, which is intended to place my Department in a better position to establish the best way forward.

While it will take some time for the report to be fully considered, I have asked Mr Simon Richardson, Divisional Roads Manager for Southern Division, to keep you updated on the outcome.

### Penalty Charge Notices

**Mr Campbell** asked the Minister for Regional Development, pursuant to AQW 32667/11-15, given that pay and display car parks have been in operation for some time, whether any research has been carried out to ascertain the reasons for the increase in Penalty Charge Notices issued between 2012 and 2013.  
(AQW 33096/11-15)

**Mr Kennedy:** In overall terms, the number of Penalty Charge Notices (PCNs) issued has been decreasing since the commencement of decriminalised parking enforcement in 2006, from 163,586 issued in 2007 to 112,755 in 2012 and 108,558 in 2013.

During this period, my Department introduced charges in 25 previously free car parks and all of the Department's 29 kiosk-operated car parks were converted to pay and display. This increase in the base number of charged car parks and change to the method of operation of others required enforcement in car parks where previously none was necessary.

### Electric Vehicles: Power Points on Private Property

**Mr Dallat** asked the Minister for Regional Development to detail the (i) number; and (ii) location of power points installed for charging electric vehicles on private property.  
(AQW 33123/11-15)

**Mr Kennedy:** In terms of the publically accessible charge points installed by ecar on private property, there are two 3kW single headed charge points, 26 double-headed 22kW AC Fast Charge Posts, and thirteen 50kW DC Rapid Charge Posts.

My Department does not maintain records of privately installed charge points for public use on private property.

Details of the locations of the ecar public charge points on private property are set out in the table below:

Charge Point ID	Type	Charge Point Name	Location
	2x3kW "dumb" Charge Points	Titanic Belfast	Titanic Belfast Queen's Road, Titanic Quarter, Belfast, BT3 9EP
SC55	Fast Charger	Slieve Donard Hotel	Downs Road, Newcastle, Co Down BT33 0AH
SC56	Fast Charger	Junction 1 Shopping Centre	Junction One Shopping Centre, 111 Ballymena Rd, Antrim, BT41 4LL
SC57	Fast Charger	Roe Park Resort	Drumrane Road, Limavady, Co Londonderry BT49 9LB
SC60	Fast Charger	Supervalu, Ballymena Rd, Ballymoney	Supervalu, Ballymena Rd, Ballymoney, Co Antrim BT53 7AB
SC65	Fast Charger	The Fir Trees Hotel	Dublin Road, Strabane, Co Tyrone BT82 9EA
SC70	Fast Charger	Newtownstewart 2000	17 Moyle Road, Newtownstewart, Omagh Co Tyrone BT78 4AP
SC75	Fast Charger	Rushmere Shopping Centre	Central Way, Craigavon, Co Armagh BT64 1AA
SC78	Fast Charger	Glenavon House Hotel	Cookstown Road, Cookstown, Co Tyrone BT80 8JQ
SC80	Fast Charger	The Burnavon Theatre	Burn Road, Cookstown, Co Tyrone BT80 8DN
SC84	Fast Charger	Barbican Filling Station Newcastle	Dundrum Road, Newcastle, Co Down BT33 OLN
SC92	Fast Charger	Bloomfield Shopping Centre	South Circular Road, Bangor, Co Down BT19 7HB
SC93	Fast Charger	Galgorm Manor Hotel Ballymena	136 Fenaghy Road, Ballymena, Co Antrim BT42 1EA
SC114	Fast Charger	Hilton Templepatrick Hotel	Hilton Templepatrick Castle Upton Estate, Templepatrick, Co Antrim BT39 0DD
SC116	Fast Charger	Logan's of Cloughmills	Logan's of Cloughmills, 235 Frosses Road, Cloughmills, Co Antrim BT44 9PU
SC122	Fast Charger	Oak Shopping Centre	Oaks Road, Dungannon, Co Tyrone BT71 4NA
SC127	Fast Charger	Stormont Hotel	Upper Newtownards Road, Belfast, BT4 3LP
SC128	Fast Charger	Ivanhoe Hotel	Ivanhoe Inn & Hotel, 556 Saintfield Rd, Castlereagh, Co Down BT8 8EU
SC129	Fast Charger	The Quays Shopping Centre	The Quays Shopping Centre, Newry, Co Down BT35 8QS
SC131	Fast Charger	The Outlet Shopping Centre	Bridgewater Park, Banbridge, Co Down BT32 4GJ

Charge Point ID	Type	Charge Point Name	Location
SC139	Fast Charger	Sainsbury's Car Park	Kennedy Centre, 564-568 Falls Road, Belfast, BT119AE
SC140	Fast Charger	Spar Car Park	Spar Car Park, 46 Main Street, Derrylin, Enniskillen, Co Fermanagh BT92 8JW
SC153	Fast Charger	Car Park Fairhill Shopping Centre	Thomas Street, Ballymena, Co Antrim BT43 6UF
SC156	Fast Charger	Brunswick Cinemalex	Brunswick Moviebowl, Brunswick Lane, Londonderry BT48 0LU
SC158	Fast Charger	Ballygally Castle Hotel	274 Coast Road, Larne, Co Antrim BT40 2QZ
SC161	Fast Charger	Dobbies Garden World	Saintfield Road, Lisburn, Co Down BT27 5PG
RC01	Rapid Charger	M1, Junction 15 Rapid Charger	Donnelly Motor Group Garage, 59 Moy Rd, Dungannon, Co Tyrone BT71 7DT
RC02	Rapid Charger	Glenshane Pass	Glenshane Tourist Services, Jamesie's Garage, 31 Glenshane Rd, Maghera, Co Londonderry BT46 5JZ
RC03	Rapid Charger	Fiveways	Fiveways Shops and Service Station, 101 Armagh Rd, Newry, Co Down BT35 6PW
RC04	Rapid Charger	Portrush Rapid Charger	Causeway Street, Portrush, Co Antrim BT56 8JE
RC05	Rapid Charger	Phoenix Service Station	Phoenix Service Station, 14 Antrim Rd (Queen St), Ballymena, Co Antrim BT42 2BJ
RC06	Rapid Charger	Larne Rapid Charger	Topaz Service Station, Unit 1A Larne Business Pk, Redlands Rd, Larne, Co Antrim BT40 1AY
RC07	Rapid Charger	Texaco Garage, Junction 1 International Outlet	Ballymena Road, Antrim, BT41 4LQ
RC08	Rapid Charger	Barbican Centra A1	Halfway Road, Banbridge, BT32 4ET
RC10	Rapid Charger	Omagh Rapid Charger	Beltany Road, Omagh, Co Tyrone BT78 5RA
RC11	Rapid Charger	Derry-Londonderry Rapid Charger	Maxol Service Station, Waterside, 29 Glendermott Rd, Londonderry, BT47 6BG
RC12	Rapid Charger	A7 Rapid Charger	Bell's Spar, 7 Saintfield Rd, Crossgar, BT30 9HY
RC13	Rapid Charger	Shane Retail Park	Boucher Road, Belfast, BT12
RC14	Rapid Charger	Belvoir Rapid Charger	Maxol Service Station, Belvoir, 60 Milltown Rd, Shaw's Bridge, Belfast, BT8 7XP

In addition, 71 home and workplace charge points have been installed under the ecar grant scheme, however, details of the addresses of grant recipients cannot be provided due to Data Protection restrictions.

### Electric Vehicles: Charging Points

**Mr Dallat** asked the Minister for Regional Development to detail the amount of grant aid provided for installing e-car charging points and to indicate the number installed by each contractor. (AQW 33124/11-15)

**Mr Kennedy:** From the commencement of the Home & Workplace Charge Point Grant aid scheme in April 2012 until May 2014, my Department has provided £96,443.59 for installing charging points.

Details of the number of ecar charging points installed by each contractor are provided in the table below:

Contractor	Charge Points Installed
Charging Solutions	3
Eaga NI Ltd / Carillion Energy Services / powerni	14
GP Electrical & Security	1
M2C	9

Contractor	Charge Points Installed
MCC Energy	34
Podpoint Ltd	10
<b>Total</b>	<b>71</b>

### Ulsterbus: Bus Routes in Derry

**Mr Dallat** asked the Minister for Regional Development to detail the terms and conditions attached to the take over of bus routes in Derry by Ulsterbus which were previously operated by the former Londonderry and Lough Swilly Railway Company. (AQW 33125/11-15)

**Mr Kennedy:** My Department was informed by Translink of local news reports that the Londonderry and Lough Swilly Railway Company had ceased trading. Translink was aware that this unfortunate development would result in a significant number of people in the Culmore area, including many school children not having any bus service. In light of this Ulsterbus as the licensed public transport network provider for Northern Ireland, felt that this loss of service would not be acceptable and applied to the Department of the Environment (NI) for a licence to provide services between Foyle Street and Culmore Point. The licence application was approved by the Department of the Environment as they currently have responsibility for the granting of bus route licences and for setting the terms and conditions attached to such licences.

In the circumstances I believe this was a pragmatic solution to a potentially difficult situation.

### Coleraine: Third Bridge

**Mr Dallat** asked the Minister for Regional Development what long term provision has been made for of a third bridge in Coleraine to alleviate traffic congestion for vehicles travelling to the North West. (AQW 33126/11-15)

**Mr Kennedy:** A third bridge across the River Bann within Coleraine, linking Union Street to Castlerock Road was included in the Coleraine Town Centre Masterplan, which was prepared by the Department for Social Development and Coleraine Borough Council. The Masterplan considered this bridge would be required at some stage in the future to assist internal traffic circulation within Coleraine Town, should significant development proposals identified within the Masterplan proceed.

### Eastern Link Road, Downpatrick

**Mr Hazzard** asked the Minister for Regional Development for an update on the progress of the Eastern Link Road project in Downpatrick as outlined in the current Down Area Plan. (AQW 33129/11-15)

**Mr Kennedy:** The position regarding the Downpatrick Eastern Link Road remains as detailed in my answer in July 2013 to your AQW 25060/11-15. The potential Link Road is a developer led proposal in the Ards Down Area Plan 2015.

The delivery of such a road scheme is fully dependent upon the structured development of zoned lands, as detailed in the Ards Down Area Plan 2015, and approvals through the various Planning processes. As mentioned previously, the Plan also makes separate provision for the upgrading of the northern section of Rathkeltair Road and its junction with Strangford Road.

My Department's contribution to such an improvement is subject to the availability of the necessary funding. Given current pressures on budgets and uncertainty regarding future funding, it is not possible to advise when this improvement scheme may be included in a departmental work programme.

### Review of Public Administration: Road Closure Powers

**Mr Weir** asked the Minister for Regional Development what road closure powers councils will have following the implementation of the Review of Public Administration. (AQW 33143/11-15)

**Mr Kennedy:** The creation of the 11 council Model with effect from 1 April 2015 will not, in itself, provide councils with any powers to close roads.

### Bus Service: Europa Buscentre, Belfast to Hydebank Wood

**Mr A Maginness** asked the Minister for Regional Development why the 313 bus service from the Europa Buscentre, Belfast to Hydebank Wood, which had operated on Thursdays and Saturdays, will cease to operate from 30 April 2014; and to detail the level of public consultation conducted before this decision was taken. (AQW 33180/11-15)

**Mr Kennedy:** The 313 bus service from the Europa Buscentre to Hydebank Wood was a contract service paid for by the Northern Ireland Prison Service and not a Public Transport service. The service ran directly from the Buscentre to Hydebank Wood, with no stage carriage stops en route.



Translink was informed by the Northern Ireland Prison Service on 27 March 2014, that due to budget pressures the prison would no longer be able to continue to subsidise this service into Belfast and the service was withdrawn on 26th April 2014.

Translink has liaised with the Northern Ireland Prison Service and provided timetable information setting out alternative public transport options which can be passed onto visitors or staff.

### Community Transport Services: Funding

**Mr McGlone** asked the Minister for Regional Development, in relation to the funding of community transport services, to detail (i) how much funding has been granted to each transport provider by his Department in 2014/15, compared to 2013/14; (ii) what consultations took place prior to any reduction in funding; and (iii) what equality impact assessments have been carried out prior to any reduction in funding.

**(AQW 33252/11-15)**

**Mr Kennedy:** The budget allocation to Rural Community Transport Partnerships is made up of a baseline or starting budget and can be supplemented by in year funding and from other sources. It is also worth noting that the Rural Transport Fund within my Department provides support to service providers other than the Rural Community Transport Partnerships.

The table below details the level of funding to the Rural Community Partnerships in 2013-14 and the number of Dial-a-Lift trips which were provided. This level of funding includes additional strands of support sourced from within the Departmental allocation as a result of monitoring rounds and from other sources. It should be noted that there is no guarantee that additional in year funding can be found year on year and this has always been made clear.

It is impossible to determine at this time what other sources of funding may be available for 2014-15. Given this it is not possible to confirm how much grant funding each of the Partnerships will receive by the end of 2014-15. Baseline budgets will be communicated to the Rural Community Transport Partnerships as soon as possible. In overall terms those baseline budgets are expected to be at the same level as in 2013/2014. In year funding that may arise from monitoring and other sources will also be communicated within the next few months and after individual business plans are assessed.

Rural Transport Fund Support by Operational Area for the Rural Community Transport Partnerships in 2013-14	Total Annual RTF Grant Funding
CDM (Cookstown, Dungannon and Magherafelt)	£564,284.74
Down District Accessible Transport	£439,843.16
Easilink (Strabane, Foyle and Omagh)	£534,627.42
Fermanagh Community Transport	£519,070.99
Lagan Valley Rural Transport	£209,358.78
NCCT ( Roe Valley, Coleraine, Ballycastle, Ballymena)	£605,224.00
South Antrim Community Transport	£212,665.39
Southern Area (Armagh, Newry & Mourne & Banbridge)	£392,246.97
<b>Total</b>	<b>£3,477,321.45</b>

For the reasons set out above the issue of consultation or equality impact assessments does not arise.

### Road Safety: Kilcoole/Rosscoble, North Belfast

**Mr A Maginness** asked the Minister for Regional Development what proposals his Department has to improve road safety in the Kilcoole/Rosscoble area of North Belfast.

**(AQW 33344/11-15)**

**Mr Kennedy:** My Department developed plans to implement a traffic calming scheme within the Kilcoole/Rosscoble area of Belfast in 2006, although this did not proceed to implementation due to a lack of local community support.

In response to a recent request for traffic calming measures in the area, officials now plan to carry out a further survey to obtain up-to-date data on the speed and volume of traffic. This will facilitate the completion of a full reassessment and reprioritisation of the area for potential provision of traffic calming measures.

The area will then compete with other potential schemes for inclusion within a works programme.

### Design Guide for Residential Developments

**Mrs McKeivitt** asked the Minister for Regional Development to detail (i) the minimum width of carriageway in a shared surface development as specified in his Department's design guide for residential developments; and (ii) whether this design guide has been approved by the Health and Safety Executive for Northern Ireland or other road safety specialists.

**(AQW 33363/11-15)**

**Mr Kennedy:** The concept of shared surfaces is detailed in the document 'Creating Places', which was published by DoE Planning in May 2000.

Section 19 of this document specifically relates to the design considerations for shared surface schemes and, in relation to widths, paragraph 19.06 states:

Shared surfaces should be wide enough to allow pedestrians, cyclists and vehicles to pass each other comfortably and for vehicles to manoeuvre. The normal minimum width for a shared surface is 6.0metres, but it should always be 4.8metres wide at its entrance. Carriageway narrowing to 4.8metres is also acceptable, but only for short lengths (around 20metres).

The preparation of this guide involved extensive public consultation and discussions with housing developers, design professionals, service providers, public transport undertakers and other interested parties, including the Institution of Highways and Transportation, Queens University of Belfast, RUC Traffic Policy Branch, Housing Executive and Ulsterbus and Citybus. The Health and Safety Executive, with its focus on safety in the workplace, did not submit a response to the consultation.

## Department for Social Development

### Housing Executive: West Belfast

**Mr McKay** asked the Minister for Social Development to detail the number of meetings he has held with officials from the Housing Executive in relation to the West Belfast constituency since 17 September 2013; and which other elected representatives attended these meetings.

**(AQW 32709/11-15)**

**Mr McCausland (The Minister for Social Development):** In my role as Minister for Social Development, I have not had any meetings with Housing Executive officials in relation to the West Belfast constituency since 17 September 2013. However, I have had two meetings since that date in relation to housing issues in the West Belfast constituency which did not involve Housing Executive officials. One was at the request of Fra McCann MLA in relation to housing issues and one was a visit to Springmartin, Highfield and Glencairn at the request of William Humphrey MLA and Councillor Frank McCoubrey.

### Ventilation System in Dales Flats, Conway, Dunmurry

**Mr Craig** asked the Minister for Social Development what maintenance programme is in place to service the ventilation system in Dales Flats, Conway, Dunmurry; and what further maintenance is scheduled for the flats.

**(AQW 32888/11-15)**

**Mr McCausland:** The ventilation systems in the Dales multi storey flats are currently being maintained via the Housing Executive's response maintenance contractor. However, the Housing Executive will be replacing the ventilation systems as part of the kitchen replacement scheme which is programmed for 2015/16. This scheme will be subject to a separate procurement process.

Other works programmed for the Dales flats are:

- Refurbishment of halls and stairwells – estimated start date August 2014
- Repairs to concrete balconies – estimated start date October 2014
- Window replacement scheme in 2015/16

In relation to the Housing Executive's maintenance of Tower Blocks, such as the Dales Flats, I have already raised my concerns about the lack of an appropriate maintenance and investment strategy for Tower Blocks with the Housing Executive Chairman and we will be discussing this further shortly.

### Child Maintenance Reform Programme

**Mr Campbell** asked the Minister for Social Development whether he expects Phase 2 of the Child Maintenance Reform Programme to begin as scheduled in June 2014.

**(AQW 32953/11-15)**

**Mr McCausland:** The Child Maintenance Reform programme in Northern Ireland will be aligned with changes being made in the rest of the United Kingdom by the Department for Work and Pensions (DWP). My officials are continuing to work towards the timetable as scheduled. I expect to be able to confirm the actual commencement date in the near future.

### Housing: Rathmoyle

**Mr McMullan** asked the Minister for Social Development, pursuant to AQW 32592/11-15, whether he has discussed the proposals for the housing units on the Rathmoyle site with the Minister of Health, Social Services and Public Safety; and when construction of these units will begin.

**(AQW 33042/11-15)**

**Mr McCausland:** I have not discussed any proposals for the housing units on the Rathmoyle site with the Minister of Health, Social Services and Public Safety.

Clanmil Housing Association is working with the Northern Health and Social Care Trust to progress this scheme. I understand that the construction of 28 housing units will commence in the final quarter of the 2014/15 programme year.

### Homelessness and Temporary Accommodation

**Mr Flanagan** asked the Minister for Social Development to detail the number of people in each council area (i) currently declared homeless; and (ii) living in temporary accommodation.

(AQW 33118/11-15)

**Mr McCausland:** In relation to (i): Table 1 provides details of those applicants who have been assessed under homeless legislation and to whom Full Duty Applicant status applies by Council area at 31 March 2014.

In relation to (ii): Table 2 provides on the number of homeless households living in temporary accommodation again by Council area at 31 March 2014.

**Table 1 – Full Duty Applicant's on the waiting list by Council area at 31.03.14**

Local Council Area	Total
Antrim Borough Council	331
Ards Borough Council	427
Armagh City & District Council	81
Ballymena Borough Council	637
Ballymoney Borough Council	104
Banbridge District Council	93
Belfast City Council	3,744
Carrickfergus Borough Council	252
Castlereagh Borough Council	251
Coleraine Borough Council	401
Cookstown District Council	60
Craigavon Borough Council	177
City Council of Londonderry	1,613
Down District Council	446
Dungannon & South Tyrone Borough Council	364
Fermanagh District Council	109
Larne Borough Council	82
Limavady Borough Council	90
Lisburn City Council	902
Magherafelt District Council	100
Moyle District Council	103
Newry & Mourne District Council	719
Newtownabbey Borough Council	553
North Down Borough Council	479
Omagh District Council	39
Strabane District Council	112
<b>Total</b>	<b>12,269</b>

**Table 2 – Temporary Accommodation Placement by Council Area at 31.03.14**

Local Council Area	Total
Antrim Borough Council	27
Ards Borough Council	44
Armagh City & District Council	4
Ballymena Borough Council	67
Ballymoney Borough Council	8
Banbridge District Council	3
Belfast City Council	470
Carrickfergus Borough Council	10
Castlereagh Borough Council	48
Coleraine Borough Council	29
Cookstown District Council	4
Craigavon Borough Council	14
City Council of Londonderry	341
Down District Council	45
Dungannon & South Tyrone Borough Council	34
Fermanagh District Council	26
Larne Borough Council	4
Limavady Borough Council	9
Lisburn City Council	207
Magherafelt District Council	6
Moyle District Council	10
Newry & Mourne District Council	55
Newtownabbey Borough Council	16
North Down Borough Council	44
Omagh District Council	6
Strabane District Council	6
<b>Total</b>	<b>1537</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.

### Direct Labour Organisation: Cost

**Mr Allister** asked the Minister for Social Development, pursuant to AQW 29987/11-15, whether he will provide the actual cost of running the Direct Labour Organisation in the Northern Ireland Housing Executive, not just the turnover.

(AQW 33122/11-15)

**Mr McCausland:** I would refer the Member to my answer to AQW 32975/11-15. The figures I provided are the total cost figures.

### Carbon Monoxide Alarms

**Mr Weir** asked the Minister for Social Development how many Housing Executive properties in North Down have yet to have a carbon monoxide alarm installed; and what is the timescale for installation.

(AQW 33144/11-15)

**Mr McCausland:** The Housing Executive has advised that within the North Down area 1,840 properties had been identified which fell within the NIHE Board's approval to have a carbon monoxide detector installed. To date the Housing Executive has installed 1,208 carbon monoxide detectors in its properties, with No Access or refusals recorded against the remaining 632 properties.



Although there is no obligation to retrofit the detectors, the Housing Executive is installing a carbon monoxide detector in each dwelling (where none exists) through their heating contractors during the annual planned service. They advise that this will ensure that all properties will have a carbon monoxide detector fitted within the next twelve months.

### Carbon Monoxide Alarms

**Mr Weir** asked the Minister for Social Development how many Housing Executive properties in North Down have had a carbon monoxide alarm installed in each of the last three years.

(AQW 33145/11-15)

**Mr McCausland:** The Housing Executive has advised that over the last three years they have installed the following number of carbon monoxide detectors in properties in North Down.

2011/12	936
2012/13	17
2013/14	309

### Landlord Registration Scheme

**Mr Hussey** asked the Minister for Social Development how many landlords have registered under the landlord registration scheme, broken down by council area; and what action has been taken against any landlord who has not yet registered.

(AQW 33150/11-15)

**Mr McCausland:** The table below details the number of landlords registered since the launch of the Landlord Registration Scheme in February 2014, broken down by council area of the permanent address provided.

Council	Number of Landlords (at 31st April 2014)
Antrim	286
Ards	445
Armagh	147
Ballymena	197
Ballymoney	108
Banbridge	222
Belfast	848
Carrickfergus	243
Castlereagh	115
Coleraine	184
Cookstown	42
Craigavon	320
Derry	151
Downpatrick	-
Dungannon	151
Fermanagh	71
Larne	74
Limavady	54
Lisburn	210
Magherafelt	-
Moyle	66
Newry & Mourne	88
Newtownabbey	30
North Down	101
Omagh	53

Council	Number of Landlords (at 31st April 2014)
Strabane	27
Great Britain	132
International	81
<b>Total</b>	<b>4,446</b>

Banbridge District Council has issued two warning letters in respect of complaints received under the Landlord Registration Scheme. No other instances of enforcement action have been reported.

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 the UK Statistics Authority.

### Appeals Service Panel Members: Complaints

**Lord Morrow** asked the Minister for Social Development (i) whether a complaints policy or procedure exists in respect of the conduct of Appeals Service panel members and their handling of hearings; (ii) if so, to provide copy of same; and (iii) is the policy made available to all participants of an appeal hearing.

(AQW 33165/11-15)

**Mr McCausland:** Appeal tribunal panel members are judicial office holders and independent of Government. The conduct of judicial officer holders is governed by the Office of the Lord Chief Justice's Code of Practice. Complaints regarding the conduct of panel members are dealt with by the President of Appeal Tribunals.

The Code of Practice can be downloaded from the Northern Ireland Courts and Tribunals Service website <http://www.courtsni.gov.uk>. When investigating a complaint, the Office of the President of Appeal Tribunals issues an information bulletin about the code with each response.

The Appeal Service Complaints Procedure, which is accessible from the website of the Department of Social Development, directs appellants who wish to make a complaint about the conduct of the judiciary to the Office of The President of Appeal Tribunals.

### Credit Unions

**Mr Campbell** asked the Minister for Social Development what steps his Department is taking to assist in the promotion of Credit Unions and the facilities they offer to people living in working class Protestant areas.

(AQW 33167/11-15)

**Mr McCausland:** Credit unions play an important role in local communities across Northern Ireland in not only offering a convenient and secure way to save but also providing affordable credit to many people who are unable to access mainstream banking. I am therefore committed to exploring options on how the credit unions services can broaden their services, in particular for those people living on low incomes.

Over recent months I have had discussions with representatives of both the Ulster Federation of Credit Unions and the Irish League of Credit Unions on a range of issues relating to the modernisation of local Credit Unions. My Department has developed initial proposals which the Ulster Federation of Credit Unions and the Irish League of Credit Unions are currently considering how best to support smaller credit unions to encourage growth and improve accessibility for their members.

A proposal has also been developed to improve accessibility to a wider range of banking service type products through the credit unions. It is accepted that this proposal can deliver significant benefits for Northern Ireland particularly by improving access to transactional bank accounts. My Department is also considering the recent request from the credit unions for financial support to introduce new banking services. However, consultations are ongoing to determine if my Department has the appropriate authority to proceed with this request.

I am hopeful of reaching agreement with the credit unions to allow both parties to test the practical implementation of these measures. It is likely that these types of initiatives will be of particular benefit to credit unions in Protestant communities as available evidence indicates that there are fewer credit unions in Protestant communities and they also tend to have significantly fewer members

### Double Glazing Contracts

**Mr Campbell** asked the Minister for Social Development, pursuant to AQW 32616/11-15, what is the total value of the contracts for the 597 properties that will have double glazing fitted this year.

(AQW 33168/11-15)

**Mr McCausland:** The Housing Executive has advised that the estimated value of the contracts for the double glazing schemes in Coleraine, Limavady, Claudy and Banagher is £1.1m.

They also advised that when the consultation on the scheme in Coleraine began, 22 dwellings were found to already have double glazing therefore they were removed from the contract which has reduced the number of properties requiring double glazing to 575.

### Alcohol: Sale and Supply

**Mr Rogers** asked the Minister for Social Development, in light of the findings of the Consultation on Proposed Changes to the Law Regulating the Sale and Supply of Alcohol in Northern Ireland, and the restrictive nature of the current licensing system, particularly at Easter, when he plans to bring forward a relaxation of the current legislation.  
(AQW 33197/11-15)

**Mr McCausland:** I have been aware of the ongoing concerns surrounding alcohol misuse in our society. However, I also recognise the contribution made to our economy by the licensed trade, and indeed the significant contribution it makes to our tourism offering. The Consultation on Proposed Changes to the Law Regulating the Sale and Consumption of Alcohol in Northern Ireland therefore aimed to seek views on a wide range of proposals which aimed to contribute both towards a reduction in alcohol related harm and to help the licensed trade offering more sustainable and attractive to tourists.

The consultation, which ended in November 2012, generated considerable interest with over 2500 responses received from a wide variety of stakeholders. These included the licensed trade, the health lobby, faith groups, other key stakeholders and the general public. The responses highlighted a wide spectrum of strongly held views. Following detailed analysis of the responses, a report on the consultation was issued on 18 December 2013.

I am currently giving careful consideration to all of the issues consulted on and expect to make an announcement on the way forward in the near future. It is intended that my officials will brief the Social Development Committee on my proposed way forward in advance of any announcement being made.

### Housing Executive: Houses of Multiple Occupation Regulatory Regime

**Mrs Cochrane** asked the Minister for Social Development, pursuant to AQW 28191/11-15, (i) whether the Northern Ireland Housing Executive (NIHE) has completed its review of enforcement practices under the Houses of Multiple Occupation regulatory regime as far as they relate to converted owner-occupied flats; and (ii) for an update on NIHE plans to pursue registration in respect of owner-occupied properties.  
(AQW 33206/11-15)

**Mr McCausland:** The Housing Executive has advised that a Review Group consisting of members of Belfast City Council's Environmental Health Department and Building Control, the Northern Ireland Fire and Rescue Service and the Northern Ireland Fire Safety Panel, as well as Housing Executive staff, has completed its review and made recommendations.

The report relating to this review, and the associated recommendations, has undergone legal scrutiny and has been returned to the Housing Executive which will make a decision on the way forward shortly. Any amendment to the NIHE's Statutory Registration Scheme for HMOs will require Departmental approval.

At present, until the necessary approvals are obtained permitting the amendment of the statutory registration scheme of HMOs, the Housing Executive is not currently pursuing HMO registration in respect of self-contained flats in converted houses where an owner/occupier is in residence.

### Benefits Paid to Foreign Nationals

**Mr McNarry** asked the Minister for Social Development to detail the total amount paid on a weekly basis in benefits to foreign nationals resident in Northern Ireland.  
(AQW 33214/11-15)

**Mr McCausland:** The payment of benefits in Northern Ireland is administered via IT systems, which are owned and maintained by the Department for Work and Pensions. As these systems do not have the facility to record the nationality of claimants, the requested information is therefore not available.

### Information Sharing: Housing Associations and the PSNI

**Mr Rogers** asked the Minister for Social Development what steps his Department is taking to improve information sharing between Housing Associations and the PSNI.  
(AQW 33217/11-15)

**Mr McCausland:** My officials contacted the PSNI in October 2013 in relation to improving information sharing with registered housing associations. The lack of a formal information sharing protocol was identified as an impediment to the exchange of information and I understand that the Northern Ireland Federation of Housing Associations is currently developing the necessary protocol with the PSNI.

### Living Accommodation for Older People

**Mr Frew** asked the Minister for Social Development to detail the funding available to convert or extend a family home for living accommodation for elderly relatives.  
(AQW 33218/11-15)

**Mr McCausland:** The Housing Executive normally only considers providing grant aid for work on private homes under a Renovation or Home Repairs Assistance Grant. Both of these grants are awarded at its discretion and such grants can only be processed where applicants can demonstrate exceptional circumstances. Exceptional circumstances are deemed to exist where there is an imminent or significant health risk to the occupier as a consequence if the work was not carried out to address the condition of the dwelling.

The Housing Executive has also advised that Disabled Facilities Grants (DFG) are available to facilitate adaptations to an existing family home to assist an elderly person with a disability who is residing or is planning on residing in the property. The owner makes an application for the grant which requires a recommendation from an Occupational Therapist from the local Health and Social Services Board.

The maximum amount of DFG available is £25,000 although this may, in certain circumstances, be increased to £50,000 where works are deemed necessary.

DFGs are subject to a means test which is conducted on the person for whom the grant work is required. The test determines whether they need to contribute towards the Housing Executive's costing of the grant works.

### Social and Affordable Housing: Clogher Valley, County Tyrone

**Ms McGahan** asked the Minister for Social Development, in relation to the Programme for Government 11/15 target to deliver 8,000 homes by 2015, how many new social and affordable homes are anticipated for the rural area of Clogher Valley, County Tyrone.  
(AQW 33236/11-15)

**Mr McCausland:** The Social Housing Development Programme is reported upon in terms of District Council area. Over the Programme for Government period, no new social housing schemes have been completed or are planned for the specific geographical area of the Clogher Valley. However, from the start of the Programme for Government period up to the 31 January 2014, 17 new social homes have been started in Omagh District Council, 30 in Fermanagh District Council and a further 107 in Dungannon District Council.

The Department's main mechanism for the delivery of affordable housing is the Northern Ireland Co-ownership Housing Association. Affordable housing is a demand led activity as co-ownership participants approach the Co-ownership Housing Association with a desirable property already selected, in a location of their choice.

From the start of the Programme for Government period up to 31 January 2014, 65 affordable homes were supported by Co-ownership in the Dungannon and South Tyrone local council area.

I have recently launched the Affordable Homes Loan Fund, a £19 million initiative which is planned to deliver a further 600 affordable homes (both new-build and refurbished empty properties) over the next 6 years. It is my hope that these schemes will be as geographically widespread as possible meeting housing need and demand where it exists.

### Employment and Support Allowance: Lagan Valley

**Mr Lunn** asked the Minister for Social Development how many Employment Support Allowance recipients in the Lagan Valley constituency have been waiting for their Work Capability Assessment to be carried out for (i) between 13 and 26 weeks; (ii) between 26 and 52 weeks; and (iii) more than 52 weeks.  
(AQW 33270/11-15)

**Mr McCausland:** The information on Employment and Support Allowance claimants is available on a post code basis and is not available in the format requested. Although there are 10 post code areas related to the Lagan Valley constituency all of these include addresses outside the constituency area.

### Housing Executive: Planned Maintenance Contractors

**Mr McGlone** asked the Minister for Social Development, in relation to the Housing Executive's alleged overpayment of £18m to four Planned Maintenance contractors, (i) what is the current projected level of this overpayment as calculated by his Department following its investigations; and (ii) when the matter is expected to be resolved.  
(AQW 33272/11-15)

**Mr McCausland:** In relation to (i) my Department has never calculated any projected level of overpayment. In relation to (ii) I understand that the parties have reached a position where it is anticipated that this matter will be resolved by agreement. This is subject to relevant approvals being obtained.



### Disability Living Allowance: East Antrim

**Mr McMullan** asked the Minister for Social Development how many people in East Antrim are claiming Disability Living Allowance, broken down by eligibility criteria.

**(AQW 33290/11-15)**

**Mr McCausland:** The table below shows the number of Disability Living Allowance claimants in the East Antrim Assembly area broken down by eligibility criteria.

Disability Living Allowance Component	Number
Higher rate care only	130
Middle rate care only	450
Lower rate care only	560
Higher rate mobility only	400
Lower rate mobility only	140
Higher rate care and higher rate mobility	1,230
Higher rate care and lower rate mobility	680
Middle rate care and higher rate mobility	1,590
Middle rate care and lower rate mobility	1,870
Lower rate care and higher rate mobility	610
Lower rate care and lower rate mobility	180
<b>Total</b>	<b>7,830</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.

### Housing Executive: Secondary Competition

**Mr Milne** asked the Minister for Social Development, pursuant to AQW 30492/11-15, (i) whether the Housing Executive has completed the secondary competition; (ii) what businesses were successful in these secondary competitions; and (iii) how many framework members submitted prices that provided better value to the Housing Executive than their entry to the framework.

**(AQW 33292/11-15)**

**Mr McCausland:** The Housing Executive has advised that in relation to:

- (i) they have completed the secondary competition;
- (ii) the successful businesses were:
  - Belfast East Combined Facilities Management Ltd
  - Lisburn Antrim Street WJM Building Services Ltd
  - Lisburn Dairy Farm WJM Building Services Ltd;
- (iii) the number of framework members submitting prices that provided better value to the Housing Executive than their entry to the framework are as follows:
  - Belfast East Four tenderers
  - Lisburn Antrim Street Four tenderers
  - Lisburn Dairy Farm Three tenderers

### Public Realm Works

**Mr Weir** asked the Minister for Social Development what consultation or discussions have taken place with groups that represent the visually impaired to ensure that safe and suitable pavement surfaces will be provided under Public Realm Works.

**(AQW 33327/11-15)**

**Mr McCausland:** My Department consults with a wide range of groups as part of the design stage and planning approval process for all proposed Public Realm Schemes. This includes groups that represent the disabled and visually impaired members of the public as to ensure that safe and suitable pavement surfaces are provided for in the scheme.

### Affordable Warmth Scheme

**Mrs D Kelly** asked the Minister for Social Development to detail whether (i) the new proposed Affordable Warmth Scheme will use the skills of existing staff within the Warm Homes Scheme; and (ii) the Transfer of Undertakings (Protection of Employment) Regulations will apply; and if not, to outline why.

**(AQW 33357/11-15)**

**Mr McCausland:** The proposals for the new Affordable Warmth Scheme, as set out in the public consultation, represent a complete change in the business being provided. The question of Transfer of Undertakings (Protection of Employment) Regulations can only be fully answered when the shape and format of the new scheme to replace the Warm Homes Scheme has been finalised.

### Housing Executive: Belfast Response Maintenance Repairs Framework

**Mr Milne** asked the Minister for Social Development, pursuant to AQW 30491/11-15, whether the Housing Executive will replace any of the contractors no longer involved in the Belfast Response Maintenance Repairs Framework.

**(AQW 33381/11-15)**

**Mr McCausland:** The Housing Executive has advised that they will not be replacing any contractors on the Belfast Response Maintenance Repairs Framework.

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# Northern Ireland Assembly

Friday 23 May 2014

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### Racial Equality Strategy

**Mr D McIlveen** asked the First Minister and deputy First Minister for an update on the Racial Equality Strategy.  
(AQO 6000/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** The mainstreaming and promotion of racial equality remains a strong commitment of our Department through both the Minority Ethnic Development Fund and the Racial Equality Strategy.

Our officials continue to liaise with the Racial Equality Panel and wider representatives of the sector to fashion a strategy that is meaningful and relevant to its target audience.

Following the most recent meeting of the Racial Equality Panel on 1 April, the draft consultation document is in the final stages of completion and the consultation exercise will commence as soon as possible.

Consultation will be for a period of at least 12 weeks and a number of events will be held in the areas of highest population for minority ethnic people. In addition, events will be facilitated in different languages when relevant.

We also intend to use social media to gather views from the maximum number of interested parties.

At the end of this exercise we intend to have a reinvigorated, contemporary and focused strategy that shall help improve the lives of our minority ethnic people for the next decade.

#### Sustainable Development Implementation Plan

**Mr Lyttle** asked the First Minister and deputy First Minister for an update on the Sustainable Development Implementation Plan.  
(AQW 33315/11-15)

**Mr P Robinson and Mr M McGuinness:** The Sustainable Development Strategy and Implementation Plan articulate the Executive's strategic approach to promoting the achievement of sustainable development.

Initiatives to support the delivery of progress against the priority areas for action are mainstreamed into the Corporate and Business Plans of Executive departments, and reflected in the cross-cutting Programme for Government principle of sustainability.

The period of the current Implementation Plan runs to the end of this year, at which time we will review the progress we have made in mainstreaming sustainability into the business of departments, with a view to identifying the most effective means of achieving this aim going forward.

#### Pre-election Period Guidance

**Mr Clarke** asked the First Minister and deputy First Minister to outline the pre-election period guidance issued to Departments.  
(AQW 33444/11-15)

**Mr P Robinson and Mr M McGuinness:** Guidance on their role and conduct during the pre-election period was issued to all civil servants on 19 March 2014. The guidance is available on the Executive website at:  
<http://www.northernireland.gov.uk/elections-guidance-on-conduct-for-civil-servants-and-special-advisers>

#### Together: Building a United Community

**Mr Ross** asked the First Minister and deputy First Minister for an update on Together: Building a United Community.  
(AQO 6076/11-15)

**Mr P Robinson and Mr M McGuinness:** Work is progressing across all 7 headline actions that were announced alongside the publication of Together: Building a United Community.



The Minister of Education announced on 10 April that 15 expressions of interest have been lodged with his Department under the Shared Education Campuses Programme. The proposals submitted will be assessed with a view to successful projects being announced before the summer break.

In respect of the United Youth Programme, significant stakeholder engagement has taken place culminating with the United Youth Programme Design Day in January of this year, which involved over 250 stakeholders. A Project Board has been established and work is progressing across a broad range of issues. A pilot programme has already been established to test elements of the design.

With regard to summer schools, we have agreed a pilot year Interventions Programme which will be run in Belfast City Council area from summer 2014 with other Council areas following as soon as possible.

The locations of the first 2 Urban Villages were announced on 20 March 2014 as Colin and Lower Newtownards Road. Each area will be recognised as a zone for development, and the Department for Social Development will convene Project Boards to co-ordinate and oversee the planning, design and delivery of all aspects of the urban villages.

The 10 Shared Neighbourhood Developments will be delivered through the Social Housing Development Programme. The projected project plan has been developed which outlines key milestones and targets for the 3 strands of this programme.

In relation to the Cross Community Sports Programme, the Department of Culture, Arts and Leisure is taking the lead in respect of this headline action and has developed proposals on a Programme.

With regard to the removal of Interface Barriers, a model has been developed to create an Interface Action Team to support project delivery and a list of pilot proposals and plans has been identified with anticipated delivery over the next 12-18 months.

Phase one of the Review of Good Relations Funding was completed in April and phase two is now underway.

Work is also continuing with departments to take forward responsibilities in relation to the commitments that fall outside the 7 headline actions.

### Victims and Survivors Service

**Mr P Ramsey** asked the First Minister and deputy First Minister whether they have met with any victims and survivors groups following the publication of the independent assessment of the Victims and Survivors Service.  
(AQO 6078/11-15)

**Mr P Robinson and Mr M McGuinness:** It is important at the outset to continue to reiterate our commitment to implementing in full the 70 recommendations, presented to us following the Independent Assessment, which also includes the accompanying Victims' Commissioner advice.

Widespread engagement took place throughout the assessment process with a variety of key stakeholders, including victims and survivors groups, in order to ensure their experiences informed the final reports

We recognise how important it was for the recommendations to be based on input received from these key stakeholders. However, we do not intend to create undue delay by repeating or duplicating engagement which has already taken place, but rather our focus is on progressing the work required to ensure that further improvements can be made and the recommendations implemented in full.

We appreciate the value of the input that both groups and individual victims and survivors make and we will continue to ensure that the Victims and Survivors Service engage with them and other key stakeholders, during the implementation process, in order to deliver the best possible service to victims and survivors and to ensure that any changes being made are the right ones.

The Victims' Forum is also formally engaged in the monitoring and implementation of the recommendations and advice.

In addition, Departmental officials have met with a number of key stakeholders, including representatives from victims and survivors groups, since the publication of the Independent Assessment Report. We intend that this engagement will continue.

### Social Investment Fund

**Mr Hilditch** asked the First Minister and deputy First Minister what assurances they can give that the £80 million for the Social Investment Fund remains ring fenced and will be fully spent.  
(AQO 6081/11-15)

**Mr P Robinson and Mr M McGuinness:** £80million remains ringfenced for the Social Investment Fund and will be fully spent. Details of all projects within the affordability limits are available at:

[http://www.ofmdfmi.gov.uk/social\\_investment\\_fund\\_\\_projects.pdf](http://www.ofmdfmi.gov.uk/social_investment_fund__projects.pdf)

### Together: Building a United Community

**Mr McCarthy** asked the First Minister and deputy First Minister for an update on the implementation of Together: Building a United Community.  
(AQO 6084/11-15)

**Mr P Robinson and Mr M McGuinness:** Work is progressing across all 7 headline actions that were announced alongside the publication of Together: Building a United Community.

The Minister of Education announced on 10 April that 15 expressions of interest have been lodged with his Department under the Shared Education Campuses Programme. The proposals submitted will be assessed with a view to successful projects being announced before the summer break. It is forecasted that contracts will be issued by September 2015 and project delivery commenced by January 2016.

In respect of the United Youth Programme, significant stakeholder engagement has taken place culminating with the United Youth Programme Design Day in January of this year, which involved over 250 stakeholders. A Project Board has been established and work is progressing across a broad range of issues including stipend, engagement and communications, procurement strategy and programme design approach. A pilot programme has already been established to test elements of the design.

With regard to summer schools, we have agreed a pilot year Interventions Programme which will be run in Belfast City Council area from summer 2014 with other Council areas following as soon as possible.

The locations of the first 2 Urban Villages were announced on 20 March 2014 as Colin and Lower Newtownards Road. Each area will be recognised as a zone for development, and the Department for Social Development will convene Project Boards to co-ordinate and oversee the planning, design and delivery of all aspects of the urban villages. The Department for Social Development and other departments and statutory agencies will use the completed master plans for the areas to develop resourcing plans for each urban village.

The 10 Shared Neighbourhood Developments will be delivered through the Social Housing Development Programme. The projected project plan has been developed which outlines key milestones and targets for the 3 strands of this programme.

In relation to the Cross Community Sports Programme, the Department of Culture, Arts and Leisure is taking the lead in respect of this headline action and has developed proposals on a Programme.

With regard to the removal of Interface Barriers, a model has been developed to create an Interface Action Team to support project delivery, subject to the receipt of set-up costs. A list of pilot proposals and plans has been identified with anticipated delivery over the next 12-18 months.

Work is also progressing with the establishment of the Equality and Good Relations Commission and the associated underpinning legislative changes required. It is intended that a Bill to establish the Equality and Good Relations Commission will be introduced during the 2014/15 financial year and that a public consultation will commence shortly.

The Review of Good Relations Funding is a central commitment given within the strategy and its key findings will inform and shape a future funding delivery model aligned to the priorities of the Strategy. Phase one of the Review was completed in April and phase two is now underway. The second phase will consist of extensive and focused stakeholder engagement to seek views on funding delivery to date and to help inform options on a future funding delivery model.

Work is also continuing with departments to take forward responsibilities in relation to the commitments that fall outside the 7 headline actions.

A strategy of this depth and scale requires collective commitment and leadership across all departments and sections of our society. The Ministerial Panel and thematic sub-groups will be central to achieving this and work on establishing the range of sub-groups is at an advanced stage with a view to meetings taking place before the summer.

## Department of Agriculture and Rural Development

### Rivers Agency: Braid River

**Mr Frew** asked the Minister of Agriculture and Rural Development whether the Rivers Agency or her Department consulted with the Department of Culture, Arts and Leisure (DCAL) prior to work commencing on the Braid River to remove gravel shoal and reinforce the banks; and if so, to detail (i) the information passed on; and (ii) the powers DCAL have in matters related to the work and maintenance of rivers.  
(AQW 33154/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Rivers Agency staff consulted with the DCAL Fisheries officer responsible for the area regarding the proposed works. It was agreed that works would not commence on the river bed until after 1 April, to give as many juvenile fish as possible time to emerge from the gravel. Guidelines for gravel shoal work have been agreed with DCAL Inland Fisheries, and form part of the package for maintenance works. In this instance a pre-works meeting was held on site on 10 March 2014, between a representative from DCAL Inland Fisheries and Rivers Agency Officials. Planned works were agreed to maintain the gravel shoal and, in order to protect a short reach of public footpath, it was agreed that timber piles and existing rock armour would be used. Work commenced on 8 April 2014 and was completed by 14 April 2014. Rivers Agency Environmental Manager and District Foreman met on site on 14 April 2014 to carry out a post work inspection. The Environmental Manager confirmed the work adhered to criteria previously agreed with DCAL Inland Fisheries. The powers available to DCAL relating to in river works and maintenance of rivers are detailed in Section 48 of the Fisheries Act (NI) 1966.

## Moorland

**Mr Swann** asked the Minister of Agriculture and Rural Development whether her Department currently has a record of moor land. (AQW 33228/11-15)

**Mrs O'Neill:** The Department carried out an exercise over twenty years ago to map the distribution of moorland in the Less Favoured Areas (LFA). The maps were at a scale of 1:10,000 and 1:5,000 and showed areas of moorland that are more than 5 hectares in extent. Moorland was defined in terms of the vegetation present, as predominantly semi-natural rough grazing consisting mainly of plant species characteristic of grassy plant heaths and moors. The exercise was carried out mainly using a combination of ground checking and aerial photographs that were in existence at that time. Hard copy maps were produced, with a total mapped area of 215,000ha. These maps were not digitised, as the underlying base digitised data for the north of Ireland was still under development at that time. They were used for the administration of a moorland scheme in the 1990s. The data has not been refreshed since initial publication.

## Moorland

**Mr Swann** asked the Minister of Agriculture and Rural Development to detail her Department's definition of moor land. (AQW 33229/11-15)

**Mrs O'Neill:** In developing the recent consultation on 'Policy Options Arising from the Reform of the Common Agricultural Policy (Pillar I Direct Payments)' the definition of moorland used for analysis purposes was derived from the Land Cover Map 2007 and comprised land cover classed as acid grassland, fen, marsh and swamp, heather, heather grassland, bog, and montane habitats.

An area was classified as moorland if more than 50% of the agricultural land area within a field parcel had this land cover (i.e. the cumulative total of the classes). The DARD land parcel dataset (LPIS) at June 2013 was used to map this agricultural area and reflected the land eligible for Single Farm Payment (SFP) at June 2013. Approximately 141,500ha of this agricultural land was classified as moorland. However, only land falling within the SDA region was defined as moorland for the purposes of the consultation analysis; this amounted to 127,000ha, of which 97,500ha was used to activate SFP entitlements in 2013 (i.e. about 10% of the north of Ireland eligible total).

It should be noted that the area of moorland identified by this mechanism is widely dispersed and while this is sufficient for policy analysis purposes, a major 'ground truthing' exercise would be required before a robust moorland area could be defined for the purposes of administering Pillar 1 direct support payments.

## MARA Access to Benefits Scheme

**Mr Beggs** asked the Minister of Agriculture and Rural Development why parts of the rural Woodburn ward are not included in the door-to-door MARA access to benefits scheme. (AQW 33238/11-15)

**Mrs O'Neill:** I refer the member to the response issued to him on 29 April 2014 which is referenced as AQW 32991/11-15.

## Animal Cruelty Offences

**Mr Allister** asked the Minister of Agriculture and Rural Development why there is no central register of those convicted of animal cruelty offences; and what plans exist to address this deficiency. (AQW 33243/11-15)

**Mrs O'Neill:** The Welfare of Animals Act 2011 provides for offences and penalties in relation to animal welfare. There is no provision in the 2011 Act requiring my Department to maintain a central register for those persons convicted of animal welfare offences. However, my Department maintains a register of persons banned from keeping animals based primarily on prosecution cases taken by DARD. I understand that conviction information is available from court records, which feeds into the Department of Justice (DOJ) Criminal Record History database.

Since there are a number of enforcement Agencies responsible for enforcing the Welfare of Animals Act, I believe it is important that each Agency has ready access to up-to-date information in order to check if a person has been disqualified from keeping animals or has any previous animal welfare related convictions.

My officials are working with DOJ officials to establish what information is available from the DOJ criminal history database to facilitate access to animal welfare conviction data. DARD and DOJ officials are currently working together to progress this matter.

## Rural Development Programme: Agrienvironment Schemes

**Mr Agnew** asked the Minister of Agriculture and Rural Development for her assessment of the effect the decision not to transfer funds to the Rural Development Programme will have on agri-environment schemes; and what actions she can take to mitigate against the impact of the loss of funding. (AQW 33261/11-15)

**Mrs O'Neill:** The amount of funding available to the next Rural Development Programme, including agri-environment schemes and its other constituent measures, is not yet confirmed.

While the lack of any transferred funds from Pillar 1 has the potential to reduce the scope and flexibility of the Programme, I am continuing to discuss with my officials how the next Programme can be financed.

My main objective in putting together a balanced package of funding for the next Rural Development Programme is to try to ensure that we improve the competitiveness of our farm and agri food businesses, protect and enhance our environment and countryside, and improve the quality of life in our rural communities.

To help mitigate against a lower Pillar 2 budget than was envisaged, the new agri-environment scheme will continue to be targeted to achieve greatest impact.

Existing agri-environment agreements will be honoured, therefore helping to ensure that environmental benefits associated with ongoing agri-environment schemes can continue to be delivered.

## Rural White Paper Action Plan

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she will include support for credit unions in the next draft of the Rural White Paper - Action Plan. (AQW 33297/11-15)

**Mrs O'Neill:** I am aware of the wide range of services that credit unions provide to their members. You will appreciate that their work cuts across both rural and urban communities and I have asked my officials to engage with other government Departments, including the Department for Social Development (DSD), to identify what support, if any, can be provided.

In relation to the Rural White Paper Action Plan I can advise that I intend to ask my Executive colleagues to identify within their Departments new and challenging actions for inclusion in a refreshed Action Plan that will help deliver meaningful outcomes to rural dwellers. Any decision to include support for credit unions in a refreshed Rural White Paper Action Plan will ultimately be a matter for the lead Department.

## Rural Development Programme

**Mr Swann** asked the Minister of Agriculture and Rural Development whether she will ensure that the next Rural Development Program will include a mechanism which would allow support for credit unions. (AQW 33298/11-15)

**Mrs O'Neill:** I consulted on my proposals for the 2014-2020 Rural Development programme during 2013. The consultation set out the proposed support for rural business under the next Rural Development Programme. This support would include Credit Unions that meet the eligibility requirements of the programme.

I recognise the important role that Credit Unions play in strengthening rural communities and my officials will continue to engage with other government Departments, including the Department for Social Development (DSD), to identify what further support, if any, can be provided for Credit Unions.

## Forest Service

**Mrs Dobson** asked the Minister of Agriculture and Rural Development for her assessment of the impact on service delivery at the Forest Service in relation to the proposed relocation of her departmental headquarters. (AQW 33309/11-15)

**Mrs O'Neill:** There are inevitably some risks that the Forest Service may lose knowledge and experience in the course of its relocation to Fermanagh. For that reason, the Chief Executive of Forest Service is preparing an appropriate staff transition plan that reflects the preferences of existing staff and considers the most effective use of flexible working arrangements so that key services will be protected within a revised business operating model.

Accordingly, I remain firmly of the view that service delivery shall be best served when senior managers and their support staff are better informed about the issues that concern forest users, the timber industry and the Assembly when their headquarters is close to the place where most of the forests are.

## College of Agriculture, Food and Rural Enterprise, Glenwherry Hill Farm

**Mr Dunne** asked the Minister of Agriculture and Rural Development how much did the College of Agriculture, Food and Rural Enterprise Glenwherry Hill Farm receive in Single Farm Payments in 2013. (AQW 33413/11-15)

**Mrs O'Neill:** The College of Agriculture, Food and Rural Enterprise received £186,659.41 for the 2013 Single Farm Payment.

Single Farm Payment is calculated for a whole farm business. Therefore, it is not possible to detail the amount paid on land at Glenwherry Hill Farm separately. This is included in the above amount.



## Financial Remuneration

**Mr Buchanan** asked the Minister of Agriculture and Rural Development how many times her Department has provided financial remuneration under the (i) beef; (ii) slaughter; (iii) sheep; and (iv) suckler premium schemes, without a claim being lodged; and to detail the amount paid in each case.

**(AQW 33498/11-15)**

**Mrs O'Neill:** I am unaware of any financial remuneration, in respect of the above named schemes, without an associated claim having first been received by the Department.

## Common Agricultural Policy

**Mr Swann** asked the Minister of Agriculture and Rural Development, in relation to support for young farmers via the next round of the Common Agricultural Policy, whether a partnership agreement will meet the requirement as defined as 'head of holding'. **(AQW 33520/11-15)**

**Mrs O'Neill:** To benefit from the Young Farmers' Scheme, EU Regulations require that a young farmer must be head of holding and exercising effective and long-term control over the business in terms of decisions related to management, benefits and financial risks. For multi-member businesses, the EU Regulations state that the young farmer must be capable of exercising this effective and long term control either solely or jointly with other farmers. Partnership arrangements will need to comply with this requirement if the young farmer is to be eligible for support under the Scheme.

The Department is seeking additional clarification from the EU Commission on the detailed practical application of these conditions and will issue further guidance in due course.

## Single Farm Payment: Cattle

**Mr Buchanan** asked the Minister of Agriculture and Rural Development to detail the number of cattle included for a Single Farm Payment, that did not receive a payment in the beef or slaughter special premium schemes. **(AQW 33525/11-15)**

**Mrs O'Neill:** When Single Farm Payment (SFP) was introduced in 2005, it broke the link between production and support. No cattle are therefore included in the calculation of Single Farm Payment. To receive SFP, a farmer must hold payment entitlements and have eligible agricultural land.

Payment entitlements, which were established in 2005, are made up of two elements, namely a fixed area rate of €78.33 per hectare of eligible land and an individual historic reference amount.

The historic reference amount was, in most cases, based on the farming pattern for each farm business during the reference period, 2000 to 2002 and only included determined animals. In line with the EU legislation governing the calculation of reference amounts, determined animals were those that satisfied the eligibility conditions for the relevant aid scheme after the application of reductions (for example, for ceilings and other quantitative limitations), but before the application of any penalties and sanctions (for example because of discrepancies between the number of animals claimed and number determined). This rule applied to both the Beef Special Premium and Slaughter Premium Schemes. Other schemes that contributed to the calculation of the historic amount were the Suckler Cow Premium Scheme and the Extensification Premium Scheme.

As the reference amount was based on the average number of animals eligible for payment under the livestock schemes during these 3 years, cattle that were considered to be ineligible were not included in this calculation.

## Beef Cattle: Pricing

**Mrs D Kelly** asked the Minister of Agriculture and Rural Development to outline the action her Department is taking in relation to the pricing structures administered by meat processors for beef cattle. **(AQO 6173/11-15)**

**Mrs O'Neill:** I want to see a strong, profitable red meat sector and that can only be achieved if farmers see a fair return for their quality and traceable produce.

I am aware that some local meat plants have begun introducing significant changes to the pricing structures for cattle. Commercial decisions taken by individual abattoirs are outside my Department's remit. However, given the level of concern, and my own reservations that farmers were being penalised unfairly, I met with representatives of the local processing industry in February and informed them that they needed to re-think these changes.

Clearly robust traceability is the cornerstone of our beef industry. However, it is not fair that farmers who bought animals in good faith should be penalised by these changes in this difficult trading environment.

I also asked the industry to strive for timely and transparent communication with both farming representatives and the wider beef industry. I hope that all elements of the supply chain can work together to get a mutually agreeable resolution on pricing that will ensure a sustainable local beef farming industry, focused on export led growth.

My Department is also offering practical support to help address some of the issues facing this sector. As part of our customer service we can provide herd keepers with a report on the movement history of all cattle in their herd. This information can

help farmers to decide if their cattle meet the processors' specifications. DARD can also help facilitate more co-operation and collaboration in beef supply chains, and provide training and advice to improve efficiency in the chain.

I am continuing to monitor this situation and discussed a range of issues affecting the beef sector with Minister Coveney at our recent NSMC meeting. We agreed to continue to work together in this area.

## Farm Animal Carcasses: Illegal Dumping

**Mr P Ramsey** asked the Minister of Agriculture and Rural Development what action she is taking regarding the illegal dumping of dead farm animals.

**(AQO 6177/11-15)**

**Mrs O'Neill:** The disposal of animal carcasses, is required under the Animal By-Products (Enforcement) Regulations (NI) 2011 (ABPER). DARD is the Competent Authority for the implementation of these regulations. The responsibility for the disposal of fallen animals lies with the occupier of the premises or the person considered by DARD to be in charge of the premises.

Animal carcasses pose risks to both animal and public health. The vast majority of farmers in the north dispose of their animal carcasses properly. However there are cases where irresponsible farmers fail to dispose of carcasses on their premises or even dump the carcasses on land or in rivers. When such cases are reported to DARD, local Veterinary staff will establish responsibility and require the proper disposal, if necessary by serving a Statutory Notice and taking enforcement action.

## Common Agricultural Policy Reform

**Mr Girvan** asked the Minister of Agriculture and Rural Development for an update on the current Common Agricultural Policy reforms, including when they will be finalised. **(AQO 6180/11-15)**

**Mrs O'Neill:** In the case of Pillar 1 (producer support), I undertook a comprehensive consultation on the policy options arising from the CAP Reform agreement which closed earlier this year. Having considered the responses received, I announced a number of decisions.

On 14 March 2014 I announced my decisions relating to the allocation of entitlements from 2015. On 9 April 2014 I made further announcements which included those relating to eligible land, the minimum holding size for the purpose of both establishing and claiming support, the allocation of new entitlements to farmers who have never held SFP entitlements but who were involved in agricultural production on 15 May 2013, the use of the regional reserve and greening. I also announced that I would not implement the Small Farmers' Scheme nor the Redistributive Payment Scheme.

Last week at Balmoral Show, I announced my decisions regarding the setting of the payment rate and eligibility criteria under the Young Farmers' Scheme, as well as eligibility criteria for awards from the regional reserve for young farmers and new entrants and the capping of payments under the Basic Payment Scheme.

A small number of key decisions about CAP Pillar I still have to be taken, including those that will largely determine the allocation of support to individual farmers from 2015 onwards. Given the importance of these remaining decisions, it is right that they be agreed by the Executive and so it is my intention to bring my final proposals on these issues to the Executive in the coming weeks. I am, of course, mindful of the 1 August 2014 deadline to notify the EU Commission of our implementation plans and it is most certainly my intention that we will have an agreed CAP Pillar I structure before that date.

## Cattle: Nomadic Animals

**Mr Boylan** asked the Minister of Agriculture and Rural Development to outline the measures she has taken to address the issue of nomadic cattle. **(AQO 6181/11-15)**

**Mrs O'Neill:** I want to see a strong, profitable red meat sector and that can only be achieved if farmers see a fair return for their quality and traceable produce. I also want to see free movement of cattle between the north and south of Ireland.

I am aware of reports that some meat plants in the north are beginning to make significant changes to the pricing structures of cattle. Amongst other things, animals born in the south and subsequently fattened and/or slaughtered in the north, or so-called "nomads", may be considered out of spec and subject to penalty by the processing industry.

Commercial decisions taken by individual abattoirs are outside DARD's remit. However, given the significant concerns in the farming industry, and my own reservations that farmers were being penalised unfairly on this and other issues, I have already met with representatives of the local processing industry and informed them that they needed to re-think these changes. I have also asked the industry to strive for timely and transparent communication with both farming representatives and the wider beef industry, when changes in specification are being proposed.

In addition, my officials are working with counterparts in the south on a project to develop a north-south data exchange for cattle. That will allow full movement histories for cattle traded between the north and south to be available electronically in both jurisdictions providing the information essential to the effective marketing of all our animals.

I am continuing to monitor the position on "nomad" cattle and discussed this and a range of other issues affecting the beef sector with Minister Coveney at our recent NSMC meeting. We agreed to continue to work together in this area.

## European School Milk Subsidy Scheme

**Mr Dunne** asked the Minister of Agriculture and Rural Development for her assessment of the EU School Milk Subsidy Scheme. (AQO 6182/11-15)

**Mrs O'Neill:** I fully support the EU School Milk Subsidy Scheme as it provides positive health benefits for children who drink milk at an early age. Milk and dairy products are an excellent source of nutrients and it is good for children to develop sound eating habits at this early stage of life. That is why, in addition to the EU subsidy, we also provide a national "top-up" subsidy from the Executive's budget to help reduce the cost for participating children.

I am pleased that this Scheme is available to all school children in the north and that all of our Education and Library Boards participate in delivery of the Scheme. As a result delivery arrangements are efficient and economical and costs are kept to a minimum. Whilst overall there is a good level of uptake by nursery, primary and special schools I consider that there is room for improvement. I would therefore encourage every school and every parent of a child at school to avail of the benefits of the Scheme.

Taking account of the fact that the benefits of the Scheme are available to all school children in the north and that there are excellent cost effective delivery arrangements in place, I believe that the Scheme is meeting its objectives within the modest budget available.

## Rural Areas: Maximising Access

**Mr Brady** asked the Minister of Agriculture and Rural Development for an update on the delivery of the Maximising Access in Rural Areas project. (AQO 6183/11-15)

**Mrs O'Neill:** As you will know the MARA project is funded, in the main, by my Department with the Public Health Agency in the lead on delivery. A key aspect to the success of the Project is the involvement of the Community and Voluntary Sector and the project is delivered by 13 Lead Community Organisations. Their role in establishing local project teams in the 286 rural super output areas is essential in both identifying vulnerable households and recruiting the local enablers to carry out the visits.

The target of 12,024 household visits to be completed by November 2014 is on course to be achieved with 11,105 visits already completed and each Lead Organisations on target to meet their specific delivery targets. While 11,105 households have been visited some 12,626 individuals within these households have had an assessment of their needs in respect of grants, benefits and services. This has resulted in 29,587 referrals to various departments and agencies many of which are now coming to fruition and making a very significant impact to the lives of rural dwellers. I look forward to being able to share with you a full assessment of the outcome in due course.

## Common Agricultural Policy Reform

**Mr Wilson** asked the Minister of Agriculture and Rural Development for her assessment of the level of concern which exists in the farming community over her Department's handling of Common Agricultural Policy reform. (AQO 6184/11-15)

**Mrs O'Neill:** The Common Agricultural Policy and its reforms over the years have been complicated, challenging and in many cases daunting for farmers. CAP is vital to the sustainability of our agricultural industry, yet the complexities associated with the adoption and implementation of the related legislation are immense.

I fully appreciate the concerns that exist within the farming community on the latest reform of the CAP. A central and inescapable element of this reform is that this will require a redistribution of support as we move towards a flat rate payment regime. It will also be a more complex support regime. Therefore, the concerns about the out workings of CAP Reform are understandable. However, the support framework within which we must work is considerably better than that first proposed by the EU Commission. During the CAP Reform negotiations, significant gains were made, for example, more flexibility on moving towards flat rate payments, simplification of the greening requirements, securing the ability to take decisions at regional level and legislative clarity on the conacre issue.

During the entire CAP Reform process, my Department has engaged extensively with the industry. This included consultations, attendance at many stakeholder meetings and the provision of guidance on the DARD website especially in relation to the trading of entitlements on which my decision to extend the deadline to 2 May 2014 was widely supported.

I have already made a substantial number of CAP Reform decisions and these have found broad support from stakeholders. On the outstanding issues which will largely determine the allocation of payments to individual farmers from 2015 onwards, it is my aim to achieve an agreed way forward by 1 August 2014 deadline for notification of these decisions to the EU Commission.

## Rural Development Programme

**Ms McGahan** asked the Minister of Agriculture and Rural Development for an update on the current spend of the Rural Development Programme. (AQO 6185/11-15)

**Mrs O'Neill:** Total expenditure declared to the European Commission under the Rural Development Programme 2007 – 2013 at the end of March 2014 was £439.5m. All areas of the programme are performing well and it is my intention to maximise the drawdown of funds from Europe.

## Department of Culture, Arts and Leisure

### Coarse Fishing: Trophy Fish

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, in relation to coarse fishing in Department maintained waters, to detail (i) the definition of a trophy fish; and (ii) the powers bailiffs have to confiscate any fish taken by an angler which is considered not to be a trophy fish.

(AQW 33192/11-15)

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):**

- (i) My Department considers that fish with a weight the same as or greater than the specimen weight as designated by the Irish Specimen Fish Committee to be a trophy fish.
- (ii) Fisheries (Conservation of Coarse Fish) Byelaws (NI) 2008 prohibits the retention of more than 4 coarse fish per day and retention of any coarse fish over 25cm. All pike weighing 4kg or more must be returned alive unharmed to the water and no more than one pike per day be retained. Bailiffs have powers to seize any fish found in the possession of a person found or suspected to have committed an offence under fisheries legislation.

### Coarse Fishing: Regulations

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33014/11-15, since the introduction of the regulation in 2008, how many prosecutions for breaches have taken place per year.

(AQW 33268/11-15)

**Ms Ní Chuilín:** The table below indicates the numbers of prosecutions taken by my Department for breaches of the Fisheries (Conservation of Coarse Fish) Byelaws (Northern Ireland) 2008:

Year	Number of Prosecutions
2008	Nil
2009	Nil
2010	Nil
2011	2 (2 convictions)
2012	Nil
2013	3 (3 convictions)
2014	1 case awaiting hearing

### Libraries NI: Workplace Bullying and Stress

**Mr McGlone** asked the Minister of Culture, Arts and Leisure, in relation to workplace bullying and the levels of stress in Libraries NI, to detail the conclusion of the February 2014 Health and Safety Executive for Northern Ireland 'Report on the Implementation of Management Standards for Work Related Stress'.

(AQW 33405/11-15)

**Ms Ní Chuilín:** The management of staff is a matter, in the first instance, for the Board of Libraries NI. Libraries NI has advised that it is conscious of the impact on staff of the scope and pace of change which has taken place in the organisation since its establishment in 2009. It therefore commissioned a report from the Health and Safety Executive NI (HSE) that identified the issues that contributed to work-related stress and provided proposals for addressing these. The HSE identified six key aspects of work which can contribute to work-related stress, i.e. Demands, Control, Support, Relationships, Role and Change.

Libraries NI has informed me that the conclusions of the report, when comparing Libraries NI's scores with organisational averages resulting from surveys carried out in 136 organisations, showed that the organisation is performing very well in relation to Demands (i.e. in the top 20%). The results further indicate that Libraries NI's performance in relation to Manager and Peer Support and Relationships is good (i.e. in the 51% - 80% range). Below average scores were obtained in the area of Role (21% - 50% range) and Control and Change (in the lower 20% range).

As result of the survey and discussion at focus groups the following priority areas for action were identified:

- Letters of permanent contract.
- Sickness absence procedure.



- Inter-departmental relations.
- Staff appraisal system.
- Communication, management and implementation of change.

Libraries NI has already commenced work to address these issues. For example, the letters of permanent contract have already been issued. Other matters are of a longer term nature. A draft Action Plan has been produced, based on the potential solutions identified by staff during the focus groups. This Action Plan is currently subject to consultation with the trade unions.

## Department of Education

### Primary Schools: Language Support Arrangements

**Mr McNarry** asked the Minister of Education what language support arrangements are in place across primary schools to teach children who do not speak English or Irish as their first language; and to detail the costs of these services in each of the last two years.

(AQW 33216/11-15)

**Mr O'Dowd (The Minister of Education):** My Department funds the regional Inclusion and Diversity Service (IDS), which is based in the North Eastern Education and Library Board, to provide advice and support to schools for their newcomer pupils. Further information on the work of IDS support available can be accessed at <http://www.education-support.org.uk/teachers/ids/> Funding provided to IDS cannot be disaggregated by school sector; in the 2012/13 financial year IDS received funding of £816k from my Department and, in 2013/14 the funding was £735k.

Schools also receive an additional element of funding for each Newcomer pupil on their register through the Common Funding Scheme (CFS). As outlined in paragraphs 3.60 to 3.65 of the 2013/14 Common Funding Scheme; newcomer pupils often require extra support, particularly in their first few years of education. For the purposes of designation and subsequent qualification for additional funding under the newcomer factor, schools should use the 'Newcomer, Guidelines for schools' which sets out the criteria for designation and the procedures and best practice to be used. Funding provided to primary schools in each of the last two financial years is outlined below:

#### Primary Newcomer pupils and funding CFF 2012/13 and 2013/14

	CFF 2012/13		CFF 2013/14	
	Newcomer Pupils	Funding	Newcomer Pupils	Funding
Primary schools	5,624.5	£5,695,704	6,384.0	£6,402,989

Figures include nursery class pupils where applicable

### Collegiate School, Enniskillen

**Mr Allister** asked the Minister of Education why, given its underutilised capacity and over-subscription, is the Collegiate School in Enniskillen continuing to be capped at 500 pupils.

(AQW 33245/11-15)

**Mr O'Dowd:** Enniskillen Collegiate has an enrolment number (capacity) of 500 and an associated admissions number of 70. Any significant change in the character or size of a school requires an approved Development Proposal. This would be a matter in the first instance for the school Board of Governors to take forward with the Western Education and Library Board.

### Integrated Education

**Mr McKay** asked the Minister of Education how he plans to develop integrated education over the next two years.

(AQW 33276/11-15)

**Mr O'Dowd:** Under Article 64 (1) of the Education Reform (NI) Order 1989, my Department has a statutory duty to encourage and facilitate the development of integrated education (i.e. the education together, at school, of Protestant and Roman Catholic pupils). I take this duty very seriously, and will continue to do so.

To help encourage and facilitate the development of integrated education, the Department of Education will continue to provide annual funding to help schools with the process of transformation to integrated status. This supports schools in the initial stages of the transformation process and with the employment of a teacher, from the minority community in the school, to assist with religious education. The budget available for 2014/15 is £191k.

In addition, Article 64 (2) of the 1989 Order allows the Department to pay grants to a body which has as an objective the encouragement or promotion of integrated education. In fulfilment of this legislation, my Department provides funding annually to the NI Council for Integrated Education (NICIE). Funding of £665k has been allocated for 2014/15.

I have met with officials from NICIE twice recently, to discuss proposals to further promote and facilitate the development and growth of integrated education. I remain willing to consider further innovative approaches which will facilitate the development of the sector.

I recognise the vital and valuable contribution that integrated education, together with all other types of education, makes to building a peaceful and stable future for our children.

Going forward, the Department of Education will ensure that it continues to have a rigorous approach to its duty to integrated education.

### Post-primary Integrated Schools

**Mr McKay** asked the Minister of Education to list the post-primary integrated schools that are oversubscribed; and the (i) number; and (ii) percentage by which they are oversubscribed.

(AQW 33277/11-15)

**Mr O'Dowd:** Details of the integrated post-primary schools which are oversubscribed with first-preference applications for admission to year 8 in September 2014 are set out in the following table:

Name of School	Admissions Number	1st Pref Apps Received	Number Over	% by which Over subscribed
Lagan College	200	356	156	78%
New-Bridge Integrated College	100	113	13	13%
Slemish College	120	180	60	50%
Strangford Integrated College	80	122	42	53%
Ulidia Integrated College	80	105	25	31%

### A-level Politics Students

**Mr McKay** asked the Minister of Education to outline the benefits to A-Level politics students of participation in the democratic process and voting at the age of sixteen.

(AQW 33278/11-15)

**Mr O'Dowd:** The Department of Education has not carried out any research into this, however participation in the democratic process and voting at the age of sixteen could be beneficial to those involved in the study of Government and Politics through enhancing students' knowledge and understanding of the operation and political effects of different electoral systems. At present, those studying Government and Politics are required to be aware of the effects of the three different electoral systems that are in operation here: Simple Majority for Westminster elections; Single Transferable vote for Assembly and Local Government elections; and a variation of the distinctive method by which MEPs are elected.

### Preschools: Funded Places

**Mrs Dobson** asked the Minister of Education, in relation to meeting the Programme for Government 2011/15 target to provide a funded pre-school place for all children, whether he intends to build over-capacity into the pre-school system; and if so, how this can be achieved.

(AQW 33387/11-15)

**Mr O'Dowd:** The Pre-School Education Advisory Group (PEAG) of each Education and Library Board is responsible for ensuring there is sufficient pre-school provision in their local area. Sufficient funding has been provided by the Department to meet the projected need for pre-school places for the 2014/15 academic year and this will be kept under review as the admissions process progresses.

In 2012/13 and 2013/14, 99.8% of children whose parents remained with the pre-school application process to the end received the offer of a funded pre-school place.

At the end of stage one of the process this year, 95% of children had received the offer of a funded place; 1064 children were unplaced at that stage but there were still more than 1900 places available to meet demand at stage two.

During stage two the PEAGs have secured further places where this was necessary to meet demand. The Department has also approved temporary flexibility for 86 additional places in statutory pre-school settings, where the setting requested it and the PEAG recommended it to meet demand.

### Preschools: Places

**Mr Kinahan** asked the Minister of Education how many children in (i) South Antrim; and (ii) Newtownabbey, were not offered a pre-school place in the last round of applications.

(AQW 33432/11-15)

**Mr O'Dowd:** The Chief Executive of the North Eastern Education and Library Board (NEELB) has advised that:

- (i) of the 639 children whose parents applied to pre-school settings in the Antrim Council area 11 children were unplaced at the end of stage one of the admissions process; and
- (ii) of the 1017 children whose parents applied to pre-school settings in the Newtownabbey Council area 28 children were unplaced at the end of stage one of the admissions process.

### South Eastern Education and Library Board Commissioners

**Mr Storey** asked the Minister of Education, pursuant to AQW 32836/11-15, whether he will request that the Commissioners review their current practice of not meeting in public.  
(AQW 33441/11-15)

**Mr O'Dowd:** The conduct of business of the South Eastern Education and Library Board (SEELB) Commissioners is set out in their Standing Orders. Provision 4.1 in the Standing Orders advises that the Commissioners can decide to hold some or all of their meetings in public and in accordance with paragraph 12 (2) of Schedule 2 Part II to the Education and Libraries NI Order 1986, these have been approved by the Department.

The Commissioners provide the opportunity for delegations to have input into their meetings and all disclosable papers from their meetings are published on the SEELB website. I have no plans to ask the Board to amend its procedure.

### Schools: Funding Allocations

**Mr Storey** asked the Minister of Education, pursuant to AQW 32295/11-15, to list the schools and their funding allocations by (i) sector; and (ii) Education and Library Board.  
(AQW 33442/11-15)

**Mr O'Dowd:** I have arranged for this information to be placed in the Assembly Library.

### Careers Education Staff: Boards of Governors

**Mr Storey** asked the Minister of Education, pursuant to AQW 32585/11-15 what advice his Department currently gives to Boards of Governors on this issue.  
(AQW 33443/11-15)

**Mr O'Dowd:** It is important that governors are clear about their roles and responsibilities and are in a position to discharge those responsibilities fully and effectively.

The Department's website provides comprehensive guidance on the roles and responsibilities of school governors including their roles and responsibilities in relation to finances, staff, and the curriculum.

### Boards of Governors

**Mr Storey** asked the Minister of Education, pursuant AQW 32589/11-15, what advice his Department gives to Boards of Governors on this issue.  
(AQW 33453/11-15)

**Mr O'Dowd:** It is important that governors are clear about their roles and responsibilities and are in a position to discharge those responsibilities fully and effectively.

The Department's website provides comprehensive guidance on the roles and responsibilities of school governors including their roles and responsibilities in relation to finances, staff, and the curriculum.

### Continuing Professional Development Module

**Mr Storey** asked the Minister of Education, pursuant AQW 32586/11-15, what is the timescale for taking a decision on this issue.  
(AQW 33454/11-15)

**Mr O'Dowd:** No timescale has been specified for the accreditation of the four training modules but it will be as soon as possible.

### Teachers into Industry Scheme

**Mr Storey** asked the Minister of Education, pursuant to AQW 32587/11-15 what mechanisms are in place to disseminate the learning associated with the Teachers into Industry scheme within the sector.  
(AQW 33455/11-15)

**Mr O'Dowd:** Dissemination of learning is a key component of the Teachers into Industry Scheme. As part of the application process teachers are required to demonstrate how they intend to disseminate their learning to other teachers, pupils, parents and Governors. Each teacher must answer this question fully having considered a number of ways that dissemination can occur. This can range from full training events, through to meetings, information sessions and school publications.

On completion of the placement they are required to complete an evaluation form which follows up on this and which provides dates and details of the dissemination of their learning to other teachers, pupils, parents and Governors.

### Regional Training Unit

**Mr Storey** asked the Minister of Education, pursuant to AQW 32588/11-15, what role the Regional Training Unit plays in this area.  
(AQW 33456/11-15)

**Mr O'Dowd:** The Belfast Education and Library Board (BELB) has advised that there has been a discussion recently between the Confederation of British Industry (CBI), the Regional Training Unit (RTU) and the BELB to explore the possibility of a mentoring programme involving Head teachers and Senior Business leaders primarily aimed at improving leadership efficacy but contributing also to wider education and employer links.

### Staffing: Council for Catholic Maintained Schools

**Mr Storey** asked the Minister of Education, pursuant to AQW 32837/11-15, what is the timescale for his decision; and whether TUPE will apply in the event of redundancies.  
(AQW 33457/11-15)

**Mr O'Dowd:** It is anticipated that the expansion of the capital programme in FY14/15 will necessitate an increase in the technical capability of CCMS. A decision has been made to allocate additional funding of £200k to CCMS for additional staff to accelerate the delivery of the expanded capital programme.

No redundancies are anticipated in relation to this decision.

### Home Education

**Mr Kinahan** asked the Minister of Education what laws are extant to regulate home education.  
(AQW 33473/11-15)

**Mr O'Dowd:** The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.

Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education – is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

Schedule 13 of the Education and Libraries (NI) Order 1986, which makes provision for the enforcement of Article 45 (1), places a duty on the Boards to ensure that children in their area are receiving a suitable education and that parents fulfil their duty in this regard.

Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

In cases where a parent fails to demonstrate that the education provided meets the child's specific needs the Board may, in accordance with Schedule 13 of the Education and Libraries (NI) Order 1986, serve a School Attendance Order (SAO) on the parent to require that the child becomes a registered pupil at the school named in the order. Where a parent applies for the order to be revoked the Board may do so if the parent has demonstrated that suitable arrangements have been made for the education of the child. If considered necessary, a Board may make application for an Education Supervision Order (ESO) to the Family Proceedings Court. Legal provisions for ESOs and Care Orders are contained in the Children (NI) Order 1995. The effect of an ESO is that the responsibility for securing the child's education is removed from the parents and transferred to the Board named in the order.

The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

### Home Education

**Mr Kinahan** asked the Minister of Education to detail the role and responsibilities of Education and Library Boards regarding parents who elect to home educate their children.  
(AQW 33474/11-15)

**Mr O'Dowd:** The legislation which applies to the education of pupils of compulsory school age, including pupils who are receiving elective home education, confers specific powers on both the Education and Library Boards (the Boards) and on parents.



Article 44 of the Education and Libraries (NI) Order 1986 requires that the Boards have regard to the general principle that, so far as is compatible with the provision of efficient instruction and training and the avoidance of unreasonable public expenditure, pupils shall be educated in accordance with the wishes of their parents.

Article 45 (1) of the Education and Libraries (NI) Order 1986 places a duty on parents of children of compulsory school age to ensure that the education provided to their child, whether by regular attendance at school or otherwise – which can include elective home education - is suited to the child's age, ability, aptitude and to any special educational needs the child may have.

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Where it appears to a Board that a parent of a child of compulsory school age in its area is failing to perform the duty imposed by Article 45(1), the Board can serve on the parent a notice requiring him/her, within a set period, to satisfy the Board that the child is, by regular attendance at school or otherwise, receiving efficient and appropriate full-time education.

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The Boards may also provide support to parents who chose to home educate including advice and guidance on suitable learning materials, on training or examination options. The level of training and advisory support will relate to the age and developmental profile of the child.

### Home Education

**Mr Kinahan** asked the Minister of Education whether primary legislation will result from the current public consultation process being carried out by Education and Library Boards on home education.  
(AQW 33475/11-15)

**Mr O'Dowd:** The Education and Library Boards are seeking to engage in consultation with key stakeholders who have an interest in elective home education for children and young people.

The Boards commenced an open consultation process on the draft elective home education policy on 27th April 2014 which will end on 27th June 2014.

The response to the consultation process will be given due and careful consideration and will help inform future consideration as to the adequacy and appropriateness of existing legislation as it applies to elective home education.

It is too early in the process at the present time to determine if legislative changes may be required.

### Home Education

**Mr Kinahan** asked the Minister of Education whether the Assembly and the Education Committee will be given the opportunity to engage in the debate about future regulation of home education, currently subject of a consultation process carried out by the Education and Library Boards.  
(AQW 33476/11-15)

**Mr O'Dowd:** It is important that all of us have an opportunity to engage in this debate, and to do so from the perspective of ensuring that children and their educational needs are at the forefront of our approach to facilitating home education.

I am aware that the Education and Library Boards have begun a consultation on draft guidance to inform how they give effect to the responsibilities that legislation places upon them in this area.

That consultation process provides an opportunity for views and ideas to be provided to the Boards on how they best strike the balance between facilitating parental preference for home education and ensuring that the rights and needs of children themselves are appropriately protected.

I consider the views of the Education Committee to be particularly important in that regard and will be asking the Boards to ensure that they make themselves available to provide briefings to, and answer questions from, the Committee during this process. Assembly Members are of course also free to propose this issue as a topic for debate in the Chamber should they wish to do so.

The Boards will clearly have to refine their guidance informed by this consultation process and I have also made clear that they must submit their revised guidance to the Department for approval before it is finalised.

### Common Funding Formula: Per Capita Allowance

**Mr Storey** asked the Minister of Education what is the per capita allowance for pupils by (i) sector; and (ii) Education and Library Board, under the revised Common Funding Formula.  
(AQW 33484/11-15)

**Mr O'Dowd:** Figures provided below represent average budget per pupil (per capita), distributed in the current 2014/15 year under the revised funding formula arrangements.

All figures represent the formula budget allocations and exclude Transitional funding in 2014/15.

(i) Per Capita funding by sector 2014-15

Controlled Nursery & Primary <sup>(1)</sup>	£2,985
Maintained Nursery & Primary <sup>(2)</sup>	£3,110
Grant-maintained Integrated Primary	£3,057
Controlled Post-primary <sup>(3)</sup>	£4,138
Maintained Post-primary <sup>(4)</sup>	£4,379
Grant-maintained Integrated Secondary	£4,495
Voluntary Grammar <sup>(5)</sup>	£4,188

#### Notes:

- (1) includes controlled integrated primary schools; includes nursery classes within primaries; excludes Irish-medium controlled schools
- (2) includes controlled Irish medium and other maintained schools; includes nursery classes within primaries
- (3) includes controlled Integrated secondary schools; includes Preparatory Departments in controlled grammar schools
- (4) includes one Irish medium secondary school
- (5) includes Preparatory Departments in grammar schools

(ii) Per Capita funding by Education and Library Board

Belfast Education & Library Board	£3,600
North Eastern Education & Library Board	£3,397
South Eastern Education & Library Board	£3,281
Southern Education & Library Board	£3,480
Western Education & Library Board	£3,601

#### Notes:

- a) Above figures exclude Grant-maintained Integrated and Voluntary Grammar schools;
- b) Figures include funding at all phases for ELB controlled and maintained schools

### School Transport

**Lord Morrow** asked the Minister of Education for an update on the review into the eligibility criteria for free school transport, including when the review commenced.  
(AQW 33491/11-15)

**Mr O'Dowd:** I launched the Review of Home to School Transport on 2nd December 2013. The Review is being taken forward by an Independent Panel which, to date, has gathered views and opinions from interested individuals and groups, and collected evidence through a Call for Evidence questionnaire that was available between 13th February and 4th April 2014. The Independent panel is now considering the evidence it has collected and will report its recommendations to me at the end of August 2014.

### Schools: Defibrillator Machines

**Mrs McKeivitt** asked the Minister of Education whether the recently announced deal by the UK Government, to allow schools to buy defibrillator machines at a reduced price, will be extended to local primary and post-primary schools.  
(AQW 33494/11-15)

**Mr O'Dowd:** The Education and Library Boards and CCMS established an Inter-Board/CCMS working group to consider how to support local schools on the purchase of automatic external defibrillators (AEDs) and with the associated training and guidance required.

I am pleased to advise that a public procurement competition (led by the Western Education and Library Board (WELB) on behalf of all of the Boards) for the supply, delivery and initial commissioning of the AEDs is currently underway. This is a framework tender which will primarily be used by schools, but also Board locations when purchasing AEDs. The closing date for tender submissions is 23 May 2014 and these will be evaluated and a contract awarded as expeditiously as possible thereafter.

In addition, as training in the safe use of AEDs will be required, the WELB, on behalf of all of the Boards, is also taking forward a tender competition for the provision of training in cardiopulmonary resuscitation (CPR) and in the use of AEDs. It is anticipated that finalised tender documents will be uploaded to eSourcing NI within the coming weeks.

The InterBoard working group has also developed detailed guidance for schools concerning procurement, management and use of a defibrillator within a school environment. The latter guidance will be available to schools following the completion of the defibrillator and training tendering process.

There are no plans to extend the arrangement announced in England to schools here. However, the current public procurement competition for the supply of AEDs will ensure that schools here will be able to purchase AEDs requirements at a competitive price. In addition, the holistic approach adopted by the Inter Board/CCMS group will ensure that training is available to schools to equip them with the skills necessary for the safe use of AEDs and the application of CPR techniques.

### Education Staff: Return to Work

**Mrs Dobson** asked the Minister of Education for his assessment of the provisions in place to enable teaching and non-teaching staff to engage in a phased return to work following a period of absence.  
(AQW 33501/11-15)

**Mr O'Dowd:** The Teacher Attendance Procedure (TNC 2008/2) provides that in circumstances where a recommendation is made by the Occupational Health Physician that a phased return to work would assist a teacher, this should where possible, be facilitated by the Principal, in line with the needs of the school. Such arrangements shall normally not last for more than four weeks and normal salary will be paid during a phased return to school.

Phased returns to work are also available to non-teaching staff following a period of long term absence as a means of rehabilitation, in line with agreed Education Library Board's (ELB) Attendance Management Procedures for non-teaching staff in schools. In the event, where an Occupational Health Physician recommends a phased return to work for a non-teaching member of staff, the ELB will work in partnership with the staff member and school Principal to seek to facilitate such arrangements.

The ELBs and the Council for Catholic Maintained Schools confirm that phased returns for school are managed in line with these agreed procedures.

### Schools: Contracts with Retail Outlets

**Mr Kinahan** asked the Minister of Education to list the schools that have exclusive contracts with specific retail outlets for school uniforms and sports gear.  
(AQW 33528/11-15)

**Mr O'Dowd:** The Department's guidance on school uniforms, which was issued to schools in March 2011, makes clear that schools should ensure that their uniform is widely available in High Street shops and other retail outlets, and internet suppliers rather than from an expensive sole supplier.

Whilst the Department does not hold or collect the information requested the issue of the use of restrictive was investigated by the Office of Fair Trading (OFT) in 2006 with a further review undertaken in 2012. The findings of the 2012 survey indicated that 74% of schools in England, Scotland, Wales and the north of Ireland continued to place restrictions on where uniforms could be bought.

It is unacceptable that some schools here continue to engage in restrictive practices in the supply of school uniforms. Consequently, I wrote to the OFT in January to enquire whether the OFT planned to take action to address the use of restrictive practices or to undertake a further survey on such arrangements.

Whilst the OFT advised that there were no plans at that time to carry out further work in this sector I understand that a copy of my correspondence has been passed by the OFT to the recently established Consumer and Markets Authority (CMA).

### Preschool Places

**Mrs Cochrane** asked the Minister of Education what consideration his Department has given to (i) the introduction of a central, points-based application system for pre-school places; (ii) ensuring consistency of entrance criteria for such pre-school places; and given his commitment to provide one year of pre-school education for all, (iii) restructuring the pre-school application system so that it is in line with the process for enrolment in Primary One.  
(AQW 33532/11-15)

**Mr O'Dowd:** I have consistently encouraged all parents to participate in the Pre-School Education Programme (PSEP) and, to that end, I want to make the application process as straightforward as possible. I have already introduced a two-stage admissions system from 2011/12 to allow parents who might not initially have obtained a pre-school place to submit further applications.

The Review of the Pre-School Admissions Arrangements includes an action requiring the Department to undertake to improve the applications experience for parents, and the efficiency of the process through centralised administration and the greater use of technology.

This action will be taken forward under Learning to Learn. In developing proposals my officials will take into consideration a range of issues, including the benefits of a central application system; the appropriateness of consistent entrance criteria; and whether the pre-school application system should be restructured in line with the process for enrolment in Primary One. Emerging proposals will, however, need to respect the unique characteristics of the PSEP, namely that it is non-compulsory, covers one year only and is provided in both statutory and non-statutory settings.

### Newly Qualified Teachers

**Mrs Cochrane** asked the Minister of Education whether he has assessed the possibility and implications of employing newly-qualified teachers in voluntary or private playgroup settings.  
(AQW 33534/11-15)

**Mr O'Dowd:** Individual voluntary and private playgroup settings are responsible for employing their own staff in accordance with minimum standards set by the Department of Health, Social Services and Public Safety. This is not, therefore, an area over which I have direct responsibility.

### School Transport

**Mr Kinahan** asked the Minister of Education, other than the Call for Evidence, how the views of stakeholders, including children and young people, have been taken into consideration in relation to the issue of home to school transport.  
(AQW 33582/11-15)

**Mr O'Dowd:** In addition to the Call for Evidence, the Home to School Transport Review Panel has engaged extensively with stakeholders during the course of the Review. They have met with over 80 organisations, including the key stakeholders of Education and Library Boards, Translink, schools and sectoral bodies as well as receiving briefings and meeting with a number of government departments, including those in other jurisdictions. It has also consulted with many young people on a cross sector and cross community basis. The views from all these contacts will inform the Panel as they make their recommendations.

### Drumragh Integrated College

**Mr Storey** asked the Minister of Education what are the implications for area planning of the recent judgement on the development proposal submitted by Drumragh Integrated College in Omagh.  
(AQW 33586/11-15)

**Mr O'Dowd:** I note the Court's judgement. I await a detailed assessment by Senior Crown Counsel of the learned Judge's decision and its implications for the work of the Department. I will give careful consideration to that assessment when I receive it.

### Drumragh Integrated College

**Mr Storey** asked the Minister of Education for his assessment of the judgement on Drumragh Integrated College's proposal, in particular that the needs model itself is just an analytical tool.  
(AQW 33588/11-15)

**Mr O'Dowd:** I note the Court's judgement. I await a detailed assessment by Senior Crown Counsel of the learned Judge's decision and its implications for the work of the Department. I will give careful consideration to that assessment when I receive it.

### Pupils Who do Not Have English or Irish as a First Language

**Mr McNarry** asked the Minister of Education, pursuant to AQW 33153/11-15, what are the first languages of these 9,730 children.  
(AQW 33612/11-15)

**Mr O'Dowd:** The first language of the 9,730 pupils in primary schools and preparatory departments (including nursery units and reception) that do not have English or Irish as their first language, and the numbers of pupils recorded for each, are detailed in the table below.

Polish	3198
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Lithuanian	1371
Portuguese	593
Malayalam	472
Tagalog/Filipino	353
Latvian	305
Slovak	272
Chinese (Mandarin/Putonghua)	235
Chinese (Cantonese)	209
Arabic	199
Russian	199
Hungarian	172
Romanian	154
Tetum	143
Hindi	137
Spanish	110
Chinese (Any Other)	99
Urdu	99
Bengali/Bangla/Sylheti	91
Romany	83
Somali	80
Bulgarian	77
French	67
Czech	63
Tamil	63
German	59
Telugu	59
Panjabi	52
Thai	50
Malay/Indonesian	47
Italian	39
Albanian/Shqip	36
Pashto/Pakhto	32
Yoruba	32
Shona	31
Dutch/Flemish	29
Afrikaans	24
Nepali	24
Edo/Bini	23
Turkish	22
Gujarati	19
Marathi	19
Greek	18

Japanese	15
Fijian	13
Korean	13
Persian/Farsi	9
Ukrainian	9
Finnish	8
Igbo	8
Swedish	8
Kannada	7
Pahari/Himachali (India)	7
Xhosa	7
Swahili/Kiswahili	6
Slovenian	5
Akan/Twi-Fante	*
British Sign Language	*
Chinese (Hokkien/Fujianese)	*
Creole English	*
Creole French	*
Danish	*
Estonian	*
Icelandic	*
Kurdish	*
Luganda/Ganda	*
Macedonian	*
Maltese	*
Ndebele	*
Oriya	*
Rajasthani/Marwari	*
Serbian/Croatian/Bosnian	*
Sinhala/Sinhalese	*
Tsonga	*
Tswana/Setswana	*
Vietnamese	*
Welsh/Cymraeg	*
Zulu	*
Other Language	109
<b>Total</b>	<b>9730</b>

Source: NI school census

\* denotes fewer than 5 pupils

## Department for Employment and Learning

### Jobseekers Allowance: Canvassing

**Mr Swann** asked the Minister for Employment and Learning to detail any (i) scheme or program supported or delivered by his Department which would allow a political party to employ individuals on Job Seekers Allowance to canvas for them during elections; and (ii) political party utilising these schemes or programs.  
(AQW 33212/11-15)

**Dr Farry (The Minister for Employment and Learning):** My Department provides a range of schemes and programmes to support those in receipt of benefit to find work. Steps to Work (StW) is my Department's main adult return to work programme. The programme is available, throughout Northern Ireland, to anyone aged 18 years or over (aged 16 or over in the case of a lone parent) who is unemployed or economically inactive with the aim of assisting them find and remain in employment.

StW guidance specifically excludes programme participants from "any activity which is likely to be seen as indoctrinating or as promoting a particular political, religious or other controversial viewpoint". The Department would consider canvassing to be a political activity and as such would not allow the programme to be used for this purpose.

Access to strands of StW provision may be made available to political parties wishing to provide eligible Jobseeker's Allowance claimants with appropriate work experience or subsidised employment opportunities for purposes other than those excluded above.

While politicians and political parties utilise StW provision by offering work experience placements and subsidised employment opportunities programme information is not gathered in a format that would facilitate the provision of validated statistical data broken down by political party.

The Youth Employment Scheme (YES) has been introduced to address high levels of unemployment among young people in Northern Ireland. This is a voluntary scheme designed to help young people aged 18 to 24, develop the skills needed to get a job.

Whilst current staff guidance for this element of the Youth Employment Scheme does not specifically prevent a political party offering individuals on Jobseeker's Allowance a placement that involves canvassing during elections, canvassing has not been included in the above placement specifications.

However, in order both to provide clarity and in line with the Steps to Work programme, staff guidance has been revised to ensure that future YES placements must not include canvassing for elections as part of the placement activity. This revised guidance issued on 8 May 2015.

### Undergraduate Students

**Mr McElduff** asked the Minister for Employment and Learning what action his Department is taking to remove barriers for students at undergraduate level on a north/south basis.  
(AQW 33259/11-15)

**Dr Farry:** My Department has established a project team, as part of the Graduating to Success implementation plan, to facilitate cross-border cooperation and student mobility.

A key part of this project is addressing four of the nine recommendations from the Irish Business and Employers Confederation and the Confederation of British Industry (IBEC-CBI) Joint Business Council study of obstacles to cross-border undergraduate education.

In relation to these four recommendations, work is being undertaken by my Department's Careers Service, UCAS, the Central Applications Office and the Northern Ireland Schools and Colleges Careers Association to ensure that students have access to relevant, up to date information on higher education opportunities in the UK and the Republic of Ireland.

An anomaly in relation to student finance has been resolved and since 2013 students from Northern Ireland studying in the Republic of Ireland have had access to a repayable Student Contribution loan and other financial support.

The Department of Education is in the lead on work regarding A Level and Leaving Certificate equivalences and, together with my Department, has been pursuing this issue for a number of years. I discussed this at a recent meeting with Minister Quinn and he advised that while the Irish Universities Association continues to consider the position at a strategic level, a number of individual universities are considering interim measures to attract Northern Ireland students.

There has been progress on this issue, with Dublin City University announcing the launch of the McAleese Scholarships to provide up to forty scholarships for students from Northern Ireland, and Trinity College Dublin also considering an access programme. I welcome support from Minister Quinn and his Department in trying to achieve an equitable solution to this issue.

Preparatory work has been undertaken in relation to research on cross border student flows and the impact of future demographics to inform policy development. . Departmental officials have agreed with colleagues in the Higher Education Authority on joint input to a formal report on North South student flows to be prepared for the Ministers in both jurisdictions.

### Student Union

**Mr Weir** asked the Minister for Employment and Learning what is the current position for students regarding (i) automatic membership of NUS-USI; and (ii) membership of their university student union.  
(AQW 33339/11-15)

**Dr Farry:** It was necessary for Departmental officials to contact the National Union of Students - Union of Students Ireland (NUS-USI) in respect of this matter. They advised that membership of NUS-USI is on an organisational rather than an individual basis. If an institution has a Students' Union, all students are automatically members of that students' union. The Students' Unions are the members of NUS-USI, and not the students themselves.

Individual Students' Unions decide themselves how they will make the decision to opt in or out of membership of NUS-USI. The decision could take the form of a referendum of students, student representatives taking the decision, or the decision being taken by another means.

Queen's University Belfast advised that once students register with the university they receive a Students' Union card and are, therefore, automatically members of the Students' Union. The students may not necessarily take part in union business but there is no process in place to allow them to opt out of being members.

University of Ulster students are automatically granted membership of the Students' Union when they register with the University. Students can opt out of membership of their Students' Union by writing formally to the President of the Students' Union. It is important to note that in doing so they would be unable to utilise the formal representation structures typically available to students such as sabbatical representation at academic appeals or student disciplinary meetings.

University of Ulster advised that its Students' Union is affiliated to NUS-USI on a three yearly basis. A referendum was last held in 2012 and is due again in 2015.

Students as individuals do not, under current constitutional structures, have the ability to disaffiliate with NUS-USI. This is due to the affiliation of the University of Ulster Students' Union with NUS-USI as a corporate body, leaving its membership indirect members of NUS-USI rather than direct ones.

### Student Union

**Mr Weir** asked the Minister for Employment and Learning the process for allowing students to opt in or out of membership of (i) their student union; and (ii) NUS-USI.  
(AQW 33340/11-15)

**Dr Farry:** It was necessary for Departmental officials to contact the National Union of Students - Union of Students Ireland (NUS-USI) in respect of this matter. They advised that membership of NUS-USI is on an organisational rather than an individual basis. If an institution has a Students' Union, all students are automatically members of that students' union. The Students' Unions are the members of NUS-USI, and not the students themselves.

Individual Students' Unions decide themselves how they will make the decision to opt in or out of membership of NUS-USI. The decision could take the form of a referendum of students, student representatives taking the decision, or the decision being taken by another means.

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Students as individuals do not, under current constitutional structures, have the ability to disaffiliate with NUS-USI. This is due to the affiliation of the University of Ulster Students' Union with NUS-USI as a corporate body, leaving its membership indirect members of NUS-USI rather than direct ones.

## Department of Enterprise, Trade and Investment

### Invest NI: Funding

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment how InvestNI ensure that funding provided to local companies does not result in the displacement of jobs and investment.  
(AQW 33231/11-15)



**Mrs Foster (The Minister of Enterprise, Trade and Investment):** Under both national and EU rules, Invest NI cannot assist any project where there is a likelihood of job displacement.

While displacement can be caused in any sector or by any company, it is most likely to occur in locally-focused and cost-competitive businesses and sectors or in the provision of local services. All proposals brought forward to Invest NI for support are formally assessed for potential displacement issues and to ensure that they comply with the national and European rules.

### Invest NI: Funding

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment (i) for her assessment of the displacement of jobs and investment within local businesses as a result of funding provided to local companies by InvestNI; and (ii) whether a mechanism exists to recoup public funding if displacement occurs.

(AQW 33232/11-15)

**Mrs Foster:**

- (i) Under both national and EU rules, Invest NI cannot assist any project where there is a likelihood of job displacement. While displacement can be caused in any sector or by any company, it is most likely to occur in locally-focused and cost-competitive businesses and sectors or in the provision of local services. All proposals brought forward to Invest NI for support are formally assessed for potential displacement issues and to ensure that they comply with the national and European rules.
- (ii) Should any EU State Aid rule be breached, any sector, company or individual could seek redress through the European Commission.

### European Consultation on Community Framework for State Aid, for Research, Development & Innovation

**Mr Swann** asked the Minister of Enterprise, Trade and Investment what response her Department provided to the European consultation on Community Framework for State Aid, for Research, Development & Innovation.

(AQW 33324/11-15)

**Mrs Foster:** The UK response to the European Commission's consultation on the Framework for Research, Development and Innovation can be accessed via the following weblink.

[http://ec.europa.eu/competition/consultations/2013\\_state\\_aid\\_rdi/index\\_en.html](http://ec.europa.eu/competition/consultations/2013_state_aid_rdi/index_en.html)

All State aid consultation exercises are undertaken at a Member State level, with the Department of Business Innovation and Skills (BIS) taking the lead in drafting the UK's response on the exercises relating to the 'industrial' State aid rules. Officials from the Devolved Administrations and other Whitehall departments are consulted by BIS throughout the drafting process.

### Invest NI's Propel Programme

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of applicants to InvestNI's Propel Programme broken down by constituency.

(AQW 33333/11-15)

**Mrs Foster:** Invest NI does not hold the breakdown of applicants by constituency for the full duration of this programme. However, we are able to provide the breakdown on the basis of Invest NI regional office area. The breakdown by Regional Office area is provided in the table below:

#### Regional Distribution of Applicants to the Propel Programme 2009-2014

Invest NI Region	Number
East (Ards, Belfast, Castlereagh, Lisburn, and North Down)	194
Southern (Armagh, Banbridge, Craigavon, Down, and Newry & Mourne)	99
Western (Cookstown, Dungannon, Fermanagh, Omagh, and Strabane)	59
North East (Antrim, Ballymena, Ballymoney, Carrickfergus, Larne, Moyle, and Newtownabbey)	71
North West (Coleraine, Londonderry, Limavady, and Magherafelt)	70
USA <sup>1</sup>	2
GB <sup>1</sup>	2
ROI <sup>1</sup>	5
<b>Total</b>	<b>502</b>

<sup>1</sup> Propel applications are permissible from people based in any country. However, the participant must commit to establishing the resultant business within Northern Ireland.

### Invest NI's Propel Programme

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of successful (i) female; and (ii) male applicants to InvestNI's Propel Programme broken down by constituency.

(AQW 33334/11-15)

**Mrs Foster:** The breakdown of successful applicants by gender is provided in the table below:

#### Invest NI Number of Successful Males and Females that have participated in the Propel Programme 2009 - 2014 (CCMS Reporting)

PCA	Number	Male	Female
Belfast East	17	13	4
Belfast North	9	6	3
Belfast South	31	25	6
Belfast West	3	3	0
East Antrim	4	4	0
East Londonderry	4	3	1
Fermanagh and South Tyrone	10	5	5
Foyle	10	10	0
Lagan Valley	9	7	2
Mid Ulster	5	5	0
Newry and Armagh	12	9	3
North Antrim	2	0	2
North Down	5	3	2
South Antrim	8	6	2
South Down	13	12	1
Strangford	4	2	2
Upper Bann	6	4	2
West Tyrone	6	3	3
<b>Total</b>	<b>158</b>	<b>120</b>	<b>38</b>

It is helpful to set female participation figures on the Propel Programme in context. The latest findings in the Global Entrepreneurship Monitor (GEM) 2013 report show that in 2013, 1.1 per cent of women in Northern Ireland expected to start a business in the next 3 years compared to 5.8 per cent of men. It is encouraging that Propel participation rates of 24% female and 76% male represent a more positive ratio than the female entrepreneurial activity findings from GEM.

### Invest NI's Propel Programme

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of (i) female; and (ii) male applicants to InvestNI's Propel Programme broken down by constituency.

(AQW 33335/11-15)

**Mrs Foster:** Invest NI does not hold the breakdown of applicants by constituency for the full duration of this programme. However, we are able to provide the breakdown on the basis of Invest NI regional office area. The breakdown by gender and Regional Office area is provided in the table below:

#### Regional Distribution of Applicants to the Propel Programme by Gender 2009 - 2014

Invest NI Region	Number	Female	Male
East	194	50	144
Southern	99	17	82
Western	59	20	39
North East	71	17	54

Invest NI Region	Number	Female	Male
North West	70	14	56
USA <sup>1</sup>	2	0	2
GB <sup>1</sup>	2	0	2
ROI <sup>1</sup>	5	1	4
<b>Total</b>	<b>502</b>	<b>119</b>	<b>383</b>

1 Propel applications are permissible from people based in any country. However, the participant must commit to establishing the resultant business within Northern Ireland.

### Invest NI's Propel Programme

**Mr Eastwood** asked the Minister of Enterprise, Trade and Investment to detail the number of successful applicants to InvestNI's Propel Programme broken down by constituency. (AQW 33336/11-15)

**Mrs Foster:** The number of successful applicants broken down by parliamentary constituency area is provided in the table below:

#### Invest NI Number of Successful Applicants that have participated in the Propel Programme 2009 - 2014

PCA	Number
Belfast East	17
Belfast North	9
Belfast South	31
Belfast West	3
East Antrim	4
East Londonderry	4
Fermanagh and South Tyrone	10
Foyle	10
Lagan Valley	9
Mid Ulster	5
Newry and Armagh	12
North Antrim	2
North Down	5
South Antrim	8
South Down	13
Strangford	4
Upper Bann	6
West Tyrone	6
<b>Total</b>	<b>158</b>

### Petroleum Licence PL2/10

**Mr Agnew** asked the Minister of Enterprise, Trade and Investment given the controversy relating to the deferral of ceasing of the petroleum licence PL2/10, in the event of failure to meet the conditions of Part 1 of the initial term of the licence, whether she will bring the decision on whether to cease the licence to the Executive. (AQW 33364/11-15)

**Mrs Foster:** No. This is a matter for DETI to administer in accordance with the relevant enabling legislation.

### Jobs Fund in East Londonderry

**Mr Campbell** asked the Minister of Enterprise, Trade and Investment, as of the most recent date for which figures are available, to detail the number of jobs (i) promoted; and (b) created from the Jobs Fund in East Londonderry in the last twelve months. (AQW 33373/11-15)

**Mrs Foster:** The most recent figures available for a full twelve month period are from the 2012/13 financial year. Figures for the recently completed 2013/14 financial year will be available in the near future.

In 2012/13 the Jobs Fund (i) promoted 67 jobs and (ii) created 40 jobs in East Londonderry.

Please note that projects are implemented across a period of several years. Therefore a proportion of the jobs created during this 12 month period relate to jobs which were promoted in an earlier period.

Businesses which have been supported by the Jobs Fund in East Londonderry include Annie's Traditional Food which received support to create 10 new jobs, and Season Harvest which was supported to also create 10 new jobs.

### Tamboran Resources: Drilling

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment what commitments Tamboran Resources made in May 2012 when requesting a change in work programme to drill a stratigraphic borehole; and to detail (i) whether they demonstrated that they had purchased the necessary land and had the necessary finance and company structures in place; (ii) what due diligence was carried out by her Department with respect to commitments from Tamboran Resources, including having the necessary finance and company structures in place; and (iii) when her Department first became aware that Tamboran Resources would not be able to meet their work programme commitments in the terms set down in the licence. (AQW 33376/11-15)

**Mrs Foster:** The information which applicants for a petroleum licence are required to submit to DETI, to enable DETI to assess the company's financial and technical viability and capacity, are set out in DETI's "Guidance to Applicants" document.

The work programme described in a Petroleum Licence outlines the work proposed at the time of Licence award. However, it is the nature of exploration that companies may require to make changes to work programmes.

Where changes are proposed, companies are required to submit such further information to DETI as is required to satisfy the Department that the company continues to have the necessary capability to take forward the changes.

In May 2012 DETI approved a variation to Tamboran's work programme because DETI was satisfied that, from a technical point of view, substituting one deep stratigraphic borehole for a number of shallower ones made good sense.

The Company has satisfied DETI that it has the financial capacity to carry out this revised work programme.

The company would not have been expected to have purchased land in advance of DETI approving its request to modify the work programme.

When the company submits its application to DETI for "consent to drill", it will be required to demonstrate that it has the appropriate managerial structure and operational competence to carry out the drilling operations.

The company submitted a written request to DETI for a 6-month extension to Part 1 of its work programme on 19 February 2014.

### Tourist Board: Milk Cup

**Mr Swann** asked the Minister of Enterprise, Trade and Investment whether she is aware that the Northern Ireland Tourist Board has only made an offer of support to the Milk Cup for 2014 to 2016, which shows an award of 48 per cent of the claim lodged. (AQW 33412/11-15)

**Mrs Foster:** A Letter of Offer was sent to The Milk Cup offering £170,730 over three years with the first year's award being £63,000.

In 2013/14 The Milk Cup received an award of £25,000 from The Northern Ireland Tourist Board therefore the new offer, in year one alone, is a substantial 152% increase on the previous year's award.

### Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment to detail the inspection procedure of the Health and Safety Executive Northern Ireland to ascertain breaches of the Control of Noise at Work Regulations. (AQW 33424/11-15)

**Mrs Foster:** Inspectors in the Health and Safety Executive for Northern Ireland (HSENI) will identify potential issues relating to noise at work during proactive inspection of premises. HSENI will also investigate complaints made by an employee or union safety representative regarding noise at work.

Where issues are identified the employer will be requested to address these in line with the requirements of the regulations.

If appropriate action is not taken by the company HSENI will consider the use of an improvement notice, requiring the company to comply with specific regulations. Breach of an improvement notice may result in criminal proceedings.



Where a complaint is made by a member of the public regarding noise emanating from an industrial premises, the Control of Noise at Work Regulations (Northern Ireland) 2006 do not apply. In such circumstances complainants are advised to contact their local council who may act under the Noise Act 1996.

### Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment to detail the number of enforcement proceedings taken forward by the Health and Safety Executive Northern Ireland under the Control of Noise at Work Regulations, in each of the last five years.

(AQW 33425/11-15)

**Mrs Foster:** The Health and Safety Executive for Northern Ireland has not needed to serve any notices or instigate any prosecutions under the Control of Noise at Work Regulations during the past 5 years.

### Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment how many employers have been subject to investigation for breaches of the Control of Noise at Work Regulations, in each of the last five years.

(AQW 33426/11-15)

**Mrs Foster:** The Health and Safety Executive for Northern Ireland has undertaken investigations into 73 noise at work related complaints in the past 5 years as detailed below.

Year	Number of Investigated Complaints
2013	12
2012	17
2011	14
2010	20
2009	10

### Control of Noise at Work Regulations

**Mr McGimpsey** asked the Minister of Enterprise, Trade and Investment how many employers are currently subject to enforcement proceedings by Health and Safety Executive Northern Ireland under the Control of Noise at Work Regulations.

(AQW 33427/11-15)

**Mrs Foster:** There are no employers currently subject to enforcement proceedings by the Health and Safety Executive for Northern Ireland under the Control of Noise at Work Regulations (Northern Ireland) 2006.

### Administrators to Acheson & Glover, Fivemiletown

**Ms McGahan** asked the Minister of Enterprise, Trade and Investment whether she has been in contact with the administrators to Acheson & Glover, Fivemiletown to ensure that the jobs of the 400 employees are safeguarded.

(AQW 33435/11-15)

**Mrs Foster:** My Department has been in touch with Acheson & Glover Limited and confirm, Acheson & Glover Group Limited, is a non-trading Holding Company that owns Acheson & Glover Limited and Acheson & Glover Precast Limited. It was placed into Administration on 2 May 2014.

The joint administrators from BDO are in the process of completing the sale of the trading subsidiaries to a new company owned by Raymond Acheson who has headed the business for more than 30 years.

This will enable the trading businesses to continue as normal without any impact on staff, suppliers or customers.

### Giro d'Italia Grande Partenza

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment how many people watched the Giro d'Italia Grande Partenza on television.

(AQW 33446/11-15)

**Mrs Foster:** The Northern Ireland Tourist Board does not currently have access to this information. Actual viewing figures will not be known until after the post event evaluation is completed.

### Financial Assistance to Purchase Wood Pellets for Burners

**Mr Moutray** asked the Minister of Enterprise, Trade and Investment when financial assistance to purchase wood pellets for burners will be made available, given that England, Scotland and Wales have recently announced assistance.

(AQW 33502/11-15)

**Mrs Foster:** The Department of Energy and Climate Change has recently introduced a domestic Renewable Heat Incentive (RHI) scheme in England, Scotland and Wales. The scheme provides homeowners with ongoing incentive payments for the installation and operation of renewable heat technologies, such as biomass boilers, heat pumps and solar thermal panels.

DETI has consulted on proposals for a domestic RHI in Northern Ireland and is in the process of finalising plans for introduction. The scheme will be similar to the scheme launched in GB in that payments will be made to homeowners over a number of years and will be designed to ensure the additional costs of installing renewable heat technologies are recovered by the applicant.

In the interim, my Department has been administering a grant scheme for domestic customers wishing to install renewable heat technologies. The Renewable Heat Premium Payment (RHPP) scheme was launched in May 2012 as a forerunner to a domestic RHI in NI. As of 13 May 2014 over 1700 applications have been made and over 1200 have received offers. This represents support of £2.3 million towards a total investment in the sector of over £7.7 million.

## Department of the Environment

### Quarries: Tarmac Plant

**Mr McGimpsey** asked the Minister of the Environment how many quarries are currently operating in each council area; and of these, how many operate a tarmac plant.

(AQW 32936/11-15)

**Mr Durkan (The Minister of the Environment):** Tarmac is a type of road surfacing material; it may also be used when referring to other materials including bitumen and asphalt. As such the Department has considered all types of coated road stone plant.

Then number of quarries currently operating in each council area, as well as the number of these operating a tarmac plant, are detailed in the attached table at Annex A.

#### Annex A

Council Area	Number of Quarries Operating	Number of Tarmac Plants
Ards	5	3
Armagh	13	3
Ballymena	5	2
Ballymoney	4	2
Banbridge	4	2
Belfast		1
Carrickfergus	1	
Castlereagh	1	
Coleraine	4	2
Cookstown	16	2
Craigavon	2	
Derry	10	
Down	3	1
Dungannon & South Tyrone	6	
Fermanagh	17	2
Larne	3	
Limavady	3	
Lisburn	2	2

Council Area	Number of Quarries Operating	Number of Tarmac Plants
Magherafelt	5	2
Moyle	1	
Newry & Mourne	12	3
Newtownabbey	2	3
North Down		1
Omagh	17	1
Strabane	16	
<b>Total</b>	<b>152</b>	<b>32</b>

Please note some plant may be registered in one council area and the quarry within a different council area, due to the location of quarries straddling council boundaries. Therefore some of these entries are showing as blank.

### Lignite Extraction Moratorium

**Mr Swann** asked the Minister of the Environment for an update on the current moratorium on lignite extraction in place in North Antrim.

(AQW 33036/11-15)

**Mr Durkan:** My Department has no planning moratorium on the extraction of lignite in North Antrim. This is a matter for the DETI Minister to respond to in respect of any potential prospecting licenses for such development.

### River Faughan: Pollution

**Mr Agnew** asked the Minister of the Environment who can be held responsible for the pollution emanating from the illegal landfill at Mobuoy Road into the tributary of the River Faughan Special Area of Conservation now the City Waste Company has been closed down by his predecessor.

(AQW 33131/11-15)

**Mr Durkan:** The pollution emanating from the landfill at Mobuoy Road is subject to criminal proceedings and due process. It will ultimately be a matter for the courts to determine responsibility for the pollution being caused.

The Northern Ireland Environment Agency (NIEA) is taking a structured approach in dealing with the waste issues on the Mobuoy Road site. In the past nine months, works at the site have focused on removing waste materials from the City Waste Materials Recovery Facility (MRF) site and implementing immediate works to try and capture polluting liquids and leachate from reaching surrounding watercourses.

A significant volume of contaminated surface water is currently being directed to a cut-off drain on the site and removed on a regular basis through tankering from the City Waste site. This contaminated liquid is treated at a local Wastewater Treatment Works, working in conjunction with Northern Ireland Water. To date 1,426,435 litres of leachate has been removed from the site. The cost of both actions is in the region of £800,000.

In addition, NIEA is undertaking environmental monitoring of the water quality in rivers upstream, in the middle of and downstream from the site, including the River Faughan, with samples being collected on a monthly basis and the watercourse being visually inspected weekly. No significant pollution has been identified in the River Faughan.

There has been some pollution in the local stream adjacent to the site. However, a visual inspection by NIEA staff in April noted that this has receded. This may be due in part to the works undertaken to remove leachate or it may also be due to low levels of rainfall causing lower levels of infiltration at the site.

NIEA will continue to monitor the water quality in the local watercourses whilst developing both an extensive plan to clearly identify the risk of further leachate impacting on local environmental receptors and a management plan for resolving the issues in both the short and medium term.

A tender is currently being developed to manage the medium and long term options for the site and it is hoped this will be place by September.

### Community Benefits Summit

**Mr Flanagan** asked the Minister of the Environment (i) to list the actions agreed by his predecessor during the Community Benefits Summit in June 2013; and (ii) for an update on how each action has progressed.

(AQW 33188/11-15)

**Mr Durkan:** The aim of the Summit, convened by my predecessor Alex Attwood, was to explore what more could be done to further Community Benefit through planning. Community Places prepared a report on the Summit which identified three broad areas or 'next step actions'. These were:

- Policy and Practice:
  - to develop a guidance circular on planning and Community Benefit;
  - identify and promote good practice to communities;
  - introduce an assessment of Community Benefit opportunity (separate from Pre Application Discussions) early in the process;
  - escalate the range of Community Benefit opportunities - especially through Article 40;
  - re-examine how applications are advertised;
  - introduce a register of Community Benefit; and
  - establish a fund for communities to both set up community trusts and develop a business case.
- Planners will identify any projects currently in the planning system where there are community benefit opportunities.
- Government spending should have conditions attached to how money should be spent for community benefit

By way of update, in relation to renewable energy my Department, along with DETI and DARD, published a study into Communities and Renewable Energy in October 2013 which contained a number of recommendations. These included the preparation of best practice guidance on community engagement and Community Benefit and a recommendation for a register of Community Benefits in relation to renewable energy development. It also recommended that the Departments should develop a Northern Ireland Action Plan which will address many of the renewable energy related actions from the summit. Given its lead role on energy matters, DETI is leading on this and my officials will continue to engage with them on the development of the draft Action Plan. Engagement with communities, developers, councils and elected representatives will be an important aspect of this work over the coming months.

In relation to the role that the planning system can play in bringing forward community benefit guidance, best practice and early engagement with communities, my officials are currently dealing with this through the Planning Reform and Transfer Project. This work will also address how applications are advertised when planning transfers to councils.

In addition, the Department seeks to secure community benefit by way of an Article 40 planning agreement where the benefit sought serves a planning purpose; is necessary for the development to proceed; and is otherwise fairly and reasonably related to a particular application. Examples of such benefits may include the provision of open space, a road junction improvement or a community facility in association with a large residential development.

In relation to the action that Government spending should have conditions attached to how money should be spent for community benefit, the Department of Finance and Personnel (DFP) have issued a procurement guidance note (PGN 01/13 – November 2013) which advises that, depending on their nature, social considerations can be included in the procurement process provided that they relate to the subject matter of the contract or the performance of the contract. The EU Procurement Directives provide the legal framework to achieve this and I strongly support this approach.

### Breaches of Planning Control

**Mr Weir** asked the Minister of the Environment to detail the number of breaches of planning control that have resulted in court prosecutions, in each of the last five years.

(AQW 33202/11-15)

**Mr Durkan:** The table below details the number of prosecutions for planning breaches, between April 2009 and December 2013.

Please note the last financial year (April 2013 to December 2013) only covers 9 months, based on the latest NI Planning Development Management Statistics Bulletin. The figures for January to March 2014 will not be published until 26 June 2014, thus cannot be publicly released prior to this date.

#### Planning Prosecutions from April 2009 to December 2013

April 2009 – March 2010	April 2010 – March 2011	April 2011 – March 2012	April 2012 – March 2013	April 2013 – December 2013p
164	91	131	145	60

#### Notes

- Prosecutions refer to the number of cases that were referred to a solicitor to initiate court proceedings.
- Please note these figures are provisional.



## Taxi Operator Licences

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 31657/11-15, to detail (i) the date of the review; (ii) who carried out the review; and (iii) what the review entailed.

(AQW 33222/11-15)

**Mr Durkan:** The review referred to in AQW 31657/11-15 was undertaken by the Driver and Vehicle Agency and included a visit to Ravenhill rugby ground on 13 August 2013, following which the operating centre at Ravenhill rugby ground was removed from Fonacab's taxi operator licence on 1 October 2013.

## Driver and Vehicle Agency, Omagh

**Mr McElduff** asked the Minister of the Environment for an update on the redeployment of the permanent and temporary employees of the Driver and Vehicle Agency in Omagh.

(AQW 33258/11-15)

**Mr Durkan:** The Department of Environment Human Resource Branch (DOE HR) is currently working with the NICS Cross Departmental Redeployment Group to identify suitable posts into which permanent DVA staff could be redeployed at the earliest opportunity. In line with the NICS Redeployment Policy priority will be given to surplus DVA staff before posting by other mechanisms, i.e. promotion and/or recruitment.

The temporary staff currently working in Omagh Local Vehicle Licensing Office will not be included in the redeployment process as it is intended that any temporary employment contracts will be terminated when the vehicle licensing work in the local offices ceases.

DOE HR has issued Staff Assessment/Preference forms to permanent DVA staff affected by the centralisation decision that will establish if they have any special circumstances, for example disability or welfare reasons, which might restrict their mobility. The exercise will also identify locations where staff would prefer to be redeployed. DOE HR will take this information into account when considering redeployment opportunities for staff including those in Omagh and will make every effort to find suitable posts which meet the individual circumstances of staff.

## Applications Review

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 17634/11-15, how many of the 120 applications identified for immediate review have been reviewed.

(AQW 33267/11-15)

**Mr Durkan:** Of the applications identified for review, 17 applications still require to be reviewed.

## Private Hire Taxis: Access NI

**Lord Morrow** asked the Minister of the Environment (i) whether private hire taxi drivers and operators are required to be Access NI checked; (ii) if so, to state the relevant regulation or legislation; and (iii) whether current Driver and Vehicle Agency registered private hire taxi drivers and operators are Access NI checked and cleared.

(AQW 33316/11-15)

**Mr Durkan:** All taxi drivers and operators are required to have a previous conviction check carried out by Access NI and the Department does not differentiate between private and public hire drivers or operators.

The grant of a taxi licence is dependent upon applicants satisfying the Department of their repute suitability. For taxi drivers, Article 79A of the Road Traffic (NI) Order 1981 states that "the Department shall not grant a taxi driver's licence unless it is satisfied that the applicant is a fit and proper person to hold the licence." Since April 2008 the Department obtains details of an applicant's criminal record by way of an Enhanced Disclosure Certificate from Access NI and this information is taken into account in determining if an applicant meets the legal requirements of being a fit and proper person.

Similarly in relation to Taxi Operator Licences, Paragraph 2(4)(a)(i) of the Taxis Act (NI) 2008 states that "the Department shall grant an operator's licence to the applicant if it is satisfied that the applicant is a fit and proper person to hold an operator's licence." As part of the application process, applicants for taxi operator licences must supply a Basic Disclosure Certificate from Access NI and information on these is taken into account in determining whether or not the fit and proper person requirements are met.

An Access NI Enhanced Disclosure Certificate has been obtained for all licensed taxi drivers and (at least) an Access NI Basic Certificate for every taxi operator.

## Driver and Vehicle Agency Taxi Operator Handbook

**Lord Morrow** asked the Minister of the Environment (i) when the current Driver and Vehicle Agency Taxi Operator Handbook (TOL2) was first issued; (ii) to list the amendments made since the first issue; (iii) why Point 5.11.2 has lines blacked out and differing information placed over the original point; (iv) on what date, and why, the decision was taken to carry out this

alteration; (v) what was the original text; (vi) was he made aware of this in advance of the alteration, and if not, when was he made aware; and (vii) what engagements took place with taxi drivers and operators prior to this decision to amend.

(AQW 33318/11-15)

**Mr Durkan:**

- (i) The Taxi Operator Handbook (TOL2) was first issued prior to the introduction of taxi operator licensing in September 2012.
- (ii) Amendments were subsequently made to paragraph 5.11.2 - Operators working from business / commercial premises.
- (iii) The text of Point 5.11.2 was amended following a review of planning requirements, when applying for a taxi operator licence. It was amended to read:

"If you are working from a business / commercial property you will need to ensure that any operating centre(s) on your application:

- Has existing planning approval, or
- Has a certificate of Lawful Use or Development, or
- Does not require planning approval and is outside the scope of any planning enforcement action.

If you need any advice on planning matters, you should contact your Local Area Planning Office. Addresses and telephone numbers are available at [http://www.planningni.gov.uk/index.about/about\\_contacts.htm](http://www.planningni.gov.uk/index.about/about_contacts.htm).

Warning: If it is found that an Operating Centre does not have the necessary planning approval, or an applicant has deliberately made a false or misleading statement, their Taxi Operator Licence may be revoked."

- (iv) The revised planning requirements for applicants were agreed on 4 March 2013. When taxi operator licensing was originally introduced, it was determined that taxi operators would need to prove that they had appropriate planning approval for their premises. However, this proved extremely difficult for operators to provide, particularly for those premises where they had been established for many years. DVA was asked by numerous operators to review the planning requirement, as the consequence for operators was that they could not obtain a full taxi operator licence, nor provide a legal taxi service, until this information was provided.

- (v) The original text of point 5.11.2 read:

"If you are working from a business / commercial property you will have to provide as part of the application:

- a copy of your Planning Permission or
- a Certificate of Lawful Development Existing.

If you need advice on planning matters you should contact your Local Area Planning Office. Addresses and telephone numbers are available at [http://www.planningni.gov.uk/index.about/about\\_contacts.htm](http://www.planningni.gov.uk/index.about/about_contacts.htm).

You must submit original documents, not copies, in support of your application. Original documents will be returned to the applicant following an inspection.

If, subsequent to the grant of a licence, it is discovered that an operating centre does not have planning permission and is liable for enforcement action by the Department (whether enforcement action is taken or not) this licence may be revoked".

- (vi) The content of the taxi operator handbook was not agreed with the Minister at that time, as it was an operational matter.
- (vii) Following the introduction of taxi operator licensing in September 2012, significant numbers of queries and complaints were received from taxi operator customers attempting to comply with the planning requirements at that time; this customer engagement and feedback prompted the review and subsequent change to the application process.

## Taxi Operators: Ravenhill Rugby Grounds

**Lord Morrow** asked the Minister of the Environment to detail the minutes of a meeting between an official from the Driver and Vehicle Agency (DVA) and Belfast Public Hire Taxis on 12 September 2013 at Clarence Court, during which a DVA official stated, in his view, the arrangement for taxi provision through private hire at Ravenhill Rugby Ground was acceptable.

(AQW 33352/11-15)

**Mr Durkan:** At the 12 September 2013 meeting, Departmental officials advised representatives of Belfast Public Hire Taxis (BPH) that if some limited changes were made by Fonacab, its operations at Ravenhill might be compliant with current legislation. However, officials emphasised that further legal advice was awaited and therefore the position was not fully clear at that time. A note of the meeting is appended to this answer.

## Meeting Between BPH Representatives and DOE

In attendance: Gerry Diver (BPH) Alex Boyle (DOE)  
Pat Meighan (BPH) Elaine Colgan (DOE)  
Kieran Reilly (BPH)

Items discussed: BPH began by outlining their reasons for asking to meet DOE at short notice, having just come from meeting DVA enforcement. BPH advised that they had been informed that DVA Enforcement "only do what the Core tell them" and therefore believe DVA enforcement do not have the tools they need to act, and pu-ing fines of £30 are not deterring illegal

activity. They stated the one-tier system will be detrimental to them, and enforcement is not taking action to sort out Belfast City Centre in advance of its introduction. They believe none of the government Departments are ready for single tier to be introduced. DVA have advised BPH that taxi legislation particularly TOL cannot be enforced and that clarification is sought from the Department on a number of issues, including operating centre definitions.

Alex clarified that in relation to Ravenhill specifically, legal advice is pending, and he clarified the situation regarding PSNI attendance at games following discussions with them.

BPH reported that DVA maintain the legislation for TOL is not enforceable, and is a fixed penalty matter only. Alex stated he believed the legislation was workable and the process of enforcement beyond penalty points could be played out if necessary. This includes taking operators to Court either instead of fixed penalties subject to previous enforcement history or as a result of accumulating fixed penalties.

BPH asked the Department to pause implementation of single tier and not to introduce this in September 2014. Alex stated the only way to do this was if politicians asked the Department to do so. BPH asked for a round-table discussion with the Department and the Environment Committee, and Alex advised them to contact the Committee to request this. He also advised them to contact Private Office if they wished to meet the Minister to discuss a delay to single tier.

Iain Greenway entered the meeting and further discussion took place on the Ravenhill situation and the legality of Fonacab contracts there. BPH were advised that this was proving a complex legal issue, and that it was possible (but not certain) that, if some limited changes were made by Fonacab, their operations at Ravenhill might be compliant with current legislation. However, officials emphasised that further legal advice was awaited and therefore that the position was not fully clear at the moment. DVA attendance at Ravenhill on 23 August had allowed the detailed manner of operating to be clarified in a number of respects. BPH asked whether, if Fonacab approached the Department for advice on how to comply with the legislation, the Department would advise them. Officials indicated that most likely they would, as they would generally take the view to assist any citizen who was trying to comply with the law. If nothing else, a District Judge would not look kindly on a public official who took an enforcement case against a citizen, having been unwilling to advise them on how to comply with the law. Officials pointed out that they have held many such advice meetings with BPH.

BPH reiterated that single tier should and would not happen, that government departments were acting against them, despite them having arranged shirts for their members, and then walked out of the meeting.

### Private Hire Taxis: Illegal Pick Ups

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 32654/11-15, to detail the actual offence. (AQW 33353/11-15)

**Mr Durkan:** The actual offence is "Using a public service vehicle on a road to stand or ply for hire or carry passengers for hire without there being in force, in relation to the vehicle, a licence granted under Article 61 of the Road Traffic (NI) Order 1981, contrary to Article 60".

This offence carries a maximum fine, upon conviction, of £2,500 or alternatively can be dealt with by way of a £30 Fixed Penalty Notice.

### Driver and Vehicle Agency

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 32608/11-15 and particularly the final sentence, "I can however confirm that traffic wardens do not provide the Driver and Vehicle Agency with any information relating to taxi drive-offs from Belfast City Hall", whether this is contrary to the remarks of a Driver and Vehicle Agency official to the Committee for the Environment on 12 December 2013, and if so, why this disparity has arisen. (AQW 33355/11-15)

**Mr Durkan:** The comments made to the Committee on 12 December 2013 by a DOE official were in relation to wider issues concerning taxi rank accessibility which had been discussed with colleagues from the Department for Regional Development at a prior meeting and included a reference to drive-offs by Public and Private Hire Taxis.

These remarks reflected ongoing communication between the two Departments and discussions on the operational context of enforcement within Belfast City Centre.

The Agency can confirm that there is no inconsistency between comments made on 12 December 2013 and the answer to AQW 32608/11-15.

### Planning Response

**Mr Campbell** asked the Minister of the Environment, following the site meeting requested by the MP for East Londonderry and held at Strandview, Portstewart on 7 February 2014, when a definitive planning response will be issued. (AQW 33372/11-15)

**Mr Durkan:** Further to my site meeting on 7 February 2014 at which I heard the concerns of local residents and elected representatives, a definitive planning response will be issued after I have had the opportunity to consider the relevant issues.

### Illegal Dumping Sites

**Mr Newton** asked the Minister of the Environment to detail the number of illegal dumping sites his Department has identified over the past three years; and the level of fines issued as a result. (AQW 33433/11-15)

**Mr Durkan:** During the past three years, 1,222 incidents have been reported to NIEA, over 90% of which relate to allegations of illegal waste management. These incidents range from one or two bin bags to major illegal waste activity. In some of these reports, the incidents relate to facilities which are authorised by NIEA, and are therefore dealt with by regulatory teams within NIEA.

In the same period, 127 enforcement files have been opened. Of the cases which have been identified during this time, 21 have completed the court process. Others are still progressing through the criminal justice system or are under investigation.

To date, the fines resulting from these cases amount to £29,550. Five suspended prison sentences have also been given out by the courts ranging from three to six months. One confiscation order of £60,000 has been made under the Proceeds of Crime Act 2002.

There have been a number of other court outcomes during the last three years which have related to cases where the offending was detected prior to June 2011. These outcomes are not included in this answer.

### Public Hire Taxi Drive-offs

**Lord Morrow** asked the Minister of the Environment, in light of the statement by a departmental official at the Committee for the Environment meeting on 12 December 2013 that there had been over 900 Public Hire taxi drive-offs from Belfast City Hall on sight of traffic wardens, (i) on what evidence he based this statement; (ii) to provide a copy of this evidence; (iii) whether traffic wardens record such information and pass it to the Driver and Vehicle Agency; and (iv) to list the dates of these drive-offs. (AQW 33445/11-15)

**Mr Durkan:** Whilst responding to a query from the Chair of the Environment Committee, a Departmental official mentioned the numbers of public hire taxi drive-offs from Belfast City Hall as general supporting information. The information originated from officials of the Department of Regional Development, which is the Department responsible for traffic wardens, and was provided verbally during one of their discussions with DOE officials in respect of taxi policy.

Information and statistical data collected by traffic wardens is the responsibility of the Department of Regional Development. As stated in my answer to AQW 32608/11-15, traffic wardens do not provide the Driver and Vehicle Agency with any information relating to taxi drive-offs from Belfast City Hall.

### Taxis: Touting for Passengers

**Lord Morrow** asked the Minister of the Environment why the departmental minutes of a meeting between Driver and Vehicle Agency (DVA) staff and Belfast Public Hire Taxis (BPHT) on 3 October 2013 at Clarence Court does not contain the remarks made by a DVA official that touting is legal as long as a driver doesn't load his own car, which is noted in the minutes taken by BPHT. (AQW 33447/11-15)

**Mr Durkan:** Departmental officials met with representatives of BPHT on 3 October 2013 to discuss the outcome of the legal advice obtained by the Department around taxi operations at Ravenhill Rugby Ground.

The Departmental record of the meeting includes a note that an official advised that, with regard to the offence of touting as provided for in regulation 49 of the Public Service Vehicles Regulations (NI) 1985, this may be interpreted as only applying to the driver of their own vehicle, as the regulation refers to 'the' vehicle rather than 'a' or 'any' vehicle.

### River Faughan: Pollution

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 33133/11-15 and given that he has stated that no significant pollution has been identified in the river, whether any levels of pollution from the illegal land fill at Mobouy are now being detected in the River Faughan Special Area of Conservation. (AQW 33563/11-15)

**Mr Durkan:** Following the closure of these sites adjacent to the River Faughan Special Area of Conservation, NIEA immediately implemented a detailed water quality monitoring programme, with the aim of determining if there was any polluting impact on the river from the waste sites. This monitoring consists of a number of samples being regularly collected from several points on the River Faughan, upstream, adjacent to and downstream of the waste sites.

This intensive precautionary monitoring has not shown any downgrading of the water quality classification of the River Faughan due to pollution from these sites.



## Department of Finance and Personnel

### Regulation of Management Companies for Housing

**Mr Flanagan** asked the Minister of Finance and Personnel what consideration has been given to the introduction of regulation of management companies for housing.

(AQW 33119/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** The Northern Ireland Law Commission has reviewed the law relating to apartments and has recommended the regulation of managing agents, rather than management companies. Work in relation to the proposed introduction of a regulation scheme for managing agents is ongoing.

### Northern Ireland Law Commission: Apartments Report

**Mr Flanagan** asked the Minister of Finance and Personnel, following the Northern Ireland Law Commission's Review Law Relating to Apartments, what plans he has to regulate the operation of management agents, particularly in regard to protecting the position of apartment owners and occupiers in situations where agents are struck off or enter liquidation.

(AQW 33187/11-15)

**Mr Hamilton:** The recommendations in the Law Commission's Apartments Report are cross-cutting and the Executive has, therefore, established an Apartments Report Implementation Group, which is comprised of senior officials from the Department of Enterprise, Trade and Investment, the Department of Finance and Personnel, the Department of the Environment, the Department of Justice and the Department of Social Development. The Group is currently focusing on the recommendations with regard to the regulation of managing agents and the provision of advisory services, as it is considered that those recommendations are likely to be of most interest to apartment owners.

If a regulation scheme for managing agents is introduced it will have to stipulate which body will handle any resulting disputes. The Department of Justice is exploring the options for dispute resolution. It is also considering whether there are any services that could be put in place to assist apartment owners involved in a dispute.

As there is no regulation scheme at present, managing agents cannot be "struck off".

The Law Commission did not make any recommendations with regard to substantive company law and, accordingly, the current company law rules with regard to the striking off of companies and liquidation will continue to apply.

### Equal Pay: PSNI/DOJ/NIO

**Mrs Cochrane** asked the Minister of Finance and Personnel, further to his engagement with the Minister of Justice regarding an equal pay settlement for PSNI, Department of Justice and Northern Ireland Office staff, and that of their respective Departments, (i) for an update on the progress to date in relation to this issue; and (ii) to detail an indicative timescale for when possible solutions may be brought before the Northern Ireland Executive for consideration.

(AQW 33250/11-15)

**Mr Hamilton:** I have recently circulated a paper to my Executive colleagues outlining a recommendation that will result, I hope, in a satisfactory resolution of this issue for this group of staff. The recommendation, and any expenditure of resources, will require the agreement of the Executive.

### Stormont Estate: Dogs on Leads

**Mr Cree** asked the Minister of Finance and Personnel (i) for an update on the changes that have been imposed on walking dogs in the Stormont Estate; and (ii) if these changes are in accordance with the Stormont Estate Regulation 1933.

(AQW 33286/11-15)

**Mr Hamilton:** All dog owners entering the Estate must keep their dogs on a lead aside from in a 1.5 acre fenced exercise area located just off the Prince of Wales Avenue where they can exercise their dogs off lead.

The Stormont Estate Regulations 1933 require dogs entering the Stormont Estate to be kept under proper control. The Dogs (Northern Ireland) Order 1983 defines under control.

### Air Passenger Duty

**Mr Cree** asked the Minister of Finance and Personnel for an update on the Chancellor's announcement that he intends to reform Air Passenger Duty with effect from 1 April 2015 and what affect this will have locally.

(AQW 33287/11-15)

**Mr Hamilton:** Air Passenger Duty (APD) is currently levied on the basis of four destination bands and the reforms announced by the Chancellor as part of Budget 2014 will see the number of destination bands reduce to two as a result of merging the 'long haul' bands B, C and D from 1 April 2015.

Given that rate setting powers for direct long haul flights have already been devolved to the Assembly and the rate set to zero, this will have no real impact locally.

Legally however, the reforms have changed the bands to which the direct long haul APD rates set by the Assembly will apply, and therefore the provisions in the UK Bill change the legislative competence of the Assembly. As a result, a Legislative Consent Motion is required and this

is currently scheduled for debate in the Assembly on 27 May 2014. An amendment to the Northern Ireland Air Passenger Duty (Setting of Rate) Act 2012 will also be required.

### Civil Service: Job Advertising

**Mr Agnew** asked the Minister of Finance and Personnel whether the Northern Ireland Civil Service advertise externally for Administrative Officer positions and not for Administrative Assistant positions; and if so, to provide an explanation for this.

(AQW 33304/11-15)

**Mr Hamilton:** Job opportunities for both Administrative Officers and Administrative Assistants positions are advertised externally, in line with Northern Ireland Civil Service departments' requirements to recruit and appoint staff at these grades.

## Department of Health, Social Services and Public Safety

### Recruitment of Middle-grade Doctors

**Mr Rogers** asked the Minister of Health, Social Services and Public Safety, considering the failure of the recruitment process for middle-grade doctors over the last five years, what alternative options are being considered in the short and medium term.

(AQW 33198/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The current national shortage of middle grade doctors has been well documented and is an issue all parties involved in health provision have been seeking to resolve. Trusts continue to engage recruitment agencies experienced in sourcing medical staff internationally to help source suitable doctors.

Changes to immigration rules in 2008 impacted adversely on the recruitment of doctors from outside the EEA which was an important source for middle grade doctors. Consequently I have corresponded with the Secretary of State, Theresa Villiers MP, and the Secretary of State at the Home Office to highlight the issues and I have asked the Home Office to review the immigration rules. I liaise regularly on these matters with my ministerial counterparts in the UK. I also have frequent discussions with individual health and social care trusts on how to address the ongoing shortage of staff.

I have met with the College of Emergency Medicine to discuss the pressures facing Emergency Departments in particular and my Department will continue to work with the College and the HSC in seeking to address this UK-wide difficulty. There is also regular liaison on all issues relating to medical staffing with the British Medical Association and the Northern Ireland Medical and Dental Training Agency.

To address the matter in the short and medium term Trusts have undertaken a number of initiatives such as converting middle grade doctor posts to consultant posts where staff are available; developing their own middle grade staff by working intensively with locum staff to develop their skills to a point where they are able to work at middle grade doctor level and become trust employees; and employing and training up GP trainees so that they are able to cover middle grade roles.

### Patients: Returning Home from Hospital

**Mr Frew** asked the Minister of Health, Social Services and Public Safety to detail (i) the standard operating procedure in the Northern Health and Social Care Trust when patients are returning home from hospital; (ii) the time allocated to allow the families and carers to adjust; (iii) when patients can expect care in the community packages to be in place after leaving hospital; and (iv) the required consultation and communication with families and carers before discharge.

(AQW 33199/11-15)

**Mr Poots:** The Northern Health and Social Care (HSC) Trust has advised that when an individual is referred to the social work department they will be allocated a social worker and will undergo a comprehensive social work assessment. The majority of individuals will be assessed by the multi-disciplinary team and depending on their assessed needs, a package of care will be requested to meet the identified care needs. The social worker will liaise with the individual, their family and carers at the earliest possible stage to consider the individual's circumstances and begin the discharge planning process. At all times the individual and carer are at the centre of the process.

The time spent with families and carers will vary and will be very much dependent on an individual's circumstances. In addition, the time required for individuals and carers to adjust to discharge plans will again be dependent not only on the individual but also the complexities of their care needs and medical condition. If at the point of discharge an appropriate package of care is required but is not available, an alternative care package can be arranged for an interim period.

### Patients: Rehabilitation, North Down

**Mr Weir** asked the Minister of Health, Social Services and Public Safety to detail the (i) number; and (ii) location of vacant beds available for the rehabilitation of patients in the North Down Area.

(AQW 33200/11-15)

**Mr Poots:** The information requested is not held centrally and was therefore requested from the South Eastern Health and Social Care (HSC) Trust.

The South Eastern HSC Trust indicated that at 2nd May 2014, there were 10 vacant intermediate care beds for rehabilitation in the North Down & Ards sector. This comprised of 2 vacancies in Nursing Homes, 3 vacancies in Residential Homes, 4 vacancies in Elderly Mentally Infirm (EMI) Nursing Homes and 1 vacancy in an EMI Residential Home.

### Cardiology and Cardiac Surgery

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety (i) for an update on the progress of the independent assessment of current and future needs for cardiology and cardiac surgery for congenital heart disease in the Republic of Ireland and Northern Ireland, which he announced with the Minister for Health, James Reilly TD, on 9 December 2013; and (ii) for his assessment of the adequacy of interim arrangements for children born in Northern Ireland with congenital cardiac defects who require cardiac surgery or emergency cardiology procedures.

(AQW 33205/11-15)

**Mr Poots:**

- (i) The Expert Group appointed by Minister Reilly and I to carry out the Assessment visited Northern Ireland and the Republic of Ireland from 7-11 April 2014. During this time they met with Minister Reilly and me and representatives from all stakeholder groups including: clinicians, health service commissioners, service managers, public representatives, parents and parent group representatives. The Group had a productive visit and garnered most of the information they require to complete the Assessment. They are now in the process of completing their Assessment and will report their recommendations to Minister Reilly and me by 1 July 2014.
- (ii) The interim arrangements which have been put in place by the Belfast Health and Social Care Trust and the Health and Social Care Board, as described in my response to AQW 31087/11-15, provide the framework within which children born in Northern Ireland with congenital cardiac conditions can continue to receive the treatment they require.

### Pharmacy Department: Staffing Levels

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether the current staffing levels in the Pharmacy Department in the Ulster Hospital are appropriate.

(AQW 33208/11-15)

**Mr Poots:** Local staffing arrangements are the responsibility of individual Health and Social Care (HSC) employers, taking into account factors such as service needs and available resources.

The South Eastern HSC Trust has advised that the Ulster Hospital manages the staffing levels in the Pharmacy department by ongoing review throughout the day and staff are moved to the areas of greatest need within the pharmacy department to ensure staffing levels are appropriate.

### Family Support Hubs

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety whether any of the ten family support hubs will be located in Derry.

(AQW 33211/11-15)

**Mr Poots:** There are three existing Family Support Hubs in Londonderry.

Delivering Social Change funding has established ten new family support hubs. Seven of these will be located in the Belfast Health and Social Care Trust area with the other three in the Northern HSCT area.

The Londonderry hubs have received an additional £16.77k in 2013/14 through the DSC programme to support their staff and services.

### Foreign Nationals: DHSSPS Services

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety how many foreign nationals from (i) other EU states; and (2) non-EU states have used the services provided by his Department in the last two years; and to detail the costs incurred by usage and the steps taken to recover costs in the case of non-EU nationals.

(AQW 33215/11-15)

**Mr Poots:** Entitlement to health and social care in Northern Ireland is residency based and therefore people from EU and non-EU states who are resident here are entitled to access free health and social care services. Data relating to the provision of healthcare services to these categories of persons is not available.

Non UK residents are normally charged for health and social care services that they receive here. The costs recovered in the last two years from non UK residents for these services are detailed below:

- 2011/12 £736K
- 2012/13 £576K

### Service User and Carer Reimbursement Payments

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) service user; and (ii) carer reimbursement payments which have been made by the Southern Health and Social Care Trust in each month of the last three years, including the total cost and nature of the reimbursement.

(AQW 33220/11-15)

**Mr Poots:** It is not possible to distinguish between travel reimbursement to service user and carers.

The total number of hospital travel reimbursements and costs which have been made by the Southern Health and Social Care Trust in each month of the last three financial years is set out in the table below.

	2013/14		2012/13		2011/12	
	Number	Costs £	Number	Costs £	Number	Costs £
April	129	4,339	126	3,821	87	2,675
May	78	3,208	93	2,927	90	2,740
June	84	3,831	54	2,087	88	2,753
July	123	5,260	100	2,463	116	3,086
August	114	4,716	92	3,284	72	2,111
September	27	1,077	99	2,806	74	2,443
October	70	4,790	87	2,608	118	2,768
November	75	4,383	121	4,063	123	3,273
December	44	2,241	84	2,186	63	2,841
January	47	3,577	77	2,104	33	1,877
February	58	4,635	76	2,629	121	3,555
March	48	6,957	81	2,608	66	3,028
<b>Total</b>	<b>897</b>	<b>49,014</b>	<b>1,090</b>	<b>33,586</b>	<b>1,051</b>	<b>33,150</b>

### Service User and Carer Reimbursement Payments

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) service user; and (ii) carer reimbursement payments which have been cancelled by the Southern Health and Social Care Trust in each month of the last three years.

(AQW 33221/11-15)

**Mr Poots:** The Southern Health and Social Care Trust does not routinely cancel reimbursement payments. However, un-cashed cheques are automatically deemed void by the bank after six months from the date of issue.

Unfortunately, the Southern Health and Social Care Trust is unable to determine the number of reimbursement payments which remain un-cashed or have been declared void.

### Prisoners with a Personality Disorder

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety for an update on the delivery of the Personality Disorder Strategy published by his Department in June 2010 with specific reference to (i) the provision of a residential unit for adults with a personality disorder; (ii) plans for a dedicated Criminal Justice Residential Unit for prisoners diagnosed with a personality disorder; (iii) the development of a multi-disciplinary service to address the needs of prisoners and people on probation who have a personality disorder diagnosis; (iv) the development of links between specialist personality disorder services and generic and other specialist mental health services including forensic and psychological



therapy services; and (v) the establishment of an inter-agency Personality Disorder Network Group to support the implementation of the Personality Disorder Strategy.

**(AQW 33234/11-15)**

**Mr Poots:** Delivery of the Northern Ireland Personality Disorder Strategy 'Personality Disorder: A Diagnosis for Inclusion' (June 2010) has been progressed in the following areas:

- Community-based Personality Disorders services have been established across the Region;
- A regional clinical network to share services, skills and expertise, including PBNI and Prison Health, has been developed;
- A training strategy has been developed and is being delivered, with a particular focus on raising the capacity of primary care and other mainstream services to meet the needs of the Personality Disorder population;
- Recovery principles have been adopted, which allow service users and carers to protect their own mental health and offer peer support, education and training;
- Joint training with Forensic services has taken place, where appropriate; and
- An Integrated Care Pathway based on NICE Guidelines has been developed.

Due to budgetary pressures resulting from the Comprehensive Spending Review, the funding initially earmarked for the Personality Disorders Strategy was substantially reduced. The initial focus for the delivery of the Strategy has been on the development of community Personality Disorder services, which are now in place.

With reference to your specific queries:

- (i) Residential unit for adults with a personality disorder:
- Due to the reduced budget for the delivery of the Personality Disorder Strategy, there are currently no plans for a residential unit for those with a Personality Disorder, not in contact with the Criminal Justice System.
- (ii) Plans for a dedicated Criminal Justice Residential Unit for prisoners diagnosed with a personality disorder:
- The provision of a Criminal Justice residential unit for prisoners diagnosed with a personality disorder is the responsibility of the Department of Justice.
- (iii) The development of a multi-disciplinary service to address the needs of prisoners and people on probation who have a personality disorder diagnosis:
- There is no specific personality disorder service for prisoners and people on probation. The South Eastern Health and Social Care Trust have staff who work with prisoners with personality disorders. Individuals on probation will be cared for by community-based mental health, forensic and personality disorder services in accordance with their assessed needs.
- (iv) The development of links between specialist personality disorder services and generic and other specialist mental health services including forensic and psychological therapy services:
- An Integrated Care Pathway for Personality Disorders has been completed and promotes effective interfaces between Personality Disorder Services and other specialist mental health services.
- (v) the establishment of an inter-agency Personality Disorder Network Group to support the implementation of the Personality Disorder Strategy:
- An inter-agency Personality Disorder Network Group has been established.

### Patients with a Personality Disorder

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety how many patients were transferred to other jurisdictions in order to receive treatment for a personality disorder between 30 April 2012 and 1 May 2014.

**(AQW 33235/11-15)**

**Mr Poots:** Between 30 April and 1 May 2014, 4 patients were transferred to other jurisdictions in order to receive treatment for a personality disorder.

### Northern Ireland Formulary

**Mr Beggs** asked the Minister of Health, Social Services and Public Safety for his assessment of the implications for Health and Social Care Trust Formularies following the development of the Northern Ireland Formulary.

**(AQW 33237/11-15)**

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and South Eastern Health and Social Care Trusts no longer apply. The other HSC Trusts did not have a Medicines Formulary in place.

### Northern Ireland Formulary

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether the five Health and Social Care Trust Drug and Therapeutic Committees have agreed to apply the Northern Ireland Formulary.

**(AQW 33248/11-15)**

**Mr Poots:** Each of the five Health and Social Care Trust Drug and Therapeutic Committees has agreed to apply the Northern Ireland Formulary.

### Health and Social Care Trust Hospital Formularies

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Trust Hospital Formularies still apply.

**(AQW 33249/11-15)**

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and South Eastern Health and Social Care Trusts no longer apply. Prior to the development of the Northern Ireland Formulary the other HSC Trusts did not have a Medicines Formulary in place.

### Multiple Sclerosis

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety how his Department is making sure that sufferers of Multiple Sclerosis have full and free access to new, life-changing drugs and treatments.

**(AQW 33256/11-15)**

**Mr Poots:** The Health and Social Care Board (HSCB) has responsibility for commissioning all drug therapies in Northern Ireland. It is the responsibility of clinicians to determine which drugs their patients should be given access to by following the guidance provided by the HSCB.

The HSCB has advised that Northern Ireland has the highest uptake rate for specialist MS drugs in the UK and at end of February 2014, there were 1521 people on 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 £10m.

The HSCB aims to make all specialist MS drugs available subject to evidence on clinical and cost effectiveness as determined by the National Institute for Health and Care Excellence (NICE) and the guidance of the Association of British Neurologists. The HSCB currently commissions all NICE approved specialist MS drugs.

### Meat Destined for Human Consumption

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, in relation to tests carried out on meat destined for human consumption which was found to contain equine products, whether bute was detected at any time; and if so, to detail (i) where the equine product originated; and (ii) the date the results were received.

**(AQW 33269/11-15)**

**Mr Poots:** The Food Standards Agency (FSA) is the central competent authority in matters of food safety and authenticity in the Northern Ireland.

Since it became apparent on 14th January 2013 that beef products had been contaminated with horse meat, the FSA initiated a comprehensive UK-wide sampling regime. This included a targeted sampling plan conducted by local authorities across the UK, in which 514 samples were taken and analysed. Over 45,000 samples were also taken by the food industry.

All samples testing positive for the presence of horse DNA over 1% were analysed for the presence of Phenylbutazone ('bute'), and from this bute was detected in only one product, ASDA 'Smart Price' Corned Beef, at very low levels. The Food Standards Agency (FSA) received the results on 9th April 2013, and ASDA recalled the product from consumers on the same day.

This product had previously been withdrawn from supermarket shelves on 8th March 2013, when it first became apparent that it had been contaminated with horse DNA. The product was manufactured in France, and it is not known where the equine DNA originated from.

### CT Scans

**Mr Wells** asked the Minister of Health, Social Services and Public Safety why patients in the Kilkeel and Newry areas are being sent to the South Tyrone Hospital for CT scans.

**(AQW 33273/11-15)**

**Mr Poots:** The Southern Health and Social Care Trust manages CT scanning demand and capacity across the Trust network according to chronological order and on the basis of clinical urgency, which is classified as Red Flag, urgent, routine and planned review. The Trust endeavours to appoint patients to their nearest hospital for their scan, however this is not always possible due to demand and a patient may be allocated to the next available slot at any of the Trust's CT scanners.

## Dialectical Behaviour Therapy

**Mr Wells** asked the Minister of Health, Social Services and Public Safety for an update on the availability of Dialectical Behaviour Therapy in the South Eastern Health and Social Care Trust area.

(AQW 33274/11-15)

**Mr Poots:** The South Eastern HSC Trust offers Dialectical Behaviour Therapy through its Borderline Personality Disorder Service, for individuals with a diagnosis of Borderline Personality Disorder/Emotionally Unstable Personality Disorder, including those who have extensive and recent histories of self-harm and other self defeating behaviours. Referrals to the service are made by consultant psychiatrists in partnership with community mental health teams.

## Medicines: Internet Sales

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with the Department of Justice regarding the availability of medicines via the internet.

(AQW 33283/11-15)

**Mr Poots:** My Department leads on the cross-departmental strategy developed to tackle alcohol and drug misuse in Northern Ireland, the New Strategic Direction for Alcohol and Drugs (NSD Phase 2). Within the NSD Phase 2 there is a key priority to reduce the availability of illicit drugs, including prescription medicines illicitly obtained over the internet. In addition, my Department's Medicines Regulatory Group has a statutory interest in the sale of such products where the sale may breach the Human Medicines Regulations 2012.

My Department, from both a substance misuse perspective and a medicines regulation perspective, is represented on the Organised Crime Task Force Drugs Expert Group – chaired by the PSNI with representation from the UK Border agency and the Department of Justice – that meets on an ongoing basis to share information and intelligence, and to monitor and oversee joint action to help restrict supply and reduce the availability of all illicitly obtained drugs, including medicines obtained over the internet.

## Illegal Drugs: Internet Sales

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety what discussions his Department has had with the Department of Justice regarding the availability of illegal drugs via the internet.

(AQW 33284/11-15)

**Mr Poots:** My Department leads on the cross-departmental strategy developed to tackle alcohol and drug misuse in Northern Ireland, the New Strategic Direction for Alcohol and Drugs (NSD Phase 2). The NSD Phase 2 contains outcomes to reduce the availability and supply of all illegal/illicit drugs. With regard to illegal drugs, enforcement of the key UK-wide legislation (the Misuse of Drugs Act 1971) is the responsibility of the PSNI, and therefore this Department has, and continues, to work closely with the Department of Justice and the Criminal Justice sector on this issue.

Examples of cross-departmental working include the Law and Criminal Justice Advisory Group, chaired by the Department of Justice, which is one of four advisory groups set up to provide advice and policy guidance on specific priorities contained within NSD Phase 2. In addition, key links have been made between NSD Phase 2, the DOJ Community Safety Strategy, the Organised Crime Task Force, and the Strategic Framework for Reducing Offending. At a local level, my Department continues to promote joined up working between the Drug and Alcohol Co-ordination Teams, the Police Community Safety Partnerships and local councils.

My Department is also represented on the Organised Crime Task Force Drugs Expert Group – chaired by the PSNI with representation from the UK Border Agency, the Department of Justice, and other key partners – which meets on an ongoing basis to share information and intelligence, and to monitor and oversee joint action to help restrict supply and reduce the availability of all illicit drugs, including those obtained over the internet.

## Eating Disorders

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how much funding his Department has spent on treating eating disorders in each of the last five years.

(AQW 33285/11-15)

**Mr Poots:** Since 2008/2009, the Health and Social Care Board has allocated a total of £2 million per annum for specialist Eating Disorder Services. This figure does not include inpatient care or the cost of treatment for eating disorders provided outside Northern Ireland.

## Recruitment: Belfast Health and Social Care Trust

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many people have been recruited to the position of Finance Officer Band 3 in the Belfast Health and Social Care Trust in the last two years.

(AQW 33310/11-15)

**Mr Poots:** 36 permanent and 9 temporary staff were recruited to the position of Finance Officer Band 3 in the Belfast Health and Social Care Trust in the last two years.

## Recruitment: Belfast Health and Social Care Trust

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many people have been recruited to the position of Clerical Officer Band 2 in the Belfast Health and Social Care Trust in the last two years.

(AQW 33311/11-15)

**Mr Poots:** 2 temporary staff were recruited to the position of Clerical Officer Band 2 in the Belfast Health and Social Care Trust in the last two years.

## Asthma Management

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety what plans he has to amend asthma management measures, including amendments to the Human Medicine Regulations 2012.

(AQW 33312/11-15)

**Mr Poots:** My Department is committed to improving the health, well-being and quality of life for people with long term conditions, including asthma and other respiratory conditions. The Department's Policy Framework "Living with Long Term Conditions" provides a strategic direction for the modernisation of services for adults with long term conditions and includes key actions to support better treatment and care, including supported self management, patient education and information, more effective medicines management and the development of personalised care plans.

The Service Framework for Respiratory Health and Well Being which was published in 2009 includes standards relating to the assessment, diagnosis, treatment and management of people with asthma in Northern Ireland. This Framework is currently under fundamental review and it is anticipated that a revised Framework will be issued for consultation in the next few months. The standards and associated key performance indicators contained within the Framework will be subject to regular review and refinement as new evidence and learning emerges ensuring the continued improvement in the quality of services for people with respiratory disease.

There are currently 4 indicators for asthma contained within the clinical domain of the Quality and Outcomes Framework (QOF) of the General Medical Services Contract with an estimated value of £2.3m. QOF sets standard levels of care on the best available evidence and provides rewards to practices to recognise improvements in clinical, organisational standards, quality and productivity.

The Health and Social Care Board (HSCB) has completed an in-depth assessment of the need for paediatric asthma, allergy and anaphylaxis services as a result of which the HSCB has allocated over £400,000 recurrently to these services.

The Medicines and Healthcare products Regulatory Agency (MHRA) is currently consulting on the supply of asthma inhalers to schools for use in emergencies. The consultation proposes a change to the Human Medicine Regulations 2012 which would permit schools to obtain and store asthma inhalers for emergency use direct from the supplier. The change in the legislation will not make the holding of an asthma inhaler plus appropriate spacer mandatory but will facilitate those schools that wish to implement such a policy. The consultation and proposed amendment to the Human Medicines Regulations 2012 will apply on a UK wide basis.

## CT Scanners

**Mr Craig** asked the Minister of Health, Social Services and Public Safety why the CT scanners in the Lagan Valley and Down hospitals were not operational on 5 May 2014.

(AQW 33314/11-15)

**Mr Poots:** Monday 5 May 2014 was a Bank Holiday and therefore routine lists were not scheduled, however an on-call service was in place. During the on-call service

3 patients received emergency CT imaging in Lagan Valley Hospital. The CT scanner at the Downe Hospital was not operational on 5 May due to a fault. This was repaired and the scanner was operational by 12.00 noon on 6 May.

## Northern Ireland Formulary

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether each of the Health and Social Care Trust Drug and Therapeutic Committees have agreed to apply the Northern Ireland Formulary within their Trust.

(AQW 33321/11-15)

**Mr Poots:** Each of the Health and Social Care Trust Drug and Therapeutic Committees has agreed to apply the Northern Ireland Formulary within their Trust area.



### Health and Social Care Trust Hospital Formularies

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Trust Hospital Formularies are still applicable.

(AQW 33322/11-15)

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and South Eastern Health and Social Care Trusts no longer apply. Prior to the development of the Northern Ireland Formulary the other HSC Trusts did not have a Medicines Formulary in place.

### Patient Headsets: Antrim Area Hospital

**Mr Frew** asked the Minister of Health, Social Services and Public Safety what percentage of patients in Antrim Area Hospital have access to fit for purpose headsets for watching TV and listening to radio, broken down by ward; and how this compares to three years ago.

(AQW 33329/11-15)

**Mr Poots:** This information is not collected centrally and is therefore not available.

### Patient Headsets: Antrim Area Hospital

**Mr Frew** asked the Minister of Health, Social Services and Public Safety which budget pays for purchasing headsets for listening to TV and radio in the Antrim Area Hospital; and how much has been spent on same in each of the last five financial years.

(AQW 33330/11-15)

**Mr Poots:** In Antrim Area Hospital payments for the purchase of headsets for listening to TV and radio are met from a general ward budget.

Information on how much has been spent on such headsets, in each of the last five financial years at Antrim Area Hospital, can only be obtained at a disproportionate cost.

### Patient Headsets: Antrim Area Hospital

**Mr Frew** asked the Minister of Health, Social Services and Public Safety who is responsible in Antrim Area Hospital for purchasing headsets for listening to TV and radio and ensuring that all patients have access to fit for purpose headsets.

(AQW 33331/11-15)

**Mr Poots:** Individual Ward Managers at Antrim Area Hospital are responsible for purchasing headsets for listening to TV and radio. These managers are also responsible for ensuring that there is appropriate provision for their ward.

### Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33074/11-15, whether there has been a recent reduction in staffing levels at Slievemore Nursing Unit in Derry.

(AQW 33343/11-15)

**Mr Poots:** The Western Trust has advised that staffing levels are being maintained to meet the assessed needs of the remaining five patients in Slievemore. Natural staff vacancies have occurred, with no requirement to replace them as there are sufficient staffing levels in place.

### Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33073/11-15, whether further admissions can be made to Slievemore Nursing Unit, Derry.

(AQW 33347/11-15)

**Mr Poots:** The Western Health and Social Care Trust advise that as an alternative to hospital-inpatient care they have developed a community-based service model for people with dementia. This alternative service model assists people with dementia to remain at home, or within their current environment, consistent with the principles of the Northern Ireland Dementia Strategy and Transforming Your Care.

The impact of the community-based service model has meant that there has been no further identified demand for in-patient care at Slievemore Nursing Unit. In that context the Western Trust is engaging in an ongoing mediation process with the families of the five remaining patients in the Unit with a view to agreeing how future needs will be met.

### Slievemore Nursing Unit, Derry

**Mr Eastwood** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33073/11-15, whether he intends to close the Slievemore Nursing Unit, Derry.

(AQW 33348/11-15)

**Mr Poots:** The Western Health and Social Care Trust advise that as an alternative to hospital-inpatient care they have developed a community-based service model for people with dementia. This alternative service model assists people with dementia to remain at home, or within their current environment, consistent with the principles of the Northern Ireland Dementia Strategy and Transforming Your Care.

The impact of the community-based service model has meant that there has been no further identified demand for in-patient care at Slievemore Nursing Unit. In that context the Western Trust is engaging in an ongoing mediation process with the families of the five remaining patients in the Unit with a view to agreeing how future needs will be met.

### Northern Ireland Formulary

**Mr Wells** asked the Minister of Health, Social Services and Public Safety whether the five Health and Social Care Trust Drug and Therapeutic Committees have agreed to apply the Northern Ireland Formulary.

(AQW 33350/11-15)

**Mr Poots:** Each of the Health and Social Care Trust Drug and Therapeutic Committees has agreed to apply the Northern Ireland Formulary.

### Medical Waste Disposal

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to outline the disposal process for yellow bag medical waste.

(AQW 33362/11-15)

**Mr Poots:** Yellow bag clinical waste is classified as infectious clinical risk waste containing chemicals, medicines or pathogens. Yellow bag clinical waste is collected at ward level and is transported to a transfer station at facility level for collection by the regional clinical waste contractor. In order to meet current waste legislation, this waste must be incinerated and as there is no incineration facility in Northern Ireland capable of handling this waste, it is currently shipped to mainland Great Britain for incineration.

### Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many cases of Trisomy 18 and Trisomy 13 have been diagnosed in each of the last five years, broken down by Health and Social Care Trust.

(AQW 33366/11-15)

**Mr Poots:** Information on the number of cases of Trisomy 18 and Trisomy 13 diagnosed is not available.

However, it is possible to identify the number of individuals admitted to HSC Hospitals in Northern Ireland over the last five years with a diagnosis of Trisomy 18 or Trisomy 13.

Individuals admitted with a recorded diagnosis of Trisomy 18 over the past five years were as follows. Where the number of patients is less than five, cells have been masked in order to protect patient confidentiality.

Financial Year	HSC Trust					Northern Ireland
	Belfast	South Eastern	Northern	Southern	Western	
2008/09	<5	<5	<5	<5	<5	12
2009/10	<5	<5	<5	<5	0	10
2010/11	<5	<5	0	<5	<5	5
2011/12	<5	0	0	<5	0	7
2012/13	<5	<5	0	<5	<5	7

In each of the years 2008/09 – 2012/13 there were a total of five or fewer individuals admitted to HSC Hospitals in Northern Ireland with a diagnosis of Trisomy 13.

### Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what clinical advice is provided by health staff on diagnosing, advising and the aftercare of patients whose children have Trisomy 18 and Trisomy 13.

(AQW 33367/11-15)

**Mr Poots:** The Health and Social Care Trusts have advised that the diagnosis of Trisomy 18 and Trisomy 13 can be made in the antenatal period, for example after amniocentesis for an abnormal antenatal scan, although diagnosis is often made after delivery, following a definitive laboratory test result. These tests are carried out in the Regional Genetics Laboratory at Belfast City Hospital.

Advice and support commences when diagnosis has been made and includes appropriate support from paediatric multidisciplinary teams, including paediatricians, children's nurses, allied health professionals and children's disability social work teams. Patient information is provided relating to screening available and the associated risks of screening. Parent counselling about the prospects for the child and management options may also be offered to parents. Genetic counselling is provided by a genetic counsellor based at the Regional Genetics Centre at Belfast City Hospital and is advised for future family planning. The management and counselling provided depends on the needs of each family, with the main objective being to keep the baby as comfortable as possible and provide the family with as much support as possible.

On-going paediatric and palliative care after the child is born is provided based on parental needs and requests and may include input from Clinical Psychology staff and further counselling where appropriate.

### Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how many instances of children with Trisomy 18 and Trisomy 13 have also had Congenital Diaphragmatic Hernias in each of the last five years, broken down by Health and Social Care Trust. (AQW 33368/11-15)

**Mr Poots:** Information is not available on the number of instances of children with Trisomy 18 and Trisomy 13 who have also had Congenital Diaphragmatic Hernias.

However, it is possible to identify the number of individuals admitted to HSC Hospitals in Northern Ireland over the last five years with a diagnosis of Trisomy 18 or Trisomy 13 in combination with Congenital Diaphragmatic Hernia.

The number of instances of children<sup>1</sup> with Trisomy 18 or Trisomy 13 in combination with a Congenital Diaphragmatic Hernia in each of the last five years is as follows. Where the number of patients is less than five, cells have been masked in order to protect patient confidentiality.

Financial Year	HSC Trust					Northern Ireland
	Belfast	South Eastern	Northern	Southern	Western	
2008/09	0	0	0	0	0	0
2009/10	<5	0	0	<5	0	<5
2010/11	0	0	0	0	0	0
2011/12	0	0	0	0	0	0
2012/13	0	0	0	0	0	0

<sup>1</sup> Children have been defined as patients aged under 18 years.

### Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what support is available to bereaved parents of children with Trisomy 18 and Trisomy 13. (AQW 33369/11-15)

**Mr Poots:** The care and support of all parents who experience the loss of a baby or young child is set out in my Department's Careplan for women who experience a Miscarriage, Stillbirth or Neonatal Death (2006). It establishes best practice principles to improve the quality of bereavement care in these circumstances. This careplan is currently being reviewed; the Department has set up a steering group with representatives from the medical and nursing professions, education providers and patient group representatives to produce a regional guidance document to support staff to deliver a consistent and high-quality approach to care of women and their families at this very difficult time, from the moment of diagnosis.

My Department's Review of Children's Palliative and End-of-Life Care in Northern Ireland also aims to determine strategy over the next ten years to ensure the best possible quality of life and care for children with a life-limiting condition. The final Strategy document will be published later this year.

All Health and Social Care Trusts in Northern Ireland have bereavement co-ordinators who are available to provide training for staff, as well as speak with people who have been bereaved. Currently one Trust has a dedicated bereavement midwife, who has been a significant asset to women and their families and to the training and support of staff within that Trust.

### Trisomy 18 and Trisomy 13

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety how the Public Health Agency are highlighting Trisomy 18 and Trisomy 13 and raising awareness of the conditions. (AQW 33370/11-15)

**Mr Poots:** The Public Health Agency is not currently engaged in awareness-raising activities specifically related to Trisomy 13 or Trisomy 18. However, the UK Strategy for Rare Diseases, published in November 2013, sets out an overarching framework for a shared UK vision for improving the lives of all those with rare diseases, including those with Trisomy 13 and Trisomy 18. Following publication of the UK Strategy, the Northern Ireland Rare Diseases Stakeholder Group, led by my Department, has been working to prepare a Northern Ireland Rare Diseases Implementation Plan with a view to having it ready for publication by autumn 2014.

### Laundry Services: South Eastern Health and Social Care Trust

**Mr Hazzard** asked the Minister of Health, Social Services and Public Safety to detail (i) all changes to laundry services within the South Eastern Health and Social Care Trust in the last twelve months; (ii) any plans to change laundry services in the next twelve months; and (iii) what discussions took place with staff representatives or the wider public regarding such changes. (AQW 33375/11-15)

**Mr Poots:** With regard to the issues raised, the South Eastern Health and Social Care Trust (SEHSCT) has advised that:

- (i) There have been no major changes to laundry services within the Trust over the past 12 months.
- (ii) Within the next 12 months there are plans to change laundry services as follows:
  - a The Downshire laundrette will close due to the small number of patients requiring a laundry service on the Downe or Downshire site
  - b With laundrettes processing increased amounts of person clothing, identification of the clothing is necessary and is to be enhanced with the introduction of a Radio Frequency Identification (RFID) tagging system during this year.
  - c To ensure compliance with statutory standards and best practice, all high risk categories of laundry (foul and infected) will be processed in the Ulster Hospital main laundry while some personal items will be processed in Lagan Valley laundrette.
- (iii) The closure of the Downshire laundrette will affect 2 members of staff. Trust Management has had discussions with the individuals concerned and with Union representatives. The Trust's Human Resources team is working to appropriately redeploy the staff concerned.

### Health and Social Care Trust Hospital Formularies

**Mr Wells** asked the Minister of Health, Social Services and Public Safety whether the Health and Social Care Trust Hospital Formularies still apply. (AQW 33377/11-15)

**Mr Poots:** The development and introduction of the Northern Ireland Formulary means that formularies previously used by the Belfast and the South Eastern Health and Social Care Trusts no longer apply. Prior to the development of the Northern Ireland Formulary the other HSC Trusts did not have a Medicines Formulary in place.

### Out-of-hours Services: Craigavon Area Hospital

**Mrs D Kelly** asked the Minister of Health, Social Services and Public Safety whether there have been any occasions over the last six months when no doctors were available during the Out of Hours service at Craigavon Area Hospital; and if so, (i) what alternatives were available to patients; and (ii) what steps the Southern Health and Social Care Trust are taking to prevent this happening again. (AQW 33383/11-15)

**Mr Poots:** I understand that there was only one occasion during the past six months when the Craigavon GP Out of Hours base was closed for GP appointments. This was for a period of 2 hours on 25th December 2013 between 2.00pm and 4.00pm.

During this time patient appointments were available in two other locations, Dungannon and Newry, whilst patient triage, call backs and home visits were undertaken by GPs who were working across the Southern Trust service area.

The Trust is working with the Health and Social Care Board, the commissioners of GP Out of Hours services, in relation to workforce planning strategies for the service.

### GP Registration Statistics

**Mrs Dobson** asked the Minister of Health, Social Services and Public Safety whether his Department will provide GP registration statistics to Education and Library Boards to assist them in planning future pre-school education provision. (AQW 33386/11-15)

**Mr Poots:** My Department does not hold GP patient registration statistics; however, the Business Services Organisation (BSO) is responsible for maintaining GP Practices' patient registration records. It has confirmed that it would be willing to provide Education and Library Boards with GP registration statistics on receipt of a request from any of the respective Boards. Requests should be forwarded to:



Information and Registration Unit  
Family Practitioner Services  
HSC Business Services Organisation  
2 Franklin Street  
Belfast BT2 8DQ

By email to: Info.BSO@hscni.net

### Diabetes: Patient Support

**Ms Maeve McLaughlin** asked the Minister of Health, Social Services and Public Safety to detail the operational support available in each Health and Social Care Trust for the development of patient support and reference for people with diabetes. (AQW 33388/11-15)

**Mr Poots:** All Health and Social Care Trusts provide operational support for people with diabetes. A summary of key services provided by each HSC Trust is set out in the attached Annex.

#### Annex - Diabetes Services Provided by Health and Social Care Trusts

Service Delivered	HSC Trust				
	Belfast	Northern	Southern	South Eastern	Western
Inpatient admissions	√	√	√	√	√
Day case admission	x	√	√	√	√
Outpatient Clinics	√	√	√	√	√
Insulin Pumps (initiation & supervision)	√	√	√	√	√
Prescribing/medicines management	√	√	√	√	√
Maternity Service	√	√	√	√	√
Pre-pregnancy Services	√	√	√	√	√
Retinal Screening (age > 12)	√	√	√ facilitated by regional screening service RVH but provided locally	Regional screening programme	Regional screening programme
Structured patient education programmes	√	√	√	√	√
Exercise programmes	Starting April 2014	x	Provided by local partners (leisure centres)	√ (adults)	√ 1 WTE exercise professional in Trust plus referral to exercise schemes in Fermanagh (not available Tyrone area)
GP practice based clinics	√	√ in some practices	Via GP services	√	√ supported by community diabetes teams in some areas
Diabetes ICP Provider Networks	√	√	√	√	√
Diabetes Specialist Nurses	√	√	√	√	√
Diabetes Specialist Podiatrists	√	√	√	√ (adults)	√

Service Delivered	HSC Trust				
	Belfast	Northern	Southern	South Eastern	Western
Diabetes Specialist Dieticians	√	√	√	√ (adults)	√

Examples of other services highlighted by Trusts include:

- Transitional clinical services provided in the Belfast and Northern Trusts
- Young People's Clinic available in Belfast Trust
- Nurse led clinics available in Southern and Western Trusts
- Diabetes Psychologist in the Western Trust
- Supporting weekend breaks and summer camps in partnership with Diabetes UK – Southern Trust
- Working with adults with learning disability who have diabetes – Southern Trust
- South Eastern Trust pilot of D-Nav Insulin Guidance System on approximately 150 patients Regulation and Quality Improvement Authority's Maternity Services Review

### Maternity Services: RQIA Review

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety what contribution his Department has made, or plans make, to the Regulation and Quality Improvement Authority's Maternity Services Review. (AQW 33396/11-15)

**Mr Poots:** In 2010 the Regulation and Quality Improvement Authority (RQIA) carried out The Review of Intrapartum Care (2010) in Northern Ireland and one of its overall findings was that a comprehensive maternity strategy should be developed. My Department subsequently led the development of the Maternity Strategy for Northern Ireland 2012 – 2018 which I launched on 2 July 2012. My Department took account of the RQIA's recommendations and other relevant reports in developing the Maternity Strategy. The strategy provides a comprehensive plan to further improve the delivery of this important service and is currently being implemented by Health and Social Care in Northern Ireland.

During 2014-15, the RQIA will commence a review of the implementation of the Maternity Strategy. It is anticipated that this review will commence in autumn 2014 and will focus on the implementation of the strategy. My Department will provide any assistance requested by the RQIA in carrying out this independent review of the strategy.

### Patients with Mental Health Issues

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety (i) what percentage of patients diagnosed with mental health issues are linked to the consumption of illegal substances; (ii) what long-term support is in place for such cases; and (iii) whether there is any correlation between the increase in patients with mental health issues and the increase in illegal drug-taking.

(AQW 33397/11-15)

**Mr Poots:**

- (i) The Health and Social Care Board has advised there is no information held on the percentage of patients diagnosed with mental health issues that are linked to the consumption of illegal substances. This information could only be acquired at disproportionate cost.
- (ii) Long term support for people with mental health issues linked to the consumption of illegal substances may involve, a range of services from specialist addiction services, dual diagnosis services, generic mental health services, primary care and voluntary organisations, depending on the individual's assessed needs.
- (iii) The PHA advises that there is not an increasing trend in reported illicit substance misuse. The New Strategic Direction for Alcohol and Drugs Phase 2 recognises the link between alcohol and drug misuse, suicide and self-harm, and mental health. However, it is very difficult to generalise as to what causes this co-morbidity to occur as very many factors are involved and care is required to avoid proposing causal links.

### Clinics for Skin Diseases

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many clinics for skin disease complaints are held in each Health and Social Care Trust on a monthly basis. (AQW 33411/11-15)

**Mr Poots:** Information on the number of clinics for skin disease complaints held in each Health and Social Care Trust is not collected by the Department and could only be provided at disproportionate cost.

However, information is available on (i) the number of outpatient attendances at a consultant-led clinic in the Dermatology speciality and (ii) the number of outpatient attendances at an Integrated Clinical Assessment and Treatment Service (ICATS)

in the Dermatology specialty, for each Health and Social Care Trust. This information is shown in the tables overleaf, for the first three quarters of 2013/14.

It is important to note that information on the number of outpatient attendances at a nurse-led clinic in the Dermatology specialty is not collected by the Department and has not been provided in the tables overleaf.

It should also be noted that in Northern Ireland, outpatient activity information is collected on the basis of the specialty that the patient is seen in, rather than the complaint that the patient attended for.

(i) Number of consultant-led outpatient attendances in the Dermatology specialty by attendance type and HSC Trust

Trust	Number of Attendances at Consultant-Led Dermatology Clinics, by quarter and attendance type								
	QE June 2013 <sup>P</sup>			QE September 2013 <sup>P</sup>			QE December 2013 <sup>P</sup>		
	New	Review	Total	New	Review	Total	New	Review	Total
Belfast	1,852	3,987	5,839	2,516	4,251	6,767	2,614	4,291	6,905
Northern	1,137	1,449	2,586	1,155	1,477	2,632	1,160	1,357	2,517
South Eastern	1,322	1,966	3,288	1,218	2,098	3,316	1,237	2,074	3,311
Southern	1,558	2,140	3,698	1,820	1,645	3,465	1,743	1,837	3,580
Western	1,548	1,565	3,113	1,495	1,239	2,734	1,573	1,283	2,856
<b>Northern Ireland</b>	<b>7,417</b>	<b>11,107</b>	<b>18,524</b>	<b>8,204</b>	<b>10,710</b>	<b>18,914</b>	<b>8,327</b>	<b>10,842</b>	<b>19,169</b>

Source: Quarterly Outpatient Activity Return (QOAR)

P Data is provisional

(ii) Number of ICATS outpatient attendances in the Dermatology specialty by attendance type and HSC Trust

Trust	Number of Attendances at ICATS Dermatology Clinics, by quarter and attendance type								
	QE June 2013 <sup>P</sup>			QE September 2013 <sup>P</sup>			QE December 2013 <sup>P</sup>		
	New	Review	Total	New	Review	Total	New	Review	Total
Belfast	199	205	404	169	200	369	162	247	409
Northern	345	774	1,119	314	697	1,011	390	676	1,066
South Eastern	552	613	1,165	453	526	979	459	622	1,081
Southern	309	257	566	231	161	392	321	251	572
<b>Northern Ireland</b>	<b>1,405</b>	<b>1,849</b>	<b>3,254</b>	<b>1,167</b>	<b>1,584</b>	<b>2,751</b>	<b>1,332</b>	<b>1,796</b>	<b>3,128</b>

Source: Quarterly ICATS Activity Return (QIAR)

P Data is provisional

Note: Dermatology ICATS services are not provided in the Western Health and Social Care Trust

### Children with Special Needs: Day Care Facilities, Rathmoyle

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety whether the day care facilities for children with special needs will remain on the Rathmoyle site after the construction of the 28 Supported Living Units. (AQW 33431/11-15)

**Mr Poots:** To date nothing has been confirmed in relation to the supported living development on the Rathmoyle site. Northern HSC Trust staff are continuing to work with the stakeholder group for the supported living development and they will update users of the resource centre, and their relatives, as soon as plans for the site can be confirmed.

The Trust met with the families of people who attend the resource centre in September 2013. At that time, the families indicated that their preference was for the current day care facility at Rathmoyle to be retained and the Trust indicated that it would seek to facilitate this. The Trust advised the families that the time frame for any development on the site would be 2015/16.

### Duchenne Muscular Dystrophy

**Mr Milne** asked the Minister of Health, Social Services and Public Safety for his assessment of services provided for people diagnosed with Duchenne muscular dystrophy; and what plans he has to improve care services. (AQW 33436/11-15)

**Mr Poots:** Services for people with Duchenne Muscular Dystrophy are provided by Health and Social Care Trusts on the basis of assessed need and may involve hospital and/or community based services.

The Belfast Health and Social Care Trust provides a regional neuromuscular clinic for all age groups at the Royal Victoria Hospital, Belfast. The management of neuromuscular conditions also requires input from other specialties such as cardiology, orthopaedics and respiratory medicine and a one-stop-shop with these specialties present has been piloted at Belfast City Hospital.

A regional specialist neuromuscular nurse is now in post within the Royal Belfast Hospital for Sick Children. This post provides specialist nursing skills and knowledge in the management of those affected by a neuromuscular condition, their families and the professionals working with them.

In addition, there are a number of planned service improvements for people with Duchenne Muscular Dystrophy and these are attached at Annex A.

#### Annex A

Plans to improve services for people with Duchenne Muscular Dystrophy include:

- The development of clinical networks with specialist centres in other parts of GB is a priority for specialist children's services including formalising links with a specialist neuromuscular service so that clinicians can develop expertise in neuromuscular conditions and experts from the specialist centres can provide input into the service in Belfast.
- The modernisation of adult neurology services to include: review medical capacity development of 'one-stop-shops'/ multidisciplinary clinics for patients accessing a range of specialist services in Belfast Trust; the development of referral protocols linked to care pathways including GP referrals; and the use of telemedicine and virtual clinics. Any additional investment required will be subject to prioritisation within the resources available.
- The appointment of two care advisors in the Belfast Trust to provide advice, support and information to people living with neurological conditions including neuromuscular conditions.
- The development of a patient journey for Duchenne Muscular Dystrophy which will focus on patients and their carers before and after diagnosis. The patient journey will be informed by the forthcoming GAIN care standards for Duchenne Muscular Dystrophy.
- The development of the NI Implementation Plan in response to the UK Strategy for Rare Disease. Any additional investment required will be subject to prioritisation within the resources available.

### Early Access to Medicines Scheme

**Mr Milne** asked the Minister of Health, Social Services and Public Safety whether he plans to introduce an Early Access to Medicines Scheme similar to that announced in Britain in March 2014, which allows patients the right to try medicines that have been shown to be safe and effective in mid-stage trials without having to wait for the licensing process to be completed. (AQW 33437/11-15)

**Mr Poots:** I am aware of the Early Access to Medicines Scheme which was announced in England in March 2014 and I am currently considering whether Northern Ireland should participate in the scheme.

### Social Workers: Face-to-face Engagement

**Mr Swann** asked the Minister of Health, Social Services and Public Safety in which circumstance, according to departmental or Northern Health and Social Care Trust guidelines, must an engagement between a social worker and their client be conducted on a face-to-face basis. (AQW 33451/11-15)

**Mr Poots:** All of the Trusts in Northern Ireland are subject to the same regulation, guidance and policy in respect to when clients must be seen face-to-face.

In children's services face-to-face engagement with children and young people is directed for child protection investigations, statutory visits to Looked After Children, visits to children whose names are on the Child Protection Register and where an Initial Assessment of a child's needs is being undertaken.

In adult services, the Mental Health Order (NI) 1986 Code of Practice directs that the Approved Social Worker interviews the individual, who may be subject to an application for detention, in person. The Regional Adult Protection Policy & Procedural Guidance also directs that alleged adult victims of abuse should be interviewed during the course of an investigation.

Outside of these mandatory occasions, forms of contact are based on an assessment of the client's need, taking into account any risk factors that may exist. There may be times when it is appropriate for forms of contact other than face to face such as telephone, e-mail or letter to be used. This will normally be done with the client's agreement.



## House Fires

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety how many people have died in house fires in each year since 1999.

(AQW 33464/11-15)

**Mr Poots:** The table below details the number of people who have died in house fires since \*August 1999. The figures have been provided by the Northern Ireland Fire and Rescue Service (NIFRS) and are for all fatalities in dwelling fires (accidental and deliberate)

Financial Year	Dwelling Fatalities
*August 1999-2000	16
2000/2001	12
2001/2002	17
2002/2003	11
2003/2004	13
2004/2005	12
2005/2006	7
2006/2007	19
2007/2008	20
2008/2009	12
2009/2010	8
2010/2011	11
2011/2012	11
2012/2013	14
2013/2014	9

\* NIFRS current Management Information System commenced in August 1999.

## Hydrocephalus

**Mr Cree** asked the Minister of Health, Social Services and Public Safety how many children under eleven years old in each Health and Social Care Trust are diagnosed with hydrocephalus.

(AQW 33467/11-15)

**Mr Poots:** Information on the number of children diagnosed with hydrocephalus is not available.

However, it is possible to identify the number of admissions and individuals aged under eleven years old admitted to HSC hospitals in Northern Ireland in 2012/13 with a diagnosis of hydrocephalus, and these are detailed in the following table.

HSC Trust	Admissions	Individuals
Belfast	171	76
South Eastern	9	<5
Northern	21	9
Southern	24	<5
Western	10	<5
<b>Total</b>	<b>235</b>	<b>96</b>

**Source:** Hospital Inpatient System

**Notes:-**

- 1) The number of individuals given with a diagnosis of hydrocephalus also includes congenital hydrocephalus and hydrocephalus due to congenital toxoplasmosis.
- 2) Cell sizes less than five have been masked to protect patient confidentiality.

## Hydrocephalus

**Mr Cree** asked the Minister of Health, Social Services and Public Safety how many people in each Health and Social Care Trust area are diagnosed with hydrocephalus.

(AQW 33468/11-15)

**Mr Poots:** Information on the number of people diagnosed with hydrocephalus is not available.

However, it is possible to identify the number of admissions and individuals admitted to HSC hospitals in Northern Ireland in 2012/13 with a diagnosis of hydrocephalus, and these are detailed in the following table.

HSC Trust	Admissions	Individuals
Belfast	399	239
South Eastern	30	23
Northern	35	18
Southern	132	22
Western	47	29
<b>Total</b>	<b>643</b>	<b>331</b>

**Source:** Hospital Inpatient System

**Note:** The number of individuals given with a diagnosis of hydrocephalus also includes congenital hydrocephalus and hydrocephalus due to congenital toxoplasmosis.

## Transforming Your Care: Domiciliary Care Services

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what analysis his Department has undertaken to determine the impact that Transforming Your Care will have on the demand for domiciliary care services; and how much funding, which is separate from any additional resources to meet the demand due to an ageing population, will be reallocated to domiciliary care to meet any increase in demand over this budget period.

(AQW 33481/11-15)

**Mr Poots:** While my Department establishes the budget for the Health and Social Care (HSC) Board it is the remit of the commissioners in the HSC Board to identify areas for additional investment.

As well as traditional domiciliary services, TYC initiatives such as Healthy Ageing, Re-ablement, Tele-care, health will extend the assistance provided for individuals going forward.

## GPs: Regulatory Body

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety to what regulatory body and or agency are local GPs accountable.

(AQW 33489/11-15)

**Mr Poots:** All practising medical doctors, including GPs, in the Northern Ireland, must be registered with the General Medical Council (GMC). The GMC is the independent regulator for doctors in the UK. Its legal role is to protect, promote and maintain the health and safety of the public by making sure that doctors meet our standards for good medical practice.

The Health and Personal Social Services (Primary Medical Services Performers Lists) Regulation (Northern Ireland) 2004 requires all GPs providing or wanting to provide primary medical services in Northern Ireland, for which the Health and Social Care Board has a duty to provide or secure, to be included in a primary medical services performers list maintained by the Health and Social Care Board (the HSCB). The HSCB can refuse or defer applications to be included in the list and can also remove or suspend registrations of GPs, if it has grounds for doing so.

## GP Appointments: Waiting Times

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what is the average waiting time for a GP appointment in the Southern Health and Social Care Trust.

(AQW 33490/11-15)

**Mr Poots:** The information requested is not available.

As independent contractors, GPs are responsible for the day to day management of their Practice, including patient appointment arrangements

## Department of Justice

### Anonymity Orders

**Lord Morrow** asked the Minister of Justice how many Anonymity Orders are currently active in Magistrates Court cases per court division; and to detail the general nature of the charges for which each Anonymity Order has been granted. (AQW 33223/11-15)

**Mr Ford (The Minister of Justice):** The table below details the number of active Anonymity Orders in the Magistrates' Court made under Article 6 of the Human Rights Act 1998, including the general nature of the charges, as at 6 May 2014.

Division	Number of Active Anonymity Orders	General Nature of Charges
Antrim	1	Possessing/Distributing Indecent Photograph
Ards	1	Indecent Assault
Craigavon	1	Possession of Firearm
Londonderry	3	Possession of a Controlled Drug

**Source:** Integrated Court Operations System

As outlined in the response to AQW/14072/11-15, there is a range of legislation under which the Court has power to make an order prohibiting the publication of case details, which can include defendant or witness anonymity. A manual review of these orders would be required to identify if they contained anonymity clauses. This could not be completed without incurring disproportionate cost and data have not been included in the above figures.

### Anonymity Orders

**Lord Morrow** asked the Minister of Justice how many Anonymity Orders are currently active in Crown Court cases per court division; and to detail the general nature of the charges for which each Anonymity Order has been granted. (AQW 33265/11-15)

**Mr Ford:** At 6 May 2014, there were 21 active Anonymity Orders in two Crown Court cases, both in the Division of Belfast. The orders relate to witness anonymity. The nature of charges in these cases relate to the possession of explosives and firearms.

As outlined in the response to AQW/14072/11-15, there is a range of legislation under which the Court has power to make an order prohibiting the publication of case details, this can include defendant or witness anonymity. A manual review of these orders would be required to identify if they contained anonymity clauses. This could not be completed without incurring disproportionate cost and data have not been included in the above figures.

### Female Prisoners

**Mr Wells** asked the Minister of Justice, pursuant to AQW 32960/11-15, whether female prisoners receive beauty treatment as part of City and Guilds courses in hairdressing and beauty therapy. (AQW 33271/11-15)

**Mr Ford:** In line with City and Guilds qualifications, NIPS must provide learners with a realistic working environment where they can develop their knowledge and practise their skills.

Primarily this involves practice on mannequins but for assessment and accreditation purposes there is a requirement to demonstrate competence on other learners.

### Illegal Drugs: Internet Sales

**Mr D McIlveen** asked the Minister of Justice what measures are in place to prevent people buying illegal drugs online. (AQW 33281/11-15)

**Mr Ford:** Tackling the use of the internet for criminal purposes is a significant challenge for the Government and law enforcement agencies worldwide. The Organised Crime Task Force has a drugs sub group which seeks to combat drug trafficking. The drugs sub group comprises representatives from all the relevant law enforcement agencies as well as the Department of Health, Social Services and Public Safety and the Department of Justice. It provides a forum for the sharing of information and identifying joint action in the fight against drugs, including online.

More generally, the DHSSPS leads on the work to tackle drug misuse in Northern Ireland through the New Strategic Direction for Alcohol and Drugs and the DOJ is one of the partners that assists with the delivery of the short and long term outcomes outlined in that Strategy.

### Prisons: Strip Searching

**Mr Flanagan** asked the Minister of Justice for an update on the efforts to seek a modern viable alternative to the practice of strip searching in prisons.

(AQW 33305/11-15)

**Mr Ford:** Under the justification of practices involving the use of ionising radiation 2004 legislation, NIPS must obtain a licence prior to evaluating transmission x-ray search technology.

In order to obtain such a licence, NIPS must first complete a justification application and submit it through the Department of Energy and Climate Change (DECC).

DECC is the Department responsible for co-ordinating the Regulatory Justification process across the United Kingdom and is the policy lead for the regulations.

The Justification Liaison group agreed it would be necessary to carry out a full justification process on the NIPS application as no justification process has been carried out on the use of transmission x-ray technology to search people in the United Kingdom. When that process has been concluded the Justification Liaison Group, which includes representatives from the Department of Energy and Climate Change, Health and Safety Executive, Public Health England, Food Standards Agency, Scottish Office, Welsh Office and Department of Justice, and is led by the National Offender Management Service (NOMS), will draft a submission to the Secretary of State for Justice asking him to note the findings and approve progress towards the next stage of the application process for the use of a modern viable alternative to full body searching.

Millimetre wave technology has already been piloted in two NIPS Establishments and proved not to be as effective as existing processes.

### Prisons: Strip or Full Body Searches

**Mr Flanagan** asked the Minister of Justice to detail the number of (i) prisoners that have been subject to a strip or full body search in each month since January 2010; (ii) strip or full body searches that have taken place in each prison since January 2010; and (iii) forced strip or full body searches that have taken place in each prison since January 2010.

(AQW 33306/11-15)

**Mr Ford:**

- (i) The number of full body searches carried out on prisoners in the period stated is set out in the table below. To determine how many prisoners these figures refer to could only be achieved at disproportionate cost.

	2010	2011	2012	2013	2014
January	1722	2322	2809	1709	2077
February	1793	2778	2755	1645	1788
March	1951	2740	3038	1699	2210
April	1628	2385	2512	1881	1777
May	1666	2643	2759	2244	
June	2018	2551	2237	2548	
July	2568	1973	2014	2231	
August	1922	1987	2103	2409	
September	1858	2131	2107	2515	
October	1811	2658	2055	2395	
November	1986	2718	1837	2462	
December	1979	2395	1418	1677	

- (ii) The number of full body searches carried out in each establishment in the period stated is set out in the table below.

Establishment	Gender	No of Searches
Maghaberry	Male	65348
Magilligan	Male	22596
Hydebank Wood	Female	4743



Establishment	Gender	No of Searches
Hydebank Wood	Male	20405

- (iii) The method for recording full body searches under force after a prisoner has refused to comply was refined in early 2013. To provide figures before that date would incur disproportionate cost.

Establishment	Gender	2013	2014
Maghaberry	Male	464	266
Magilligan	Male	3	0
Hydebank Wood	Female	5	0
Hydebank Wood	Male	3	0

### Transmission X-ray Body Scanners

**Mr Flanagan** asked the Minister of Justice for an update on the Northern Ireland Prison Service Justification Application for the initial trialling and possible future use of transmission x-ray body scanners.  
(AQW 33307/11-15)

**Mr Ford:** Under the justification of practices involving the use of ionising radiation 2004 legislation, NIPS must obtain a licence prior to evaluating transmission x-ray search technology.

In order to obtain such a licence, NIPS must first complete a justification application and submit it through the Department of Energy and Climate Change (DECC).

DECC is the Department responsible for co-ordinating the Regulatory Justification process across the United Kingdom and is the policy lead for the regulations.

The Justification Liaison group agreed it would be necessary to carry out a full justification process on the NIPS application as no justification process has been carried out on the use of transmission x-ray technology to search people in the United Kingdom. When that process has been concluded the Justification Liaison Group, which includes representatives from the Department of Energy and Climate Change, Health and Safety Executive, Public Health England, Food Standards Agency, Scottish Office, Welsh Office and Department of Justice, and is led by the National Offender Management Service (NOMS), will draft a submission to the Secretary of State for Justice asking him to note the findings and approve progress towards the next stage of the application process for the use of a modern viable alternative to full body searching.

Millimetre wave technology has already been piloted in two NIPS Establishments and proved not to be as effective as existing processes.

### Prisons: Strip Searches

**Mr Flanagan** asked the Minister of Justice for his assessment of whether a prisoner suffering from arteriovenous malformation is suitable for a forced strip search.  
(AQW 33308/11-15)

**Mr Ford:** When a full body search is deemed necessary and the prisoner refuses to comply, he will be allowed reflection time. He will only be full searched under force after a risk assessment has been carried out. A healthcare professional will provide input and advice on any known medical issues. NIPS standards do not permit full searches to be carried out on a prisoner who has a serious medical problem that could be adversely affected by the full search procedure.

### Deportation on Completion of a Custodial Sentence

**Lord Morrow** asked the Minister of Justice, in relation to recommendations for people to be deported on completion of a custodial sentence, whether they are released pending deportation, or remain in custody until deportation, even if they have served their sentence.  
(AQW 33356/11-15)

**Mr Ford:** The Northern Prison Service (NIPS) may hold individuals who are liable for deportation beyond their custody expiry date providing those individuals have been served with a warrant of detention (known as an I.S. 91) by the Home Office. NIPS detains these individuals until they are collected by Tascor (the private company now performing duties previously undertaken by the UK Border Agency) and transported to a holding centre. NIPS works closely with Tascor to facilitate the prompt removal from prison of such individuals.

### Legal Aid: Fermin Vila Michelena

**Lord Morrow** asked the Minister of Justice how much has been paid in Legal Aid to date, broken down by law firm and (a) junior; and (b) senior counsel in the case of Fermin Vila Michelena; and to detail the estimated final total.  
(AQW 33407/11-15)

**Mr Ford:** The amount of legal aid paid to date in the case of Fermin Vila Michelena is as follows:

Solicitor	£17,976.74
Junior counsel	£20,244.83
Senior counsel	£17,391.00
<b>Total</b>	<b>£55,612.57</b>

A further claim has been submitted by the solicitor but as yet it has not been assessed. It is estimated that the costs will be £450. This will give an estimated final total of £56,062.57.

### Prisoner Assessment Unit

**Lord Morrow** asked the Minister of Justice State what changes have been made to the regime and managing of the reopened Prisoner Assessment Unit.  
(AQW 33408/11-15)

**Mr Ford:** Recommendations falling from both inspection and investigation reports were used as a basis for the development of Burren House.

Staff, including the Senior Officer grade, were specifically selected to run the unit and have been specially trained for the role. The training was co-delivered with Probation Board Northern Ireland (PBNI), and a full time PBNI officer will work within the Unit.

A more stringent multi agency selection process is in place to select prisoners for Burren House, and prisoner induction is more informative which clearly states what is expected of prisoners. In addition, a more robust progression /regression policy is in place, and staff employed there will write reports on the prisoners for the Parole Commissioners.

Senior managers from the Prison will visit the Unit on a rotational basis, and it will be audited regularly by Headquarter staff and a report given to the Governing Governor.

A full review of the operation of Burren will be carried out six months after the Unit opens.

### Anonymity Orders

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33009/11-15, to detail the total cases reviewed; and of these how many had (i) reporting restrictions; and (ii) anonymity orders removed, shown per court division, and indicating the nature of the charge.  
(AQW 33409/11-15)

**Mr Ford:** The Office of the Lord Chief Justice reviewed orders made in respect of 61 defendants under section 1(2) of the Sexual Offences (Amendment) Act 1992 prohibiting the media from publishing their identity. Orders in respect of 56 defendants have been removed.

In five cases the court was satisfied that there were sufficient grounds for prohibiting the media from naming the defendant and made a reporting restriction under another statutory provision.

In all cases the defendants were charged with sexual offences.

County Court Division	Number of Defendants	Number of Orders Removed
Antrim	13	13
Ards	19	16
Armagh & South Down	8	8
Belfast	10	9
Craigavon	4	3
Fermanagh & Tyrone	2	2
Londonderry	5	5
<b>Total</b>	<b>61</b>	<b>56</b>

## Death in Custody of Colin Bell: Labour Relations Agency

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33100/11-15, to detail the dates in which Labour Relations Agency staff attended meetings on this matter.

**(AQW 33410/11-15)**

**Mr Ford:** My answer to AQW/33100/11-15 did not refer to meetings attended by the Labour Relations Agency on the matter of the disciplinary cases following the death in custody of Colin Bell but referred to an arrangement to convene an Independent Panel to consider the appeals of the individual staff involved. This arrangement followed the Ackah and Deane Review which had been facilitated by the Labour Relations Agency and which recommended that the Northern Ireland Prison Service Code of Conduct and Discipline as a whole should be reviewed in terms of the Labour Relations Agency Code of Practice on Disciplinary and Grievance Procedures.

## Magistrates Court Proceedings: Audio Recordings

**Lord Morrow** asked the Minister of Justice, given that there is equipment already in place, whether he will extend audio recordings of Magistrates Court proceedings similar to those in higher courts in the interest of accuracy and veracity.

**(AQW 33448/11-15)**

**Mr Ford:** I have no plans to bring forward legislation to require the use of audio recording of Magistrates' Court proceedings. However, recording equipment is available in most courtrooms and a District Judge (Magistrates' Court) can direct the use of audio recording equipment for any part of a Magistrates' Court sitting.

## Night Custody Officers

**Lord Morrow** asked the Minister of Justice to detail the reasons for the disparity in the outcome of the Independent Panel's deliberations which reinstated four female and five male night custody officers and reduced the recommended punishment in the case of three senior male officers, when only one night custody officer was dismissed from the service to face prosecution.

**(AQW 33479/11-15)**

**Mr Ford:** The outcome of the Independent Panel's deliberations was a matter for the Panel Members to decide based on the facts pertaining to each individual appeal case.

## PSNI Service Medal

**Mr Hussey** asked the Minister of Justice, pursuant to AQW 33019/11-15, to list the consultees he is referring to as 'the wider policing family'.

**(AQW 33485/11-15)**

**Mr Ford:** The draft list for taking the views of the 'wider policing family' (outside of Northern Ireland) will include: the Association of Chief Police Officers, the Chief Police Officers Staff Association, the Police Superintendents' Association for England and Wales, the Police Federation of England and Wales, the Scottish Chief Police Officers' Staff Association, the Association of Scottish Police Superintendents, the Scottish Police Federation, the Minister of State for Policing, Criminal Justice and Victims, and the Scottish Cabinet Secretary for Justice. Views from other organisations will be welcome.

## Prison Staff: Alleged Misconduct in Public Office

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33163/11-15 and AQW 33012/11-15, whether he will revise his answers to provide statistics on the (i) number; and (ii) grade of prison staff who were; (a) disciplined; and (b) investigated by the PSNI for alleged misconduct in public office; and to detail the number of staff at management grades who were disciplined, in view of the findings of the Prisoner Ombudsman for Northern Ireland and His Honour Patrick Lynch QC at Craigavon Crown Court regarding the death in custody of Colin Bell.

**(AQW 33510/11-15)**

**Mr Ford:** I will not revise the answers to the pursuant AQW/33163/11-15 and AQW/33012/11-15 as disclosure would be likely to lead to the identification of individuals which would be contrary to the principles of the Data Protection Act 1998.

## Dungannon Courthouse

**Lord Morrow** asked the Minister of Justice what action is being taken to extend or enlarge the car park at Dungannon Court House to address the parking problems on Killyman Road and local residential areas on court sitting days.

**(AQW 33512/11-15)**

**Mr Ford:** I have no plans to extend the car park at Dungannon Courthouse.

No complaints or reports of parking issues at Killyman Road or surrounding residential areas on court sitting days have been raised with the Northern Ireland Courts and Tribunals Service.

## Custodial Arrangements: Children

**Mr Eastwood** asked the Minister of Justice how he will address concerns about local custodial arrangements for children.

**(AQO 6166/11-15)**

**Mr Ford:** I recently consulted on the custodial arrangements for children in furtherance of the recommendations in the Youth Justice Review. The Summary of Responses to the consultation was published on 9 May. This document not only examines the views expressed by a range of respondents, including children and young people and their parents, but also sets out my proposals for changes to custodial arrangements and sentencing options for under-18s.

I have already publicly stated that children will no longer be held at Hydebank Wood YOC. I plan to underpin this policy position in legislation and ensure that all children committed to custody, regardless of their sentence, will be held at Woodlands Juvenile Justice Centre, whose regime and ethos make it a more appropriate location for children.

The proposals set out our plans to simplify the current custodial sentencing options for children by replacing two existing orders with a single order that is informed by the international principles contained in the United Nations Convention on the Rights of the Child relating to "best interests" and "custody as a last resort and for the shortest appropriate period of time". I also intend to remove children aged 13 and under from the scope of the new order.

The summary document gives more specific details of this new order, such as minimum and maximum durations and a compulsory community supervision period.

The changes being proposed as a result of the consultation affirm my commitment to ensuring that custody for children is not used lightly, but as a consideration of last resort. Where custody is necessary, children should be held in the most suitable surroundings and for the shortest appropriate period.

The proposals will now be taken forward through the Fines and Enforcements Bill, which I am planning to introduce in the autumn.

## Firearms Licensing

**Miss M McIlveen** asked the Minister of Justice for an update on the progress made to address firearms licensing issues, as raised by the country sports industry.

**(AQO 6162/11-15)**

**Mr Ford:** I am seeking to find a package of changes which will: provide adequate and appropriate funding for the PSNI's Firearms Licensing Branch, enable those who are 12 or over to shoot in defined circumstances under suitable supervisory arrangements and to introduce a banded system to enable a more straightforward variation of firearms holdings.

Exchanges have been ongoing to try to draw this matter, on which there are differing views, to a conclusion.

I am keen to do so as soon as possible, but I need to be clear that we cannot continue the current public subsidy for Firearms Branch. In addition any changes must have public safety at their heart.

## Domestic Abuse

**Mr D McIlveen** asked the Minister of Justice for an update on his Department's efforts to eradicate domestic abuse.

**(AQO 6167/11-15)**

**Mr Ford:** The vision of the 'Tackling Violence at Home' Strategy is to put in place all practicable measures towards the elimination of domestic violence and abuse. My Department has played a significant role in the introduction of many such initiatives aimed at eradicating domestic violence.

The need to offer appropriate interventions aimed at changing the behaviour of those committing these dreadful crimes remains a priority for my Department. The Integrated Domestic Abuse Programme for convicted perpetrators of domestic violence challenges them to accept responsibility for their violent and abusive behaviour, to acknowledge the effect of their actions, and to take steps to change. Plans are being developed to pilot similar programmes for alleged perpetrators of domestic violence.

I am also committed to ensuring that, if such abuse does happen, victims are protected, supported and have access to justice. Measures in place have included Multi Agency Risk Assessment Conferences for high risk victims of domestic violence and abuse. Since their inception in 2010, safety plans and support have been put in place for over 6,700 high risk victims of domestic violence and abuse. In December 2011 I introduced a process which allows all victims of domestic violence to access legal aid quickly in order to assist in obtaining Non-Molestation Orders.

The Member will be aware that a public consultation on a new domestic and sexual violence Strategy, 'Stopping Domestic and Sexual Violence and Abuse in Northern Ireland', recently ended. The document, which was compiled through discussion with key stakeholders, contains a number of proposed priorities to address domestic violence. The responses to the consultation are presently being considered and will help develop proposals in this important area.

In the interim the current Action Plan under the "Tackling Violence at Home" Strategy will continue to progress actions aimed at both eradicating domestic violence and enhancing services to protect and support victims.



### Animal Cruelty: Lenient Sentences

**Ms McCorley** asked the Minister of Justice, given the recent public outcry over the perceived leniency of sentences in relation to animal cruelty, to outline any meetings he has had with the Minister of Agriculture and Rural Development in relation to this subject. (AQO 6168/11-15)

**Mr Ford:** The Minister of Agriculture and Rural Development has given a commitment to review the implementation of the Welfare of Animals Act (Northern Ireland) 2011, and I have given my full co-operation and support to that review. I understand that the terms of the review are currently being developed and our respective officials have already been in discussion.

No formal Ministerial meeting has yet taken place, but I will of course facilitate any request for such a meeting.

### Rural Crime

**Mrs Dobson** asked the Minister of Justice for an update on the measures being taken by the Rural Crime Unit to provide a subsidy to farmers in E and F police districts to encourage the fitment of security equipment to farm machinery. (AQO 6169/11-15)

**Mr Ford:** As Members are aware, in December 2013 the Rural Crime Unit announced an initiative to provide a subsidy to farmers in E and F policing districts, where higher levels of crime relating to agricultural-based activity were identified, to encourage farmers to fit security equipment to farm machinery to combat thefts.

I understand that 119 orders for equipment were placed and NFU Mutual, who jointly funded this initiative, has estimated that over £1.7 million worth of machinery has been fitted with additional security equipment as a result of this initiative.

Given the interest which this initiative has generated, consideration is currently being given to rolling out this initiative to other areas.

## Department for Regional Development

### NI Water: Fees

**Mrs Hale** asked the Minister for Regional Development whether he has had any discussions with NI Water in relation to excessive fees imposed on house builders for sewer inspections and bonds. (AQW 33190/11-15)

**Mr Kennedy (The Minister for Regional Development):** I have discussed this issue with NI Water staff on several occasions.

I plan to publish a consultation paper shortly which will invite representations on the level of sewer bonds set by NI Water.

### Road Signs

**Mr McGlone** asked the Minister for Regional Development what steps his Department is taking regarding the problem of unauthorised road signs erected by businesses. (AQW 33253/11-15)

**Mr Kennedy:** While I appreciate and understand the difficult trading conditions being experienced by many retailers, the illegal erection of advertising signs along the public road is an offence under The Roads (Northern Ireland) Order 1993. Furthermore, such signage can be a distraction to motorists and as such can have significant road safety implications. The more signs which are in place the greater the risk to safety.

Where advertising hoardings are erected illegally on the Department's property, action is taken by officials to try to remove these under Article 87 of the Roads (NI) Order 1993. This Article deals with advertisements, pictures, signs, etc. unlawfully affixed to the surface of a road, or any tree, structure or other works in or on a road i.e. signs on departmental property.

In addition, Article 21(1) of the Roads (Northern Ireland) Order 1993 states that "any person who erects or exhibits or causes or permits to be erected or exhibited any advertisement or notice which is sited or designed wholly or mainly for the purpose of being visible to persons using a special road or which is likely to prejudice the safety of traffic using a special road shall be guilty of an offence and liable under summary conviction to a fine". The motorway and Westlink are examples of Special Roads.

### Park and Ride: Castledawson Roundabout

**Mr McGlone** asked the Minister for Regional Development, in relation to the Castledawson Roundabout Park and Ride facility, when the planned expansion of the facility will be operational. (AQW 33254/11-15)

**Mr Kennedy:** Officials are aware that demand for park and ride / share parking spaces at Castledawson significantly exceeds supply and it is planned to increase the number of parking spaces by 100. However, progression of the scheme will be dependent upon successful acquisition of the land and, to date, attempts to acquire the land by agreement have not been successful.

The lands required to facilitate the proposed scheme are currently the subject of a planning appeal and further discussions with the landowner will take place after the appeal decision is known.

### Roads: Knock Dual Carriageway

**Mr Agnew** asked the Minister for Regional Development for an update on the proposal to widen the Knock Dual Carriageway. (AQW 33263/11-15)

**Mr Kennedy:** I would refer the Member to my answer to Assembly Question AQW 32817/11-15.

### Portavoe Reservoir: Fish

**Mr Easton** asked the Minister for Regional Development to detail the total number of fish killed as a result of draining Portavoe Reservoir. (AQW 33293/11-15)

**Mr Kennedy:** DCAL Fisheries Officers have undertaken regular inspections of Portavoe Reservoir and to date no evidence of dead fish has been found.

The lowering of the water level in Portavoe Reservoir is required to facilitate essential health and safety work to refurbish valves and other maintenance work required to protect the structural integrity of the reservoir.

NI Water has been working with the Northern Ireland Environment Agency (NIEA) and the Department of Culture, Arts and Leisure (DCAL) regarding the lowering of the reservoir and has been taking advice on the appropriate environmental approach to this work.

### Portavoe Reservoir: Birds

**Mr Easton** asked the Minister for Regional Development to detail the number of total birds killed as a result of draining Portavoe Reservoir. (AQW 33294/11-15)

**Mr Kennedy:** Five dead birds have been found by NI Water within the reservoir site, however none of these deaths are believed to have been caused as a result of the lowering of the water. NI Water is working with other Departments to attempt to establish the reason for these deaths and should any further dead birds be found that are in an acceptable condition for analysis, they will be removed and efforts made to determine the cause of death.

The lowering of the water level in Portavoe Reservoir is required to facilitate essential health and safety work to refurbish valves and other maintenance work required to protect the structural integrity of the reservoir.

NI Water has been liaising with the Northern Ireland Environment Agency (NIEA) and the Department of Culture, Arts and Leisure (DCAL) regarding the lowering of the reservoir and has been taking their advice on the appropriate environmental approach to this work.

### Portavoe Reservoir: Fish

**Mr Easton** asked the Minister for Regional Development how many fish have been rescued and removed from Portavoe Reservoir. (AQW 33295/11-15)

**Mr Kennedy:** The Department of Culture, Arts and Leisure (DCAL) has informed me that it is regularly monitoring fish welfare at Portavoe Reservoir. Removal of fish is being carried out during the week commencing 12 May 2014. I am advised that as of 13 May 2014, thirty fish have been removed.

### Portavoe Reservoir

**Mr Easton** asked the Minister for Regional Development when Portavoe Reservoir will be refilled. (AQW 33296/11-15)

**Mr Kennedy:** NI Water initially envisaged that the lowering of the water level to facilitate essential health and safety work at Portavoe Reservoir would be completed by the end of April 2014. Regrettably, the process has been slowed down as a result of acts of vandalism at the site and the unauthorised closing of the scour valve, which has the effect of prolonging the disruption to the natural habitat at the reservoir. The Police Service of Northern Ireland is currently investigating the acts of vandalism.

If the lowering of the water level in the reservoir can continue without further interference and rainfall does not exceed the seasonal average, then the required low water level should be achieved by the end of May 2014. This will enable the maintenance work to be completed by the end of August 2014 and the reservoir will subsequently refill naturally. The timescale for refilling the reservoir will be dependent on rainfall.

### Traffic Calming Measures: Sandown Road, Belfast

**Mr Agnew** asked the Minister for Regional Development what consideration he has given to installing traffic calming measures on Sandown Road, Belfast.

**(AQW 33300/11-15)**

**Mr Kennedy:** My Department previously assessed Sandown Road for the provision of traffic calming measures. The assessment indicated there are a number of other areas competing for inclusion within the traffic calming programme which are deemed to be of greater priority at this time.

Taking account of the funding currently available for such works, officials therefore do not envisage being able to provide traffic calming measures along Sandown Road in the near future.

### Parking: Ballyhackamore

**Mr Agnew** asked the Minister for Regional Development to detail (i) what measures he is taking to resolve the issue of parking availability for residents and retailers in Ballyhackamore; (ii) whether he intends to introduce any residents parking schemes; and (iii) whether he intends to develop any more public car parks in the area.

**(AQW 33301/11-15)**

**Mr Kennedy:** I am very familiar with issues affecting local businesses and traders in the Ballyhackamore area of Belfast, having met some of them along with their representatives on a number of occasions.

My officials have considered the option of widening the small service road in the village, in order to accommodate parallel parking on each side of the road. However, such a scheme is not considered economically viable and would have a significant detrimental effect on pedestrians.

As part of the forthcoming Belfast Rapid Transit (BRT) works scheduled for the Ballyhackamore area, my Department is planning to construct a new lay-by to accommodate additional short stay parking opposite Eastleigh Drive. This will require the purchase of a narrow strip of private land along the frontage of the adjacent retail units.

Although a residents' parking scheme in the Ballyhackamore area is not being progressed at this time, a number of streets in the area have been noted for future consideration.

I am seeking to reduce reliance on the private car as a mode of transport for commuters, with a greater emphasis being given to more sustainable modes. The BRT project is aiming to reduce demand for car parking in the area, by providing an attractive, alternative means of transport for people travelling to and from Ballyhackamore. My Department's focus in relation to new car parking provision is, therefore, on strategic Park and Ride sites and at transportation centres such as bus and rail stations. As such, I am not intending to direct resources towards the development of additional off-street car parks in the Ballyhackamore area.

### Translink Metro Buses: Wheelchair Users

**Mr McCarthy** asked the Minister for Regional Development whether there is a policy that stipulates that only one wheelchair user may board a Translink Metro bus at a time; and if so, to detail why this policy is in place and whether his Department plans to reconsider this.

**(AQW 33302/11-15)**

**Mr Kennedy:** Translink have advised me that all of its current low-floor fleet in both Metro and Ulsterbus comply with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 No 37, allowing access on the vehicle for disabled persons. These regulations come under the remit of the Department of Environment. The requirements stipulate that there should be not less than one space for a wheelchair with suitable safety provisions. It is worth noting that the regulations also take account of the need to maintain space for other users including those with disabilities but not using wheelchairs.

Translink further advises that it is not aware of any low-floor large buses in commercial production that would accommodate more than one wheelchair.

You should also be aware that my Department supports Disability Action to run an interim transport service, the Disability Action Transport Scheme (DATS). This offers transport options to individual members who cannot avail of mainstream public transport due to disability. Wheelchair users may be eligible to become members of this scheme and if so can avail of the transport services available.

### Footpaths: Bangor

**Mr Weir** asked the Minister for Regional Development whether there are plans to repair the footpaths in Bangor town centre to ensure they are safe for use by the visually impaired.

**(AQW 33325/11-15)**

**Mr Kennedy:** My Department carries out cyclical inspections on all carriageways and footways under its maintenance responsibility. All surface defects which are deemed hazardous to the public are identified and instructed for repair to a timescale depending on their severity.

A recent inspection of the subject area confirmed the footways were considered to be in a safe and serviceable condition.

However, if the Member is aware of a specific issue and /or location then officials in Bangor Section Office are available to assist in resolving the matter.

The Member may be aware that a Public Realm Scheme has recently commenced within Bangor Town Centre during which the footways will be reconstructed. During the consultation process the views of vulnerable road users were sought and considered at the planning and design stages of the scheme.

### Pavements: Groups Representing the Visually Impaired

**Mr Weir** asked the Minister for Regional Development what consultation takes place with groups representing the visually impaired to ensure street pavements are safe and maintained to an adequate standard.

**(AQW 33326/11-15)**

**Mr Kennedy:** My officials regularly meet with groups that represent the needs of all people with disabilities. The Department also provides representation to various working groups organised by the Inclusive Mobility and Transport Advisory Committee, which the Accessible Transport Strategy confirmed as the main source of independent advice to Government and others in Northern Ireland on all transport issues that affect the mobility of older people and disabled people, including those with visual difficulties.

At a local level, my Department also engages with local access groups to address the needs of local people. Officials apply guidance from sources such as the Department for Transport's 'Inclusive Mobility', which is acknowledged as a guide to best practice on access to pedestrian and transport infrastructure.

### Translink Metro Buses: Wheelchair Users

**Mr A Maginness** asked the Minister for Regional Development what proportion of Metro buses can accommodate (i) one wheelchair user; (ii) two wheelchair users; and (iii) more than two wheelchair users.

**(AQW 33359/11-15)**

**Mr Kennedy:** Translink has advised that all Metro buses can only accommodate one wheelchair user. All Metro buses comply with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 No 37, allowing access on the vehicle for disabled persons. These regulations come under the remit of the Department of Environment. The requirements stipulate that there should be not less than one space for a wheelchair with suitable safety provisions. Translink further advises that it is not aware of any low floor large buses in commercial production that would accommodate more than one wheelchair.

Recognising the constraints here I announced in 2013 that my Department would support Disability Action to run an interim transport service, the Disability Action Transport Scheme (DATS.) This offers transport options to individual members who cannot avail of mainstream public transport due to disability. Wheelchair users may be eligible to become members of this scheme and if so can avail of the transport services available.

### Translink Metro Buses: Wheelchair Users

**Mr A Maginness** asked the Minister for Regional Development how many requests Translink received in each of the last three years to schedule Metro buses that can accommodate more than one wheelchair user; and of these, how many requests were granted.

**(AQW 33360/11-15)**

**Mr Kennedy:** Translink has advised that over the last three years it has not received any specific requests to accommodate more than one wheelchair on its Metro services.

Disability Action who under the auspices of the Disability Action Transport Scheme, which is supported by my Department, regularly receives requests to accommodate more than one wheelchair on the services it provides and the specialised custom built vehicles it has at its disposal can readily accommodate such requests.

### Translink Ulsterbus and Metro Services: Wheelchair Users

**Mr A Maginness** asked the Minister for Regional Development what policy is in place to allow two or more wheelchair users to travel together on Ulsterbus and Metro services.

**(AQW 33361/11-15)**

**Mr Kennedy:** Translink have advised me that all of its current low-floor fleet in both Metro and Ulsterbus comply with the Public Service Vehicle Accessibility Regulations (Northern Ireland) 2003 No 37, allowing access on the vehicle for disabled persons. These regulations are under the remit of the Department of the Environment. The requirements stipulate that there should be not less than one space for a wheelchair with suitable safety provisions.

Translink further advises that it is not aware of any low-floor large buses in commercial production that would accommodate more than one wheelchair.



### NI Water: Flooding, Mourneview Estate, Newcastle

**Mr Rogers** asked the Minister for Regional Development, pursuant to AQW 31807/11-15, to detail the outcome of NI Water's detailed investigations and feasibility study in respect of repeated flooding incidents at the Mourneview Estate, Dundrum Road, Newcastle.

**(AQW 33402/11-15)**

**Mr Kennedy:** NI Water has received the initial draft report on the feasibility study from its consultants on the drainage situation within the Mourneview Estate. The report has been reviewed and a number of queries have arisen which need to be addressed. These include the need for NI Water to consult with Roads Service as there are potentially multiple sources for the flooding.

NI Water has advised that a substantive report is expected to be available by the end of May 2014 to allow for the development of solutions at the earliest opportunity.

### Safe Routes to School Scheme: Temporary 20mph Speed Limit

**Mr McMullan** asked the Minister for Regional Development how many schools in (i) Cushendall; (ii) Cushendun; and (iii) Glenariff qualify for the recently extended Safe Routes to School Scheme - temporary 20mph speed limit.

**(AQW 33434/11-15)**

**Mr Kennedy:** Work is at an advanced stage on the development of a new Policy on Roads Safety at Schools, which will include the provision of part-time 20mph speed limits as a speed reducing measure.

This new policy contains an assessment procedure which will be used to assess schools, ensuring that those with the greatest need are given priority.

You may already be aware that 'Safer Routes to Schools' measures, which included school warning signs on backing boards with amber flashing lights and red surfacing on the approaches, have already been provided at St Mary's Primary School in Cushendall and at St Patricks Primary School in Glenariff.

### Abandonment Orders

**Lord Morrow** asked the Minister for Regional Development to outline the process adopted for Abandonment Orders.

**(AQW 33449/11-15)**

**Mr Kennedy:** My Department's policy and procedures for its Abandonment Orders are available to view on its internet site at: <http://www.drdni.gov.uk/index/publications/publications-details.htm?docid=9255>.

### Cycle Network

**Mr D Bradley** asked the Minister for Regional Development, given the feel good factor created by the Giro d'Italia passing through Newry and Armagh, what plans he has to further improve the cycle network in the area to encourage safe cycling.

**(AQO 6151/11-15)**

**Mr Kennedy:** My Department is currently working on a cycling strategy for Northern Ireland. I expect a draft strategy to be prepared by June of this year. This will provide an appropriate framework within which to assess different routes – including those in Newry and Armagh.

In parallel with this, consideration will be given to the drafting of cycling masterplans for areas within Northern Ireland starting with Belfast. While my ambition is to improve cycling infrastructure throughout Northern Ireland, I think that it is important to adopt a step-by-step approach so that the benefits of investment are more effective.

### Park and Ride: Dungannon

**Lord Morrow** asked the Minister for Regional Development for an update on the proposed park and ride scheme at Dungannon.

**(AQO 6149/11-15)**

**Mr Kennedy:** The proposal for Park & Ride facilities at both Tamnamore and Stangmore were included in the draft Local Transport & Safety Measures Programme 2014-2016, which was presented to Dungannon & South Tyrone Borough Council in December 2013.

I am pleased to confirm that construction work has started at the Tamnamore site and the facility, which will provide 270 spaces at a cost of £800,000, should be operational by autumn 2014.

The preferred location for a new Park & Ride at Stangmore has been identified as just off the Moy Road approach to Stangmore Roundabout, close to Junction 15 of the M1 motorway. Discussions with Translink and the affected landowner have taken place and demand is to be reassessed once the Tamnamore facility has become operational.

### Off-street Parking Legislation

**Mr G Kelly** asked the Minister for Regional Development when an off-street parking bill will be introduced.

**(AQO 6150/11-15)**

**Mr Kennedy:** My Department proposes to issue an Off-Street Parking (Functions of District Councils) Bill for consultation soon. It is scheduled to be introduced to the Assembly in September.

The Bill would transfer to district councils the powers my Department has in relation to the provision, operation and management of off-street parking places under the Road Traffic Regulation (Northern Ireland) Order 1997.

The Bill would also create certain decriminalised powers of enforcement to enable councils to issue penalty charge notices where parking contraventions occur in those car parks. Those powers would broadly reflect those available to my Department under the Traffic Management (Northern Ireland) Order 2005.

The Bill would come into effect on 1 April 2015.

### Unadopted Roads

**Mr Brady** asked the Minister for Regional Development for an update on the implementation of the recommendations contained in the inquiry into unadopted roads.

**(AQO 6152/11-15)**

**Mr Kennedy:** My Department has made good progress on the implementation of the recommendations contained in the inquiry into unadopted roads. All of its recommendations have been considered, and either dealt with directly by my Department or referred to the appropriate parties.

I have given my full support for the Committee's Inquiry into Unadopted Roads. I acknowledge the very real problems unfinished roads and sewers have caused to homeowners in some housing developments, and I assure you my Department remains committed to dealing with this issue.

During 2013/14, my Department adopted just under 63 kilometres of housing development roads into the public road network. The majority were completed by developers, but enforcement was also used in a number of instances, and bond monies were called upon where completion through the normal processes was not possible. In the same period, 325 backlog sites have been completed and adopted.

In summary, there is still work to be done, but significant overall progress has been made in dealing with unadopted roads and sewers in housing developments. I am committed to making further progress and I will be writing to the Committee for Regional Development in the near future with a full update.

### Giro d'Italia: Legacy

**Mr Dickson** asked the Minister for Regional Development what discussions he has had with the Minister of Enterprise, Trade and Investment regarding the physical infrastructure legacy of the Giro d'Italia.

**(AQO 6153/11-15)**

**Mr Kennedy:** I am sure that you will want to join with me in congratulating all those involved in the organisation of the Giro d'Italia NI Grande Partenza, which has been a huge success due to the effective joint working of many Departments and bodies to promote NI and cycling.

My Department has been heavily involved in numerous activities with the Giro d'Italia from the operational aspects of the Race Committee through to representation on the Northern Ireland Local Steering Group for the Legacy Plan.

The delivery structure of the event has targeted 'legacy' as one of its primary objectives of the event. Whilst the Northern Ireland Tourist Board is leading this aspect of the event organisation, my Department has provided input. Cycling Unit officials have contributed to the draft Legacy Plan which, among other things, seeks to promote Active Travel for the journey to school and to encourage the wider local population to engage with cycling as an everyday means of transport. It is expected that the draft Legacy Plan will be endorsed by the Executive in due course.

My Department is also setting up a cross-sectoral Cycling Group to ensure that the wider benefits of cycling are promoted and I have written to the Minister of Enterprise, Trade and Investment seeking her Department's involvement in this Group. I intend to chair this Group which will have representation from a wide range of stakeholders. Encouraging more cycling and providing safe and accessible infrastructure would be a legacy from the Giro d'Italia for all our citizens.

In terms of infrastructure, we are moving forward plans for a dedicated pedestrian and cycle bridge across the Lagan to provide a direct link from the city centre to Ormeau Park. This will link with the National Cycle Network routes alongside the Lagan and open up a quiet route for cyclists from both the east and south of Belfast.

As well as the funding I intend to commit to cycling infrastructure, my Department is pursuing opportunities for EU funding in partnership with cross-border groups to develop traffic-free Greenway routes throughout Northern Ireland.

### EU Funds

**Mr F McCann** asked the Minister for Regional Development for an update on his Department's new EU Unit's success in increasing the drawdown of EU funds.

**(AQO 6154/11-15)**

**Mr Kennedy:** Since its establishment in July 2013, my Department's European Programmes and Gateways Unit has been successful in securing £19.9m of EU funds. It has secured £10.7m of EU Funds through the European Sustainable Competitiveness Programme and £9.2m from the INTERREG European Territorial Co-Operation Programme.

This success has been achieved in what is a highly competitive arena; in almost every case, applications for European funding are substantially oversubscribed. My decision to establish a dedicated EU Unit was predicated upon a determination to ensure effective engagement with European stakeholders and the ongoing competitiveness of our bids.

An application has recently been made under the TEN-T programme for £2.9m of EU funds which would, if successful, contribute to the cost of a works study for the proposed Belfast Inter-modal Transport Hub at Great Victoria Street in Belfast. The decision in respect of this application is likely to be known in September of this year.

In the meantime, the European Programmes and Gateways Unit continues to explore potential opportunities for future bids and is working co-operatively with colleagues across a number of regions in doing so.

### Manhole Covers: Theft

**Mrs McKeivitt** asked the Minister for Regional Development how many manhole covers have been replaced by his Department, or its arm's-length bodies, in the last 12 months as a result of theft.

**(AQO 6155/11-15)**

**Mr Kennedy:** My Department and NI Water have replaced 71 manhole covers in the last 12 months as a result of suspected theft.

### Lorries: Clady

**Ms Boyle** asked the Minister for Regional Development what plans he has to address the increasing numbers of articulated lorries travelling through Clady, County Tyrone.

**(AQO 6156/11-15)**

**Mr Kennedy:** The cross border bridge and the roads through Clady, County Tyrone are structurally sound and therefore capable of accommodating articulated lorries.

However, in order to reduce vehicle speeds and discourage vehicles unnecessarily travelling through Clady, my Department provided traffic calming measures on Urney Road and Bellspark Road within the village in 2008. In the past few years, Bellspark Road has also benefited from the provision of additional footways. These measures should contribute to improving road safety within the village.

## Department for Social Development

### Social Housing: Crossgar

**Mr Wells** asked the Minister for Social Development, pursuant to AQW 32471/11-15, whether the deletion of the proposed social housing scheme at 19 Downpatrick Road, Crossgar from the Social Housing Development programme 2014/15 - 2016/17 will enable his Department to fund an alternative scheme in Crossgar.

**(AQW 33275/11-15)**

**Mr McCausland (The Minister for Social Development):** The current projection for 5 year social housing need in Crossgar is 30 new units. Clanmil Housing Association has programmed to deliver 11 new units at 37-45 Downpatrick Street, Crossgar in the 2016/17 programme year.

The Housing Executive has highlighted the additional housing need in its Unmet Needs Prospectus and will therefore consider supporting additional proposals as they are brought forward by Housing Associations.

### Derelict Properties: Doury Road, Ballymena:

**Mr McKay** asked the Minister for Social Development, pursuant to AQW 31955/11-15, when the Housing Executive will repaint and power wash the derelict properties that were used for art projects, and make improvements to the memorial garden and make a derelict gable wall good, as was previously agreed with the residents association in Doury Road.

**(AQW 33280/11-15)**

**Mr McCausland:** The Housing Executive has advised that they have paused the progression of its plans for derelict properties until the Building Successful Communities Forum (BSCF) has considered how to integrate this work with the regeneration of the Doury Road. As such, it has been agreed that all proposed works to these dwellings will be postponed in the interim period.

The Housing Executive also advised that they would be willing to consider improving the memorial garden and will discuss this, along with the other issues, at the next BSCF on 27 May 2014.

In relation to the gable wall, which is in block 1 to 11 Sandown Park, future plans for this row of properties have been deferred to ensure that the Housing Executive's plans compliment the work of the Forum. The Housing Executive has confirmed that the gable has been inspected and there are no health and safety issues.

### Social Housing: Waiting Times, Ballymoney and Ballymena

**Mr Swann** asked the Minister for Social Development what was the average waiting time for allocation of social housing in (i) Ballymoney; and (ii) Ballymena, in each of the last three years.

**(AQW 33313/11-15)**

**Mr McCausland:** The Housing Executive has provided the table below which details the average waiting time for the allocation of social housing in the Housing Executive's Ballymena and Ballymoney local office areas in 2012/13 and 2013/14. Due to a gap in the data available (because of the introduction of a new Housing Management System) the Housing Executive is unable to produce reliable data on Allocations for the financial year 2011/12.

Local Office	No. of Allocations to 31.03.13	Mean average Months	Median average Months	No. of Allocations to 31.03.14	Mean average Months	Median average Months
Ballymena	216	21.12	13.00	293	22.44	16.00
Ballymoney	91	11.15	6.00	104	13.36	7.00

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.

### Disability Living Allowance: Diabetes

**Lord Morrow** asked the Minister for Social Development what amendments have been made to the Disability Living Allowance (DLA) qualifying criteria for children with long term DLA awards for diabetes transferring to adult DLA where there is no alteration of condition; and to detail the date any amendments were introduced.

**(AQW 33354/11-15)**

**Mr McCausland:** There have been no amendments made to the qualifying criteria for Disability Living Allowance for children with long term awards for diabetes transferring to adult DLA where there is no alteration of condition.

Entitlement to Disability Living Allowance depends on the extent to which the person needs help with personal care, requires supervision or has difficulty getting around.

Therefore, entitlement is based on the effects that severe disability has on a person's life and not on a particular disability or diagnosis. This is because people living with the same disabilities or illnesses do not necessarily have precisely the same care or mobility needs.

In the case of children, an important consideration is the amount of additional care and supervision the disabled child needs beyond what a child without severe disability would require. Some very young children do need substantially more care than children without a severe disability but this may change over time.

Automatic entitlement for certain conditions would not be a precise enough way to determine someone's actual needs, how those needs may vary over time, or the variable responses of an individual to the condition.

### Social and Affordable Homes

**Mr Campbell** asked the Minister for Social Development to detail the number of additional social and affordable homes provided in each of the last seven calendar years as a result of (i) properties being purchased; and (ii) properties being built.

**(AQW 33371/11-15)**

**Mr McCausland:**

- (i) The information requested is only available for financial years rather than calendar years.

The Social Housing Development Programme is made up of new built houses and purchases of Off –the Shelf and existing Satisfactory Properties. The number of social properties purchased during the period 2007/8 to 2013/14 is as follows;

Year	Purchased	Built	Total Starts
2007/08	613	982	1,595
2008/09	522	614	1,136
2009/10	543	1,295	1,838
2010/11	493	1,925	2,418
2011/12	384	1,026	1,410



Year	Purchased	Built	Total Starts
2012/13	241	1,138	1,379
2013/14	407	892	1,299
<b>Totals</b>	<b>3,203</b>	<b>7,872</b>	<b>11,075</b>

(ii) The number of Affordable homes delivered by the Northern Ireland Co-ownership Housing Association (NICHA) during 2007/8 to 2013/14 are as follows:

Year	Total number of properties claimed for in the financial year
2007/08	935
2008/09	325
2009/10	461
2010/11	492
2011/12	643
2012/13	957
2013/14	1223
<b>Total</b>	<b>5036</b>

### Social Housing: Belfast Estates

**Mr Humphrey** asked the Minister for Social Development, pursuant to AQW 32503/11-15, to provide the same information in the same format for Newtownabbey 1 and Newtownabbey 2 Housing Executive areas. (AQW 33380/11-15)

**Mr McCausland:** The tables below set out the information in relation to Newtownabbey 1 and Newtownabbey 2 as requested.

**Table 1 - Social Housing schemes currently being built and planned in the Social Housing Development Programme 2014/15 – 2016/17 for Newtownabbey 1, by estate in order of housing need**

Housing Need Assessment Area	Projected Housing Need for HNA	Common Landlord Areas/ Estates within each HNA	Scheme Name	Units	Prog Year
North Belfast Strategy	1145	North Belfast Strategy	Feldon, Newtownabbey	97	*Currently being built
Rathcoole	85	Rathcoole	Deerfin Park / Derrycoole Way Rathcoole Ph1 & Ph2 (T)	20	2014/15
Rathcoole	85	Rathcoole	Iniscarn Way & Loughmoney Park, Rathcoole (T)	10	2015/16
Rathcoole	85	Rathcoole	Rathcoole Eastway & Derrycoole Way (T)	20	2016/17

**Table 2 - Social Housing schemes currently being built and planned in the SHDP 2014/15 – 2016/17 for Newtownabbey 2, by estate in order of housing need**

Housing Need Assessment Area	Projected Housing Need for HNA	Common Landlord Areas/ Estates within each HNA	Scheme Name	Units	Prog Year
Glenvarna & Queens Park	104	Glenvarna & Queens Park	369-371 Antrim Road (Glengormley)	21	* Currently being built
Glenvarna & Queens Park	104	Glenvarna & Queens Park	Ballyduff Road, Carnmoney	6	2016/17

Housing Need Assessment Area	Projected Housing Need for HNA	Common Landlord Areas/ Estates within each HNA	Scheme Name	Units	Prog Year
Glenvarna & Queens Park	104	Glenvarna & Queens Park	19-23 Moss Road, Newtownabbey	6	2016/17
Ballyduff	68	Ballyduff	Ballyduff Primary School (Extension), New Mossley	30	* Currently being built

\* The Housing Executive records official Social Housing Development Programme statistics for 'Completions' based on information received from Housing Associations. It is possible that a scheme could be completed and the dwellings fully allocated and operational but the Housing Association has not informed the Housing Executive by way of formal Practical Completion Certificate; such schemes would not therefore be officially recorded as completed.

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: Double Glazing

**Mrs D Kelly** asked the Minister for Social Development to outline the planned schedule of works for double glazing Housing Executive properties in the Portadown area. (AQW 33385/11-15)

**Mr McCausland:** The Housing Executive has advised that their records show that there are only four properties remaining in Portadown, which will need to be double glazed. The Housing Executive is also aware that there are a number of properties in Portadown with older retrofitted double glazed windows and they have currently included these in two indicative schemes for consideration for new double glazing; they advise that it is likely that any resulting schemes would commence in 2015/16.

### Disability Living Allowance: Hydrocephalus

**Mr Cree** asked the Minister for Social Development how many people are in receipt of Disability Living Allowance because they have a family member who is diagnosed with hydrocephalus. (AQW 33469/11-15)

**Mr McCausland:** The information requested is not held by my Department. Entitlement to Disability Living Allowance is not based on a diagnosis of a medical condition or illness but on an assessment of how much help someone needs with personal care and/or mobility needs because of their disability.

### Employment and Support Allowance: Hydrocephalus

**Mr Cree** asked the Minister for Social Development how many people are in receipt of Employment Support Allowance because they are diagnosed with hydrocephalus. (AQW 33470/11-15)

**Mr McCausland:** In Northern Ireland, there are 40 people in receipt of Employment and Support Allowance with a main medical condition recorded as Hydrocephalus.

The information provided is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by the UK Statistics Authority.

### Tenancy Deposit Scheme

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 33117/11-15 and given that it is the responsibility of local environmental health offices to enforce the tenancy deposit scheme, why his Department is unable to break down the figures by council area. (AQW 33472/11-15)

**Mr McCausland:** Tenancy Deposit Scheme Administrators do not provide this information to my Department. However, I have asked officials to check if the scheme administrators hold the information broken down by council area and will write to you when I have an update on this.

With respect to the enforcement of the Tenancy Deposit Regulations, I expect that the information gathered by the Landlord Registration Scheme will enable Councils to identify the location of private tenancies.

### Tenancy Deposit Scheme

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 33117/11-15, whether he has any plans to collect this information broken down by council area, in order to monitor effective enforcement by local councils.

(AQW 33477/11-15)

**Mr McCausland:** My officials have opened discussions with the three tenancy deposit scheme administrators to ascertain if they hold their information broken down by council area and if it is possible to share it.

The Department will be working with Councils in the coming months to encourage effective regulation of the private rented sector.

## Northern Ireland Assembly

Friday 30 May 2014

### Written Answers to Questions

#### Office of the First Minister and deputy First Minister

##### Bright Start Strategy

**Mr Lyttle** asked the First Minister and deputy First Minister what provisions are being made for childcare for children with disabilities through the Bright Start Strategy.

(AQW 29229/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** Key First Action 6 of the first phase of the Bright Start Childcare Strategy aims to improve the quality of childcare services for children with a disability and to make these services more accessible. The Department of Health, Social Services and Public Safety and the Health and Social Care Board have established a Steering Group to identify a number of pilot initiatives in support of this Key Action. The Steering Group has agreed the following pilots:

- A pilot small grant scheme to enable registered childcare providers to purchase specialist equipment or make adaptations to their premises that will help them meet the childcare needs of children with disability;
- a disability awareness training programme aimed at childcare providers and extended family members who could provide childcare support for children with a disability and/or complex needs;
- a pilot grant scheme to support school holiday childcare for children with disability and/or complex needs.

##### Centralised Procurement and Delivery Agency

**Mr McKay** asked the First Minister and deputy First Minister for their assessment of the proposed new centralised procurement and delivery agency.

(AQW 31043/11-15)

**Mr P Robinson and Mr M McGuinness:** This is a matter for the Minister of Finance and Personnel and we would refer you to the answer he gave to AQW 30915/11-15 on 28 February.

##### Equality Schemes: Breaches

**Ms McGahan** asked the First Minister and deputy First Minister to list the requests made to the Equality Commission that it use its powers of investigation, under Paragraph 11 of Schedule 9 of the Northern Ireland Act 1998, for alleged breaches of equality schemes, including (i) the name of the public authority concerned; (ii) the nature of the alleged breach; (iii) the date on which the request was submitted and the date on which the Commission took a decision; (iv) the action taken by the Commission, including whether an investigation was initiated; and (v) the outcome of any investigation.

(AQW 31991/11-15)

**Mr P Robinson and Mr M McGuinness:** We have asked the Chief Executive of the Equality Commission to respond directly to you on this matter as we do not have a role in determining when the Equality Commission uses its powers of investigation under Paragraph 11 of Schedule 9 of the Northern Ireland Act 1998.

Under that paragraph, the Equality Commission may conduct an investigation where it believes that a public authority may have failed to comply with its approved Equality Scheme. That decision is within the Commission's own discretion.

##### One Plan

**Ms Maeve McLaughlin** asked the First Minister and deputy First Minister whether the job creation target and additional Gross Value Added as contained in Derry's One Plan is on schedule.

(AQW 33034/11-15)

**Mr P Robinson and Mr M McGuinness:** Data for 2012/13 indicates that 1,180 jobs were promoted/created and the 2012/13 target was achieved.



Data for 2013/14 is still being collated and analysed, with verified information expected by end June 2014. Initial provisional information is indicating that good progress is being made towards achievement of the 2013/14 target.

Taken in aggregate, the additional Gross Value Added (GVA) forecast in the One Plan, assuming full implementation, was an additional £500 million over the life of the Plan to 2020. Early annual GVA figures were predicted to be low as the infrastructure and catalyst projects were put in place, with the full benefits expected in the mid to later phases. The external economic environment within which the One Plan has been delivered is significantly more difficult than that modelled in 2010, so the GVA as initially forecast will be very challenging to achieve. Nevertheless, important progress has been made to date and this will be sustained through further work on Ebrington, Fort George and other developments in the city.

### Social Investment Fund: Derry Zone

**Mr Eastwood** asked the First Minister and deputy First Minister when monies from the Social Investment Fund will be released for projects in the Derry Zone.  
(AQW 33146/11-15)

**Mr P Robinson and Mr M McGuinness:** In February 2014 we announced 2 projects for the Derry/Londonderry Social Investment Fund Zone, Invest in Play and the Community work programme. The Department is working with Lead Partners to agree the Letters of Offer, following which, funding will be released.

### Invest in Play and the Community Work Programme

**Mr Eastwood** asked the First Minister and deputy First Minister whether the Invest in Play and the Community Work Programme are the only projects to be funded by the Social Investment Fund in the Derry Zone.  
(AQW 33147/11-15)

**Mr P Robinson and Mr M McGuinness:** The Social Investment Fund has an £80 million budget which has been allocated across all 9 zones. As a result, 3 projects from the Derry/Londonderry Zone area plan have been prioritised by the Steering Group, in line with the allocated budget.

The 2 projects referred to have been announced for funding following business case approval. Invest in Play is a capital cluster to improve play facilities with a value of £1.75m at the following locations: Ballyarnett, Ballymagroarty and Daisyfield.

The Community Work Programme is a revenue project to improve employment with a value of £3.3m. It will provide long-term placements targeted upon those on the margins but especially the young (under 25 years) long-term unemployed.

The third project being considered for funding, subject to business case approval, is the Capital Cluster Pitches project. It is intended to increase health and wellbeing with an anticipated value of £4.5m. Final decisions on this and any resulting impact on funding for other projects within the area plan will only be taken on completion of the business case approval process.

### Unite Against Hate Campaign

**Mr Lyttle** asked the First Minister and deputy First Minister, following a recent spate of hate crime, what action they are taking to initiate the Unite Against Hate campaign.  
(AQW 33365/11-15)

**Mr P Robinson and Mr M McGuinness:** We condemn all racist attacks and deplore the attempts by anyone to exclude ethnic minorities from full participation in local society. An inclusive and diverse community is a richer one.

'Together: Building a United Community' is the Executive's Good Relations Strategy and, along with the new Racial Equality Strategy, will provide a robust and effective framework to tackle hate crimes.

Building a united, shared and reconciled community is a clear commitment within the Programme for Government. The Executive has committed to deliver a range of measures to build good relations through the Together: Building a United Community Strategy, and in turn create the conditions to progress further towards a prosperous, peaceful and safe society.

The Unite Against Hate Campaign was developed and launched in 2009 as a multi-agency response to the growing issue of hate crime, with the aim of reducing the number of incidents, and challenging the underlying attitudes which lead to such incidents in the first place.

Consideration is currently being given to how Unite Against Hate or a variant thereof can best be developed within the context of Together: Building a United Community to broaden and deepen its reach and build on its achievements to date.

### Age Discrimination Legislation

**Mrs Dobson** asked the First Minister and deputy First Minister for an update on the introduction of age discrimination legislation with regard to the provision of goods, facilities and services.  
(AQO 6075/11-15)

**Mr P Robinson and Mr M McGuinness:** We are currently considering the scope of the proposed legislation and the implications of the various options available to us for taking this matter forward.

The intention is that the legislation will prohibit treatment that amounts to unfair discrimination, without removing any of the protections and privileges currently available to different age groups. When we are satisfied that policy proposals have been developed to achieve the intended outcome, we will submit them to full public consultation.

### Internet Safety Strategy

**Mrs Overend** asked the First Minister and deputy First Minister for an update on developing a cross-departmental internet safety strategy.  
(AQO 6080/11-15)

**Mr P Robinson and Mr M McGuinness:** Recognising that the issue of internet safety is an area of increasing concern for parents, professionals and society in general, OFMDFM has been in discussion with the Department of Health, Social Services and Public Safety regarding the development of an overarching, strategic and co-ordinated approach to e-safety.

At present, the arrangements for taking forward the development of an overarching strategic approach to child internet safety are under consideration. This is to ensure that the most effective mechanism for the development of a cross-departmental approach to internet safety is established.

### Civil Contingency Planning

**Miss M McIlveen** asked the First Minister and deputy First Minister for an update on civil contingency planning.  
(AQO 6082/11-15)

**Mr P Robinson and Mr M McGuinness:** A number of significant enhancements have recently been agreed and implemented to increase our collective capability to respond to a wide range of civil emergencies. New arrangements have been put in place to enhance the effectiveness of the Civil Contingencies Group NI (CCG), the principal strategic emergency preparedness body for the public sector. This has led to a number of important advancements in the areas of communications, emergency response and recovery, and meeting the needs of people most vulnerable to the impacts of civil emergencies.

In addition, OFMDFM obtained Executive approval in February this year to a number of measures to enhance civil contingencies arrangements at the local level. These provide for the:

- establishment of 4 additional Sub-Regional Civil Emergencies Preparedness Groups (SCEPGs) which between them cover the rest of the region outside of Belfast; Belfast Resilience already provides this function for the Belfast area;
- establishment of a CCG Sub-Group to oversee the work of the SCEPGs;
- establishment of a CCG workstream to identify the need to formalise the district council civil contingencies role and to consider how this could be done. This work will include consideration of the need for wider civil contingencies legislation; and
- presentation of a draft Memorandum of Understanding which sets out how district councils should discharge their civil contingencies role at sub-regional level and how CCG member organisations should support councils in the execution of that role.

OFMDFM is working with key stakeholders to implement these new arrangements.

In addition to these preparedness measures, there are also well established and tested structures and protocols at regional and local level for responding to all types of emergencies. These were used to very good effect during the coastal flooding emergency of January 2014 as well as in the response to the Spring Blizzard of 2013 when the NI Central Crisis Management Arrangements led by our Department were invoked and CCG convened in emergency mode to deal with the latter.

The philosophy is however one of continuous improvement, and so OFMDFM will continue to work with stakeholders through the auspices of CCG to identify opportunities to further strengthen our collective capability in this important work.

### Sexual Orientation Strategy

**Ms Ruane** asked the First Minister and deputy First Minister for an update on the Sexual Orientation Strategy.  
(AQO 6083/11-15)

**Mr P Robinson and Mr M McGuinness:** Public consultation on the development of a Sexual Orientation Strategy was launched via a number of press advertisements on 14 March 2014.

A consultation document to help inform the development of the Strategy is available online at <http://www.ofmdfmi.gov.uk/developing-a-sexual-orientation-strategy-consultation-document.pdf> and is accompanied by an online survey. The document and survey are available in hard copy on request.

The consultation process will enable OFMDFM to gather information, evidence and public opinion on what the Sexual Orientation Strategy and associated Action Plan should include.

The process will last for 12 weeks ending on 6 June 2014.

## Corporation Tax

**Mr Ó hÓisín** asked the First Minister and deputy First Minister for an update on discussions with the British Government on the devolution of corporation tax powers.

**(AQO 6139/11-15)**

**Mr P Robinson and Mr M McGuinness:** The Government will make its decision on whether to devolve responsibility for Corporation Tax in the autumn, with an announcement to be made no later than the 2014 Autumn Statement. The Government has previously indicated that if it did decide to devolve responsibility for the rate of Corporation Tax, then a stand-alone Bill would be introduced in the normal way with the aim of it becoming law before the prorogation of Parliament, prior to the 2015 General Election. This is a very tight timescale and we have previously highlighted the need for an early decision to the Secretary of State. In the meantime, preparatory work is ongoing in respect of the development of the proposed technical design of a devolved regime and officials are liaising with Treasury counterparts on that. This will inform the content of the necessary legislation and follows on from the previous work by the Joint Ministerial Working Group on Rebalancing the Northern Ireland economy.

## Department of Agriculture and Rural Development

### Horizon 2020: Farming

**Mr Allister** asked the Minister of Agriculture and Rural Development to detail her Department's plans to maximise the use of Horizon 2020 to develop and use science and technology for the benefit of farming.

**(AQW 33428/11-15)**

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** Horizon 2020 is a significant funding stream for Research and Development and I am keen that the agri-food sector maximises drawdown and achieves the full benefit of this. That is in line with industry aspirations set out in "Going for Growth".

The bulk of local agri-food research is currently driven by the universities and our NDPB, The Agri-Food and Bioscience Institute (AFBI). H2020 seeks to embed research and development in European economies and so there is a challenge for us to increase the involvement of local industry if we are to avail of the opportunities.

In order to help the industry face this challenge my Department is currently funding a facilitator dedicated to encouraging and supporting local researchers and companies to make H2020 applications. While the post is funded by DARD, the postholder, David McCleery, is based in AFBI.

AFBI is a dedicated local research facility which can help the local agri-food and rural industries grow and expand into new markets. It therefore makes sense that the Facilitator for the agri-food sector is based at AFBI - as this is where they can be most effective in securing additional EU research funding.

David provides specialist advice and assistance to academics and businesses in this area. He has organised a number of workshops, held a series of one-to-one meetings, facilitated stakeholder discussions as well as providing a brokerage function to connect potential partners and support consortia development. His wider activities are directed at the promotion of opportunities to potential applicants, capacity development locally to support new participants to engage with H2020 funding and forging linkages with key EU decision makers involved in agri-food research and innovation funding. This post complements existing support services and will provide help to any research organisation regardless of location.

In addition, the Department has a Research Challenge Fund (RCF). The aim of the RCF is to encourage industry and public sector research establishments to collaborate on innovative, high quality, pre-commercial research and technological development projects. These projects will have the potential to further the sustainability and competitiveness of the north's agri-food and rural enterprises.

The key objectives of the RCF are:

- To improve the competitiveness of rural enterprises and create wealth from the research base;
- To increase the number of rural enterprises engaging in effective research and development - including those participating for the first time – and the level of private sector expenditure on R&D;
- To increase the level of collaboration between the north's rural enterprises and the local, national and international research base; and
- To increase collaboration and effective cooperation between rural enterprises.

While there is no direct close over between the RCF and Horizon 2020, we see it as a stepping stone to allow industry to realise the opportunities the research and innovation offers and empower them to potentially engage in Horizon 2020 in the future.

If the agri-food sector is to grow we also recognise that we need the researchers available to undertake the necessary work. I am delighted therefore that my Department has been able to increase the number of PhD studentships it offers from 8 to 12 this year. These studentships are awarded for research projects in Agriculture or Food related subjects. This has the dual benefit of developing/maintaining a research capability in Agri-food and providing research of benefit to DARD and the

agri-food industry in a cost effective manner. This research capability is important to the economy as it leads to increased innovation, productivity and competitiveness.

All these initiatives together will, I hope, assist the agri-food industry to engage in research and innovation and ultimately provide benefits in economic growth.

### Local Poultry Industry

**Mrs Dobson** asked the Minister of Agriculture and Rural Development whether she is aware of the frustration felt by the local poultry industry at delays in providing planning approval for new poultry sheds; and whether she has had discussions with the Minister of the Environment regarding this issue.

**(AQW 33514/11-15)**

**Mrs O'Neill:** My Department is aware of some delays to planning applications for new poultry sheds and my officials have raised this issue with the Department of Environment (DOE). DOE has advised that it created a dedicated planning team to process planning applications for Moy Park poultry houses across the north of Ireland, with the aim of reducing processing times for these applications. This team meets regularly with the NI Environment Agency (NIEA) and Moy Park to resolve issues at an early stage.

DOE has further advised that any delays in processing planning applications to date are centred mainly on the utilisation of poultry litter. Poultry litter has a high nutrient content and needs to be appropriately managed when spread on farmland as a fertiliser. As an intensive sector which imports feedstuff, the poultry industry contributes to the phosphorus surplus of local agriculture and this requires that adequate control measures are in place to mitigate any potential associated environmental impacts. Discussions continue on an ongoing basis between Moy Park, DOE Planning, NIEA and other consultees to resolve these issues as they arise.

Discussions are also ongoing between my officials, DOE officials and the European Commission on the next Nitrates Action Programme (NAP) for 2015 to 2018. The Commission has an interest in the poultry sector expansion plans and is seeking assurances that adequate control measures will be put in place to mitigate any potential associated environmental impacts.

### Areas of Natural Constraints: Consultation

**Mrs Dobson** asked the Minister of Agriculture and Rural Development, pursuant to AQW 30307/11-15 and her statement at the Ministerial briefing to the Committee for Agriculture and Rural Development on 18 Feb 2014 that "it was always part of the plan" to hold a further consultation on the Designation of the Areas of Natural Constraints, to detail when the consultation will commence.

**(AQW 33551/11-15)**

**Mrs O'Neill:** My Department published an update on designation of Areas of Natural Constraint (ANC) in December 2013. This information included initial maps showing the agricultural land that may be defined as being naturally constrained according to the methodology set out in Regulation (EU) No1305/2013 (the Rural Development Regulation) and EU Commission guidelines.

Since the publication of this information, my officials have held discussions with EU Commission officials on some of the outstanding technical aspects and are awaiting further clarification.

The Rural Development Regulation allows Member States until 1 January 2018 to designate Areas of Natural Constraint at the latest. If support to these areas continues to be provided via the Rural Development Programme (Pillar II), we can continue with the current designation until that date. Regulation (EU) No 1307/2013 (the Direct Payments Regulation) requires designation by 2015 should any support scheme for these areas be funded from Pillar 1. Once a decision is made on future support for these areas, the timescale for designation, and the associated consultation on the issues involved, will become clearer.

### Financial Remuneration

**Mr Buchanan** asked the Minister of Agriculture and Rural Development, pursuant to AQW 33498/11-15, what action her Department will take if financial remuneration was made without the associated claim having been submitted to her Department.

**(AQW 33679/11-15)**

**Mrs O'Neill:** As indicated in my earlier reply, I am unaware of any circumstances whereby financial remuneration could be made, under the schemes in question, without an associated claim having been first submitted. As such, if you would like to furnish details of any such cases I will investigate this matter fully.



## Department of Culture, Arts and Leisure

### Bailiffs: Powers of Seizure

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33192/11-15, how many times bailiffs have exercised their powers in respect of seizure in each of the last five years.

**(AQW 33605/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The table below provides details of when bailiffs have exercised their powers of seizure in the cases reported in AQW 33192/11-15:

Year	Seizures
2011	Case 1 - 2 rods and 2 reels
	Case 2 - 2 rods and 2 reels
2013	Case 1 - 3 rods, 3 reels, 1pike over 4kg and 5 trout
	Case 2 - 3 rods and 3 reels
	Case 3 - 3 rods and 3 reels
2014	Case 1 (pending) - no seizure

### Arts/Cultural Facilities

**Mr Dickson** asked the Minister of Culture, Arts and Leisure what action she has taken to ensure that sufficient arts and cultural facilities are available for future screen and television productions.

**(AQO 6211/11-15)**

**Ms Ní Chuilín:** I am not aware of any limitations to arts or culture infrastructure which have hindered or could hinder film productions here, or any evidence that the arts and cultural sector is not supportive of film production.

NI Screen has been extremely successful in attracting a growing number of high profile productions to the north of Ireland in recent years. For example, even aside from the phenomenally successful Game of Thrones, we have seen the filming of City of Ember, Your Highness, Dracula Untold, Hunger, The Fall and Oscar winning short film The Shore. The film industry has contributed approximately £121m to the local economy over the last four years. This highlights the quality of what we have to offer as a location.

NI Screen has implemented key multi-channel campaigns to showcase the benefits of the North as a centre for independent film, television and new media production, selling our location, funding opportunities and facilities to the global screen industry, and will continue to do so throughout the course of its new strategy 'Opening Doors'. It has recently announced that the feature film High-Rise, featuring Sienna Millar and Jeremy Irons, will begin filming in Co. Down in July.

In terms of facilities available to productions, NI Screen offers a brochure detailing not only Titanic Studios, but other diverse studio and build spaces such as The Linen Mill (Co. Down), KBL Mill in Ballyclare, and Kilroot, which was used in the feature film Hunger.

Due to the growing success and expansion of the film industry in the north, NI Screen, in conjunction with Invest NI, is currently looking into options to increase the available infrastructure, in particular with regard to sound stages, to maximize our ability to attract future productions.

### City of Culture: Legacy

**Mr I McCrea** asked the Minister of Culture, Arts and Leisure for an update on the UK City of Culture legacy programme in the North West.

**(AQO 6207/11-15)**

**Ms Ní Chuilín:** In November 2013 I announced that my Department will establish a strategic focus on cultural development in the North West to tackle significant socio economic need. My officials are finalising a bid to the Executive to support this and build on the success of City of Culture.

I have already directed around £2M of funding to support high profile initiatives between January and March 2014. This included the return to Derry of Other Voices and the continuation of other music and digital skills activities, as well as sports investment and the development of cultural strategies for disadvantaged areas within the City.

A Departmental team for the North West has been established to coordinate and support cultural led approaches to social and economic development. A DCAL North West office is in place and a permanent location is currently being considered. DCAL Roadshows in Strabane, Coleraine and Limavady have engaged communities across the North West.

The bid to the Executive will also support setting up a new delivery structure to take forward key activities and to pursue longer term funding for sustainable creative and cultural interventions. I am establishing a stakeholder group, which I will chair, to shape initial policy and strategic direction.

A new oversight group to coordinate and support cultural activity in the North West will also be set up. A range of Departments and other organisations will be invited to sit on the Group.

Earlier this month, I followed through on my commitment to host an All Ireland Creative Industries conference in Derry. Once again this provided an opportunity to highlight the success of City of Culture and the North West's role as a national and international driver for the Creative Industries and wider innovation. Key broadcasting and industry leaders participated in the conference and over 400 people, including 150 local schoolchildren, attended the event in the Millennium Forum.

### Edward the Bruce

**Mr Hilditch** asked the Minister of Culture, Arts and Leisure what plans her Department has to mark the 700th anniversary of the landing of Edward the Bruce in Larne.

**(AQO 6212/11-15)**

**Ms Ní Chuilín:** The MAG Ulster-Scots Academy which is funded by my Department commissioned the Ulster Historical Foundation to research the 700th anniversary of Edward the Bruce in Ireland and recommend how it could be developed as a tourism initiative.

The Foundation made several recommendations including the development of a travelling exhibition, tourism trail and mobile app. The potential for a series of high profile events to coincide with the anniversary of key milestones in the 1315 invasion campaign, such as the Landing at Larne in May, the Coronation of Edward Bruce as King of Ireland at Carrickfergus in June, the Battle of Connor (outside Antrim) in September and his eventual death and burial at Faughart in Co Louth were also identified.

On the basis of this research, my Department has made funding available for a partnership project between the MAG Ulster-Scots Academy, the Ulster-Scots Agency and the Ulster Historical Foundation to produce a Bruce tourism trail map and app, interpretative signage on trail sites and a travelling exhibition.

My officials will also be undertaking discussions with local councils, the Tourist Board and Tourism Ireland regarding the development of commemorative events. The 700 year anniversary presents an excellent opportunity to maximise the tourism potential for the north-south and east-west connections and capitalise on the worldwide interest in the Bruce story generated by the anniversaries of the Bruce invasion of Ireland and the Battle of Bannockburn.

### Musical Instruments for Bands

**Miss M McIveen** asked the Minister of Culture, Arts and Leisure for her assessment of the Arts Council's Musical Instruments for Bands scheme.

**(AQO 6213/11-15)**

**Ms Ní Chuilín:** The North has a long standing tradition for music making and there is a significant interest in bands across both main cultural traditions.

My Department's funding in support of bands purchasing musical instruments is disbursed through the Arts Council's Musical Instruments for bands scheme.

The £200k which is made available annually is fully utilised, suggesting a continued demand for this scheme.

I believe the scheme increases the quality of music making in the community by helping bands avail of new musical instruments to encourage the legacy of musical enjoyment and learning from generation to generation.

### Ulster-Scots/Orange Groups: Funding

**Mr Campbell** asked the Minister of Culture, Arts and Leisure what funding has been allocated to Ulster Scots and Orange cultural groups for events during 2014.

**(AQO 6214/11-15)**

**Ms Ní Chuilín:** The Department, through its Cultural Awareness Strategy has allocated up to £37,500 in 2014 to the Grand Orange Lodge of Ireland to bring forward the objectives of the strategy which aims to build understanding of cultural traditions in the north of Ireland and contribute to a shared and better future.

The Ulster-Scots Agency, which is jointly funded by my Department and the Department of Arts Heritage and the Gaeltacht, has approved applications from a number of Ulster-Scots groups under its various schemes totalling £286.5k as follows - £91k for festivals; £193k for music and dance tuition; and £2.5k for Burns Night events.

The Agency has not yet assessed applications for its summer school grants scheme but has estimated a figure of £54k will be allocated to this programme.

The Arts Council has also awarded £37k to Ulster Scots and Orange Cultural Groups.

## Department of Education

### Literacy and Numeracy and Inspection Exchanges

**Mr Allister** asked the Minister of Education what joint work is ongoing on an east west basis on (i) literacy and numeracy; and (ii) inspection exchanges.

**(AQW 33419/11-15)**

**Mr O'Dowd (The Minister of Education):** There is a Bi-lateral Concordat between my Department and the Department for Education in England. The Concordat establishes an agreed framework for co-operation between the Departments on all matters in relation to specific business areas.

My Department recognises the importance of co-operation in order to meet our policy and business objectives. I have detailed below joint work which is ongoing on an east west basis:

- My Department liaises with the Department for Education (DfE) and the Department for Business, Innovation and Skills (DfBIS) on European matters.
- There is on-going liaison and communication regarding policies on qualifications, at official level with England and Wales. Whilst the 3-jurisdiction relationship has changed in recent years from joint decision making with the Office of Qualifications and Examinations Regulation to parallel decision making, the qualification regulators nevertheless meet regularly to discuss issues of mutual interest.
- The Organisation for Economic Co-operation and Development (OECD) is preparing a new Education Policy Outlook publication, to be published every two years following the first edition in January 2015. The publication will cover trends in education policy and details of education policy reforms. It will be accompanied by a series of Policy Outlook country profiles documenting each OECD member country's policy landscape. My Department is currently engaging with DfE, as are colleagues in Scotland and Wales, to inform OECD's drafting of a UK country profile.
- Causeway is a British-Irish youth exchange programme which aims to strengthen and improve relationships between young people, and those who work with them, right across Ireland, Scotland, Wales, England and the north of Ireland. Funding is provided by the Department of Children and Youth Affairs (Dublin), the Foreign and Commonwealth Office (London) and the Department of Education (through the Youth Council).
- At the eleventh British Irish Council summit in September 2008, the Council adopted Early Years Policy as a new work sector with the Welsh Government as the lead administration. This area of work brings together policy officials from each Member Administration. There are currently four areas of focus of this Workstream:
  - Collaboration between all agencies concerned with health, education and social services to provide a 'joined-up' service for children and their parents/carers and to make better use of resources;
  - Transition arrangements (between home and child care settings, and then to school) to improve outcomes;
  - The early years work force; and
  - Evaluation and obtaining better value for money.

Recent meetings have discussed improving quality, data sharing and workforce development in the Early Years sector.

- Arrangements for inspection exchanges have been put in place between the inspectorates from the north of Ireland, the south of Ireland, Scotland and Wales to facilitate exchanges during the 2013/2014 academic year. In February 2014, the Education and Training Inspectorate's (ETI) Managing Inspector for Primary joined an inspection in Scotland and arrangements are in place for a member of the Education Inspectorate in Scotland to join ETI inspections during May 2014.

The ETI will be contacting Estyn (the inspectorate in Wales) in the near future to make arrangements for school inspector exchanges in the 2014/2015 academic year.

In relation to literacy and numeracy, specific programmes are being implemented to improve outcomes in literacy and numeracy particularly in socially disadvantaged areas however this has not required any joint work on an east west basis.

### East-west Joint Working: DE

**Mr Allister** asked the Minister of Education what joint work is ongoing on an east west basis on any subject matter within the responsibility of his Department.

**(AQW 33420/11-15)**

**Mr O'Dowd:** There is a Bi-lateral Concordat between my Department and the Department for Education in England. The Concordat establishes an agreed framework for co-operation between the Departments on all matters in relation to specific business areas.

My Department recognises the importance of co-operation in order to meet our policy and business objectives. I have detailed below joint work which is ongoing on an east west basis:

- My Department liaises with the Department for Education (DfE) and the Department for Business, Innovation and Skills (DfBIS) on European matters.

- There is on-going liaison and communication regarding policies on qualifications, at official level with England and Wales. Whilst the 3-jurisdiction relationship has changed in recent years from joint decision making with the Office of Qualifications and Examinations Regulation to parallel decision making, the qualification regulators nevertheless meet regularly to discuss issues of mutual interest.
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The ETI will be contacting Estyn (the inspectorate in Wales) in the near future to make arrangements for school inspector exchanges in the 2014/2015 academic year.

In relation to literacy and numeracy, specific programmes are being implemented to improve outcomes in literacy and numeracy particularly in socially disadvantaged areas however this has not required any joint work on an east west basis.

### Clintyclay Primary School

**Mr Storey** asked the Minister of Education, in the light of recent developments at Clintyclay Primary School, what legislation takes precedence in a decision on the future of the school.

**(AQW 33439/11-15)**

**Mr O'Dowd:** At the time of writing, no Development Proposal (DP) for Clintyclay Primary School either to close or to transform has been published. However I understand the managing authority intends to publish a Development Proposal for the closure of the school and the Board of Governors has requested that a Development Proposal be published seeking Controlled Integrated status.

The legislation pertaining to this matter is covered within the Education and Libraries (NI) Order 1986 (as amended) and the 1989 Education Reform (NI) Order.

My Officials will liaise with Departmental Solicitor's Office to ensure that the appropriate legislation is applied in relation to both instances.

### Clintyclay Primary School

**Mr Storey** asked the Minister of Education, in the light of recent developments at Clintyclay Primary School, what process will be used to determine the appropriate legislation to be used to arrive at a decision on any development proposal.

**(AQW 33440/11-15)**

**Mr O'Dowd:** At the time of writing, no Development Proposal (DP) for Clintyclay Primary School either to close or to transform has been published. However I understand the managing authority intends to publish a Development Proposal for the closure of the school and the Board of Governors has requested that a Development Proposal be published seeking Controlled Integrated status.

The legislation pertaining to this matter is covered within the Education and Libraries (NI) Order 1986 (as amended) and the 1989 Education Reform (NI) Order.

My Officials will liaise with Departmental Solicitor's Office to ensure that the appropriate legislation is applied in relation to both instances.



## Students from the Islamic Faith

**Mr Flanagan** asked the Minister of Education what provision is made within schools to allow students from the Islamic faith to pray. (AQW 33480/11-15)

**Mr O'Dowd:** Under the Department's policy on schools and Collective Worship, it is open to schools to make arrangements to cater for pupils of different faiths/beliefs, this includes provision for students from the Islamic faith to pray. The department does not hold information on the provision that individual schools provide, this is a matter for Principals and Board of Governors to determine with the support of the Education & Library Boards.

## Holy Family Primary School, Magherafelt

**Mr McGlone** asked the Minister of Education for an update on the progress of Holy Family Primary School, Magherafelt's application for a new build. (AQW 33492/11-15)

**Mr O'Dowd:** While I hope to be in a position to make a wider announcement on new builds in the near future, the process to assess options for inclusion in that announcement has not yet concluded. As part of this process, I will examine the case for capital investment across the schools' estate and proposals for Holy Family Primary School, Magherafelt will be considered along with other priorities.

## Drumragh Integrated College: Lisanelly Campus

**Mr Agnew** asked the Minister of Education, pursuant to AQW 31460/11-15, and given the travelling time required for pupils from Drumragh Integrated College to engage with pupils within the Lisanelly Campus and the subsequent loss of learning time, whether children from the College have equal access to shared learning to those children in the Lisanelly Campus. [R] (AQW 33500/11-15)

**Mr O'Dowd:** As I set out in my previous answer, Drumragh Integrated College is a member of Omagh Area Learning Community (ALC). Under the Entitlement Framework all pupils at Key Stage 4 and post-16 are guaranteed equality of access to a minimum number of courses that should be economically relevant and individually engaging, with clear progression pathways. This is regardless of the school they attend or where they live.

To deliver this, schools are working together on an area basis to offer courses on a collaborative and shared basis, and are used to making timetabling and transport arrangements to facilitate this. I would therefore expect all schools within Omagh ALC to build on existing good practice for the benefit of all pupils in the area, particularly when schools are located in close proximity as with Drumragh and the Lisanelly Campus.

## Preschool Places: Dundonald

**Mrs Cochrane** asked the Minister of Education for an update on his specific plans to address the shortage of pre-school places in Dundonald. (AQW 33533/11-15)

**Mr O'Dowd:** The Pre-School Education Advisory Group (PEAG) of each Education and Library Board is responsible for ensuring there is sufficient pre-school provision in its local area. The South Eastern Education and Library Board PEAG, which is responsible for the provision of pre-school places in the Dundonald area, has advised that a new provider has been admitted to the Pre-School Education Programme for the 2014/15 school year and it does not anticipate any shortfall of provision in the Dundonald area.

This information was made available to parents of children who were unplaced at the end of stage 1 when they were invited to submit further preferences for consideration during stage 2 of the process.

Letters advising parents of the outcome of stage 2 will be issued on 30 May 2014.

## Home Education

**Mrs Cochrane** asked the Minister of Education whether there has been a study to assess the differences in later educational outcomes between children who received their pre-school education in a controlled or maintained setting and those whose pre-school education was delivered in a voluntary or private setting; and if not, whether his Department will consider commissioning such a study. (AQW 33535/11-15)

**Mr O'Dowd:** The Effective Pre-School Provision in Northern Ireland Project (EPPNI) was a longitudinal research study of children's progress and development from age three to eleven years, and how progress related to their pre-school centre experience and family background.

In its findings at the end of Key Stage One the study noted, among other things, that high quality pre-schooling was related to better intellectual and social/behavioural development for children.

At the end of Key Stage Two Mathematics and English found that there was clear evidence of positive pre-school effects persisting to the end of Key Stage Two for children who attended a nursery school/class or playgroup.

Copies of both Reports are available in the Assembly Library.

The Chief Inspector's Report provides evidence of high quality provision. In light of that my focus is on continuing to improve the quality of pre-school provision, irrespective of where it is delivered. Learning to Learn, which was published last year, sets out a series of actions intended to support all children having equal opportunities to achieve their potential through high quality early years education and learning experiences.

## Southern Education and Library Board's Autism and Intervention Service

**Mrs D Kelly** asked the Minister of Education when the current moratorium on public sector jobs in the Southern Education and Library Board's Autism and Intervention Service, under the umbrella of Children and Young Persons Services, will be lifted, given that it was introduced awaiting the implementation of Education and Skills Authority. (AQW 33537/11-15)

**Mr O'Dowd:** May I make clear that Vacancy Control is not a moratorium on jobs, rather the policy advises that employing authorities should avoid creating new posts, unless there is an inescapable requirement to ensure service delivery, and that arising vacancies should initially be filled in a temporary capacity only.

The purpose of the Vacancy Control policy remains extant – to protect staff in posts which may, as a result of future restructuring, be considered to be redundant.

The Department has continuously reviewed the policy to take account of the issues that have arisen as a result of the enforcement of vacancy control for much longer than originally anticipated.

I have agreed to undertake a further review of the policy and I am considering a paper outlining the views of the Association of Education and Library Boards. I will also be seeking input from other RPA affected education sector bodies and trade union colleagues. However, it will not be possible to lift vacancy control completely until the way forward for the restructuring of education administration is known.

## Rossmars Special School, Limavady

**Mr G Robinson** asked the Minister of Education for an update on the new build project for Rossmars Special School, Limavady. (AQW 33572/11-15)

**Mr O'Dowd:** Rossmar Special School, Limavady was one of the 18 schemes I announced in June 2012 for capital investment.

The Economic Appraisal (EA) for the project has been approved by the Department of Finance and Personnel (DFP) and the Western Education and Library Board (WELB) appointed consultants in April 2014.

Currently discussions are ongoing between WELB Officers, Rossmar School and the consultants to finalise the accommodation needs.

## Drumragh Integrated College

**Mr Storey** asked the Minister of Education on what basis his Department offered to retake the decision prior to the hearing of the judicial review on the development proposal submitted by Drumragh Integrated College in Omagh. (AQW 33587/11-15)

**Mr O'Dowd:** Prior to the school applying for this judicial review, I had agreed to retake the decision in relation to the development proposal submitted by the school. Having reflected on the case, I accepted that consideration of the statutory duty, as outlined in Article 64 of The Education and Libraries (Northern Ireland) Order 1986, was not given the appropriate weight in the case presented. In retaking the decision I will want to ensure that the duty is given appropriate weight and that the points made in the recent judgement are taken into consideration.

I recognise my duties in relation to integrated and Irish medium education and have instructed my officials to continue to look for steps and measures that will encourage and facilitate Irish-medium and integrated education.

## Education and Skills Authority Implementation Team

**Mr Storey** asked the Minister of Education to detail the total number of staff still seconded to EASIT, including their associated work streams, salaries and contractual arrangements. (AQW 33589/11-15)

**Mr O'Dowd:** The creation of ESA remains a Programme for Government target.

However, in advance of the agreement necessary to progress the Education Bill, the ESA Implementation Team has recently been reduced. A core team has been retained as an integral part of DE to:

- Plan for the impact of the new local government boundaries from April 2015, if ESA has not been established;
- Assist with planning and implementing necessary budget efficiencies;

- Support a number of regional programmes that have been identified as Ministerial priorities including School Development, Governor Support and ICT Modernisation;
- Update HR policies and procedures for the education sector; and
- Be ready to implement ESA following the necessary agreement.

ESAIT has reduced from 29.3 FTE staff plus the CEO Designate in 2013 to the current team of CEO Designate plus 15 FTE seconded staff. In addition, ESAIT no longer incurs the costs associated with staff in the SEELB who were supporting the implementation of a new finance system.

The ESA CEO Designate is currently acting as Interim CEO of the SELB and 7 of the team are also engaged in work to support DE and the ELBs in a number of areas.

Seconded staff are on temporary contracts until April 2015. ESAIT salaries currently total £790,000.

### Primary Schools: Enrolment

**Mr Hilditch** asked the Minister of Education whether he has any plans to review the admission criteria used for enrolment into primary school.

**(AQW 33606/11-15)**

**Mr O'Dowd:** Setting of admissions criteria is the sole responsibility of each school's Board of Governors. They must, by law, set admissions criteria that can distinguish between applicants down to the last available place.

I have no current plans to impose particular admissions criteria, through regulation, upon schools' Board of Governors. They remain the admissions authority within the Open Enrolment process.

### Primary Schools: Language Support Arrangements

**Mr McNarry** asked the Minister of Education, pursuant to AQW 33216/11-15, to detail the main categories of support delivered under this funding scheme over the last three years.

**(AQW 33610/11-15)**

**Mr O'Dowd:** The Regional Inclusion and Diversity Service (IDS) offers support to schools in four main areas: pastoral care; curriculum access; language acquisition; intercultural education. This support is tailored to the specific needs of the school.

IDS develops and delivers training for teachers and classroom assistants, providing resources and follow up support.

It provides translated documents and an interpreting service for schools to ensure effective home-school communication.

### Home Education: Draft Policy

**Mr Campbell** asked the Minister of Education what engagement his Department has had with families that educate their children at home during the consultation on the draft Northern Ireland Elective Home Education Policy.

**(AQW 33614/11-15)**

**Mr O'Dowd:** Legislation places specific responsibilities on parents and on the five Education and Library Boards in the area of the education of children other than at school including those who are educated at home. The Boards have directly prepared guidance which reflects those legislative responsibilities and they are currently consulting on this guidance.

As part of that consultation I have made clear that I expect them to ensure engagement with as wide a range of stakeholders as possible including young people and their families and to ensure also that the feedback they receive is considered very carefully in reviewing the draft guidance.

The Boards have adopted a range of methods to facilitate engagement and consultation with all those who have an interest in Elective Home Education. I understand that each Board has written to the parents of all children who have notified them that they are presently electing to home educate their children and also to other key stakeholders to advise of the consultation exercise. Further details are provided in each Board's Consultation Strategy document. This is published on each Board's websites alongside their draft guidance and the Boards will also make this available in various formats upon request.

I have made clear that I will wish to review each Board's guidance once it has been subject to consultation and reviewed and refined in response to the engagement that has taken place.

### Home Education

**Mrs Dobson** asked the Minister of Education for his assessment of the draft joint policy on elective home education published by the five Education and Library Boards.

**(AQW 33619/11-15)**

**Mr O'Dowd:** Legislation places specific responsibilities on parents and on the five Education and Library Boards in the area of the education of children other than at school including those who are educated at home.

The Boards have directly prepared guidance which reflects those legislative responsibilities and they are currently consulting on this guidance. The consultation process provides an opportunity for views and ideas to be provided to the Boards on how

they best strike the balance between ensuring that the rights and needs of children themselves are appropriately protected and facilitating parental preference for home education.

As Education Minister my focus is on ensuring the needs of children and young people are met. Therefore, I have made clear that I expect the Boards to ensure engagement with as wide a range of stakeholders as possible including young people and their families as part of that consultation and to ensure also that the feedback they receive is considered very carefully in reviewing the draft guidance.

I have also made clear that I will wish to review their guidance once it has been subject to consultation and reviewed and refined in response to the engagement that has taken place.

### Commissioners in the South Eastern Education and Library Board

**Mr Agnew** asked the Minister of Education to detail the salaries of the Commissioners in the South Eastern Education and Library Board; and how this compares to the Board members that the Commissioners replaced.

**(AQW 33624/11-15)**

**Mr O'Dowd:** The South Eastern Education and Library Board has advised that the total amount, including expenses and other costs, paid to the Commissioners since their appointment is as follows:

Financial Year	Total amount paid
2006/07	81,472
2007/08	108,637
2008/09	79,472
2009/10	83,717
2010/11	76,935
2011/12	73,774
2012/13	78,336
2013/14	61,756

In comparison, the total cost of the Board members for the year immediately preceding their replacement (2005-06) was £75,820.

### Education and Library Boards: Reconstitution

**Mr Agnew** asked the Minister of Education to outline his plans for the reconstitution of the Education and Library Boards.

**(AQW 33625/11-15)**

**Mr O'Dowd:** In the absence of the political agreement necessary to advance the Education Bill to establish the Education and Skills Authority (ESA), I have instructed Department of Education officials to cease work on ESA, and focus on work required to make education administration compatible with the changes to local councils, that take full effect from 1 April 2015. I intend to bring a paper to the Executive shortly, to identify the way forward.

To help provide continuity and leadership during the transitional period, I have also asked all existing ELB members, including the SEELB Commissioners, to accept an extension of their current term of appointment until 31 March 2015.

### Development Proposals: DE

**Mr Agnew** asked the Minister of Education to list (i) the development proposals submitted within the last twelve months; (ii) the decisions taken on these proposals; (iii) the proposals still awaiting a decision; (iv) the number of teaching and other school posts that have been (a) lost; and (b) created as a result of these decisions; and (v) the number of (a) surplus places removed; and (b) additional places allocated in each sector.

**(AQW 33626/11-15)**

**Mr O'Dowd:**

- 62 Development Proposals (DPs) have been published since 1 June 2013.
- I have taken a decision on 24 DPs. 23 have been approved and one has not approved. These are listed in Table 1 below.
- The remaining 38 DPs are at various stages in the DP process. These are listed in Table 2 below.
- (a) (b) None of the proposals I have approved in this period take effect until August/September 2014 or as soon as possible thereafter. I am therefore unable to advise on the number of teaching and other school posts that have been lost or created as a result of these decisions.
- (a) (b) Table 1, in addition to details of the school sector, includes the number of places added or removed in respect of each of the DPs I have approved.



Table 1: Decisions on Development Proposals

DP No.	School ref	School	ELB area	Date published	School Type	Management Type	Reason for DP	Decision	Date of Decision	Places Added	Places Removed
239	403-6285	The Good Shepherd PS	SEELB	11/06/13	Primary	Maintained	Decrease enrolment	Approved	07/10/13		480
240	403-6480	St Kieran's PS	SEELB	11/06/13	Primary	Maintained	Decrease enrolment	Approved	07/10/13		125
219	103-0194	Holy Cross Boy's PS	BELB	13/06/13	Primary	Maintained	Decrease Enrolment	Approved	21/08/13		116
273	303-3313	St Bernard's PS, Glengormley	NEELB	13/06/13	Primary	Maintained	Increase enrolment	Approved	17/01/14	102	
274	303-6139	St MacNissi's PS, Glengormley	NEELB	13/06/13	Primary	Maintained	Increase enrolment	Approved	17/01/14	35	
247	203-6389 203-2510	St Anne's Girls PS, Strabane Barrack Street Boys PS, Strabane	WELB	01/08/13	Primary	Maintained	Amalgamate	Approved	09/12/13		0
245	403-6081 403-6134	St Lukes PS St Marks PS	SEELB	05/08/13	Primary	Maintained	Amalgamate	Approved	28/11/13		611
293	501-6391	Bush PS	SELB	02/09/13	Primary	Controlled	Open - Nursery Unit	Approved	16/01/14	26	
294	503-6504	St Patrick's PS, Dungannon	SELB	02/09/13	Primary	Maintained	Open - Nursery Unit	Approved	16/01/14	26	
291	542-0056 523-0070 523-0088	St Michael's GS, St Mary's HS and St Paul's Junior HS	SELB	02/09/13	Secondary Grammar	Voluntary and Maintained	Amalgamate	Approved	27/02/14		120
277	321-0233	Ballee Community HS	NEELB	01/10/13	Secondary	Controlled	Close	Approved	21/05/14		525
275	303-3311 303-0625	Glenravel PS & St Mary's PS	NEELB	08/10/13	Primary	Maintained	Amalgamate	Approved	24/02/14		0
276	303-2285	St Patrick's and St Joseph's PS	NEELB	09/10/13	Primary	Maintained	Increase enrolment	Approved	04/03/14	29	

DP No.	School ref	School	ELB area	Date published	School Type	Management Type	Reason for DP	Decision	Date of Decision	Places Added	Places Removed
247	426-0281	Shimna Integrated College	SEELB	09/10/13	Secondary	GMI	Increase enrolment	Approved	19/02/14	140	
295	503-6061	St Colman's PS, Annacorney	SELB	14/10/13	Primary	Maintained	Increase enrolment	Approved	16/01/14	27	
296	523-0160	St Brigid's HS, Armagh	SELB	14/10/13	Secondary	Maintained	Close	Approved	06/03/14		450
297	542-0268	St Patrick's GS, Armagh	SELB	14/10/13	Secondary Grammar	Voluntary	Increase enrolment	Approved	06/03/14	490	
278 279 280	321-0200 321-0279	Monkstown Community School & Newtownabbey Community HS	NEELB	15/10/13	Secondary	Controlled	Amalgamate	Approved	28/02/14		650
298	501-2635	Augher Central PS	SELB	18/11/13	Primary	Controlled	Increase enrolment	Approved	14/03/14	35	
299	501-6178	Donacorney PS	SELB	18/11/13	Primary	Controlled	Increase enrolment	Approved	27/02/14	28	
300	504-6137	Seagoe PS, Portadown	SELB	18/11/13	Primary	Other Maintained	Increase enrolment	Not Approved	06/05/14		
287	321-0208	Dunclug College	NEELB	26/11/13	Secondary	Controlled	Increase enrolment	Approved	21/05/14	240	

**Table 2 Development Proposals Not Yet Decided**

DP No.	School ref	School	ELB area	Date published	School Type	Management Type	Reason for DP
243	401-6002	Kilcooley PS	SEELB	12/09/13	Primary	Controlled	Decrease enrolment
244	401-1670	Clandeboy PS	SEELB	12/09/13	Primary	Controlled	Decrease enrolment
282 283 284	304-0451 301-0760	Kilcoan PS Mullaghduh PS	NEELB	07/11/13	Primary	Other Maintained & Controlled	Amalgamate
249	203-2687	St Macartan's PS	WELB	07/11/13	Primary	Maintained	Close
250	203-6186	St Dymphna's PS	WELB	07/11/13	Primary	Maintained	Increase enrolment
248	406-6644	Millennium Integrated PS	SEELB	19/11/13	Primary	Grant Maintained Integrated	Open - Nursery Unit
249	406-6644	Millennium Integrated PS	SEELB	19/11/13	Primary	Grant Maintained Integrated	Increase enrolment
248	223-0254	Immaculate Conception College	WELB	10/12/13	Secondary	Maintained	Close
301	503-6567	Holy Trinity PS	SELB	16/12/13	Primary	Maintained	Open - Nursery Unit
251	201-2227	Drumahoe PS	WELB	07/01/14	Primary	Controlled	Open - Nursery Unit
251	403-6036	St Malachy's PS	SEELB	08/01/14	Primary	Maintained	Open - Nursery Unit
250	403-6618	Christ the Redeemer PS	SEELB	09/01/14	Primary	Maintained	Increase enrolment
252 253 254 255	203-2277 203-2300 203-3707	Craigbrack PS Listress PS Mullabuoy PS	WELB	22/01/14	Primary	Maintained	Amalgamate
256	223-0085	St Mary's HS	WELB	22/01/14	Secondary	Maintained	Close
252	461-0085	Down HS	SEELB	05/02/14	Preparatory	Controlled	Close
220	101-0323	Edenbrooke PS	BELB	13/02/14	Primary	Controlled	Open – Learning Support Centre
221	101-6485	Glenwood PS	BELB	13/02/14	Primary	Controlled	Open – Learning Support Centre
302	504-6699	Gaelscoil Eoghain	SELB	17/02/14	Primary	Other Maintained	Open - Nursery Unit
281	301-0816	Randalstown Central PS	NEELB	24/02/14	Primary	Controlled	Open - Nursery Unit (convert reception)
304	506-6657	Phoenix IPS	SELB	18/03/14	Primary	Grant Maintained Integrated	Open - Nursery Unit
257	204-6638	Gaelscoil Ui Dhocartaigh	WELB	27/03/14	Primary	Irish-medium	Open - off site Irish Medium Unit
305	503-6110	St Joseph's PS	SELB	14/04/14	Primary	Maintained	Open – Learning Support Centre (Autism)
253	401-6235	Downpatrick PS	SEELB	05/05/14	Primary	Controlled	Change Learning Support Centre from medium learning difficulties provision to generic provision.

DP No.	School ref	School	ELB area	Date published	School Type	Management Type	Reason for DP
288 289 290	342-0032 341-0033	Coleraine Academical Inst. & Coleraine HS	NEELB	07/05/14	Secondary Grammar	Voluntary and Controlled	Amalgamate
291	321-0300	Coleraine College	NEELB	07/05/14	Secondary	Controlled	Increase enrolment
307	503-6001 503-1516 503-1325	St Mary's PS Moneydarragh PS St Joseph's PS	SELB	19/05/14	Primary	Maintained	Amalgamate
308	503-1163	St Brigid's PS	SELB	19/05/14	Primary	Maintained	Increase Enrolment
309	503-1148	St Patrick's PS	SELB	19/05/14	Primary	Maintained	Increase Enrolment
310	503-1695	St Mary's PS	SELB	19/05/14	Primary	Maintained	Increase Enrolment
311	503-3025	St Patrick's PS	SELB	19/05/14	Primary	Maintained	Increase Enrolment
312	503-1080	Clintyclay PS	SELB	19/05/14	Primary	Maintained	Close

**Teacher Exemption: Secondary-level Education**

**Mr Agnew** asked the Minister of Education for his assessment of the need for the teacher exemption at secondary level education. (AQW 33627/11-15)

**Mr O'Dowd:** The responsibility for the Fair Employment and Treatment (NI) Order 1998 lies with OFMDFM. Article 71 of the Order governs the teachers' exemption.

I have previously stated that there should be no change to the teachers' exemption without a full public consultation, which should preferably take place once the future of education administration has been determined.

**Lisanelly Campus**

**Ms Lo** asked the Minister of Education to outline the plans for a single sixth form for all the schools on the Lisanelly site. (AQW 33638/11-15)

**Mr O'Dowd:** There are currently no plans for a single sixth form for the schools moving to the Lisanelly Shared Education Campus. The schools will retain their own sixth forms with the intention that there will be significant educational sharing on the campus for appropriate year groups.

**Peace IV Funding: DE**

**Ms Lo** asked the Minister of Education whether his Department has submitted a funding application to Peace IV funding for their Programme for Government 2011-15 commitment to shared education. (AQW 33639/11-15)

**Mr O'Dowd:** The Peace IV programme is still under development and has not yet completed its public consultation. Consequently Peace IV is not open for applications.

**Area Based Planning**

**Ms Lo** asked the Minister of Education how many school places have been (i) created; and (ii) removed since the establishment of Area Based Planning. (AQW 33640/11-15)

**Mr O'Dowd:**

- (i) Since Area Based Planning commenced I have approved Development Proposals to create a total of 2,980 school places; 1,524 primary places, 1,040 post primary places and 416 statutory nursery places.
- (ii) In the same period I have approved Development Proposals to remove 9,131 school places; 4,091 primary places, 4,988 post primary places and 52 statutory nursery places.

**Lisanelly Campus**

**Ms Lo** asked the Minister of Education to detail the ownership arrangements for each school site on the Lisanelly campus. (AQW 33641/11-15)



**Mr O'Dowd:** The ownership of the Lisanelly Shared Education Campus in Omagh rests with the Department of Education. My officials will work with the relevant school managing authorities regarding any legal arrangements necessary to ensure the effective operation of the individual schools involved on the site.

## Department for Employment and Learning

### Learning Zone: North-west

**Ms Maeve McLaughlin** asked the Minister for Employment and Learning what measures are being considered to develop a cross border Learning Zone in the North West.  
(AQW 33040/11-15)

**Dr Farry (The Minister for Employment and Learning):** I am committed to working collaboratively with the relevant Government Ministers in the Republic of Ireland to identify and develop opportunities for co-operation that will be of mutual benefit to both jurisdictions. In that regard I recently met with Ruari Quinn, Minister for Education and Skills, when the issue of learning provision in the North West was discussed. Statistical information collated by my Department shows that there is a significant and continuing flow of further education students from the Republic of Ireland to Northern Ireland, particularly in the North West area. As a result of my discussions with Minister Quinn, it was agreed to produce a joint interim paper on cross border further education issues for consideration by Ministers in a North South Ministerial context in June.

DEL offers full undergraduate student support for Northern Ireland domiciles enrolled in ROI higher education institutions. This includes a non-means-tested registration fee loan of €2,500, a means-tested maintenance grant up to £3,475, and a non-means-tested maintenance loan up to £4,840. Depending on their circumstances such students may also be eligible for certain other means-tested financial help such as childcare allowances, parent's learning- and adult dependents' grant. Non-means-tested Disabled Students' Allowances are also available. This full package of support is available to Northern Ireland domiciles attending UK higher education institutions and those in ROI, but in no other EU member state or country.

My Department is committed to promoting cross-border cooperation on research between third level institutions. Through the US-Ireland Research and Development Partnership, we have agreed to support thirteen projects to date in nanotechnology, sensor technology, energy/sustainability and telecommunications representing a total investment locally of almost £4 million. Furthermore, Richard Bruton TD (Minister for Jobs, Enterprise and Innovation in the Republic of Ireland) and I recently launched a new research partnership between DEL and Science Foundation Ireland (SFI). The new "DEL/SFI Investigators Programme Partnership" will support collaborative projects involving universities from both jurisdictions to undertake internationally peer-reviewed, leading edge discovery and fundamental research.

Employment Service Advisers from my Department and the Department of Social Protection's Employment Service in the Republic of Ireland work together as part of the EURES Cross Border Partnership; this encourages and supports labour mobility on a cross border basis, providing information for workers, jobseekers and employers. DEL has well established links with the Department for Social Protection on a number of fronts, sharing developments in policy, programmes and service delivery and exploring opportunities for cooperation.

### Youth Training Review

**Mr Douglas** asked the Minister for Employment and Learning to detail why the Skills for Life and Skills for Work Level 1 strands of Training for Success have been excluded from the scope of the Review of Youth Training.  
(AQW 33530/11-15)

**Dr Farry:** The review of youth training will examine level 1 provision in the context of progression. I fully recognise that clear progression pathways and support mechanisms are vital for young people to progress from the entry level and level 1 options into the new youth training offer, just as the new youth training offer will facilitate entry into further education and training at level 3 and above, and will consider how best to achieve this.

Pending the outcome of the Review the Department continues to be fully inclusive, delivering all levels of provision, including a range of initiatives delivered at entry level and level 1 through the Training for Success strands Skills for Life and Skills for Work Level 1, and through Pathways to Success, the department's strategy for young people who are not in education, employment or training. Therefore, whilst the review is not examining provision at entry level and level 1, it should be viewed as only one specific part of the wider learner pathways available to young people in Northern Ireland.

As with the current Training for Success programme, future provision at entry level and level 1 must ensure that training provides high levels of pastoral care, support, encouragement and concern for the holistic welfare and development of the participant.

The review of youth training is also being undertaken in tandem with the development of the United Youth offer. Again, this offer will seek to provide a fully inclusive framework of education and training opportunities and progression routes for young people across all levels.

### Skills for Life and Skills for Work

**Mr Douglas** asked the Minister for Employment and Learning to outline what plans he has to review provision within the Skills for Life and Skills for Work Level 1 to ensure that it is of an equally high quality to the refreshed Level 2 training offer.  
(AQW 33531/11-15)

**Dr Farry:** Contracts for the delivery of the Skills for Your Life and Skills for Work Level 1 strands of the Department's Training for Success programme are due to run until 31 March 2016.

Consideration of future provision will take account of the work being carried out on the review of youth training (level 2 provision) and the development of the United Youth offer; both of which seek to provide a fully inclusive framework of education and training opportunities and progression routes for young people across all levels.

It is likely that the personal and development needs of young people who have disengaged from learning and/or have significant barriers to education, training or employment will continue to be central to future provision, as will high levels of pastoral care, support, encouragement and concern for the holistic welfare and development of the participant.

The quality and performance of the current provision will continue to be monitored by my Department in partnership with the Education and Training Inspectorate. A programme of regular and robust reviews of Suppliers' performance is in place with the aim of ensuring consistently high standards of delivery, outcomes and value for money.

### Graduate Programme

**Mr Swann** asked the Minister for Employment and Learning following completion of the Graduate Program how many people have secured full time employment, in each of the last 3 years.  
(AQW 33538/11-15)

**Dr Farry:** My Department currently offers two programmes which aim to develop the employability skills of graduates in Northern Ireland: The Graduate Entry to Management (INTRO) Programme; and The Graduate Acceleration Programme (GAP).

INTRO has been offered as part of my Department's Leadership and Management suite since 2007, and provides graduates at degree/ HND level with 3 weeks' off-the-job training in essential management skills (leadership and team building, managing people, finance, marketing, business excellence, and strategic planning) and a 21-week salaried placement where they undertake a measurable Business Improvement Project with a host employer, while continuing to receive mentoring support and guidance.

The Graduate Acceleration Programme (GAP) was introduced in January 2010 as part of Steps to Work, my Departments main adult return to work programme.

The table attached at Annex A provides details of the number of graduates completing the INTRO Programme, the percentage of those who secured full-time employment following completion, and the budget/ resources allocated in each of the last three years; whilst Annex B provides the same detail in respect of the GAP Programme.

#### INTRO

Financial Year	INTRO completers	Number that secured full-time employment on completion	Percentage that secured full-time employment on completion	INTRO spend
2011/12	109	101	93%	£308,829
2012/13	75	69	92%	£239,762
2013/14	57*	51	89%	£598,802**

\* 160 graduates received funded places on the INTRO Programme during the 2013/14 financial year. The remainder of participants are due to complete at various stages throughout 2014.

\*\* An increase in the level of funding, from £2,250 per graduate to £3,050 per graduate, as of 1 April 2013, and an increase in participation from 100 starters to 160 starters resulted in a significant increase in spend during 2013/14 in comparison with previous years.

#### GAP

Financial Year	GAP completers	Number that secured full-time employment on completion	% Leavers moving to employment on completion	GAP Spend
2011/12	135	80	59%	£386,000
2012/13	250	140	56%	£506,000

Financial Year	GAP completers	Number that secured full-time employment on completion	% Leavers moving to employment on completion	GAP Spend
2013/14 (to December 2013)	185	Not currently available*.	Not currently available.	£614,000

\* The latest date for which employment data is available for the GAP Programme is currently 31 March 2013.

### Graduate Programme

**Mr Swann** asked the Minister for Employment and Learning how many people have completed the Graduate Program, in each of the last 3 years.

(AQW 33539/11-15)

**Dr Farry:** My Department currently offers two programmes which aim to develop the employability skills of graduates in Northern Ireland: The Graduate Entry to Management (INTRO) Programme; and The Graduate Acceleration Programme (GAP).

INTRO has been offered as part of my Department's Leadership and Management suite since 2007, and provides graduates at degree/ HND level with 3 weeks' off-the-job training in essential management skills (leadership and team building, managing people, finance, marketing, business excellence, and strategic planning) and a 21-week salaried placement where they undertake a measurable Business Improvement Project with a host employer, while continuing to receive mentoring support and guidance.

The Graduate Acceleration Programme (GAP) was introduced in January 2010 as part of Steps to Work, my Departments main adult return to work programme.

The table attached at Annex A provides details of the number of graduates completing the INTRO Programme, the percentage of those who secured full-time employment following completion, and the budget/ resources allocated in each of the last three years; whilst Annex B provides the same detail in respect of the GAP Programme.

### INTRO

Financial Year	INTRO completers	Number that secured full-time employment on completion	Percentage that secured full-time employment on completion	INTRO spend
2011/12	109	101	93%	£308,829
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2013/14 (to December 2013)	185	Not currently available*.	Not currently available.	£614,000

\* The latest date for which employment data is available for the GAP Programme is currently 31 March 2013.

### Graduate Programme

**Mr Swann** asked the Minister for Employment and Learning to detail the departmental budget and resources allocated to the Graduate Program, in each of the last 3 years.

(AQW 33540/11-15)

**Dr Farry:** My Department currently offers two programmes which aim to develop the employability skills of graduates in Northern Ireland: The Graduate Entry to Management (INTRO) Programme; and The Graduate Acceleration Programme (GAP).

INTRO has been offered as part of my Department's Leadership and Management suite since 2007, and provides graduates at degree/ HND level with 3 weeks' off-the-job training in essential management skills (leadership and team building, managing people, finance, marketing, business excellence, and strategic planning) and a 21-week salaried placement where they undertake a measurable Business Improvement Project with a host employer, while continuing to receive mentoring support and guidance.

The Graduate Acceleration Programme (GAP) was introduced in January 2010 as part of Steps to Work, my Departments main adult return to work programme.

The table attached at Annex A provides details of the number of graduates completing the INTRO Programme, the percentage of those who secured full-time employment following completion, and the budget/ resources allocated in each of the last three years; whilst Annex B provides the same detail in respect of the GAP Programme.

### INTRO

Financial Year	INTRO completers	Number that secured full-time employment on completion	Percentage that secured full-time employment on completion	INTRO spend
2011/12	109	101	93%	£308,829
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### GAP

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2012/13	250	140	56%	£506,000
2013/14 (to December 2013)	185	Not currently available*.	Not currently available.	£614,000

\* The latest date for which employment data is available for the GAP Programme is currently 31 March 2013.

### Steps to Work

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 33212/11-15, to detail the employers who utilised Steps to Work between 1 January 2014 and 8 May 2014.

(AQW 33595/11-15)

**Dr Farry:** The Steps to Work programme's contracted suppliers use an extensive range of employers from all sectors, including public, private and community and voluntary, when sourcing work experience and subsidised employment placement opportunities to help participants gain the skills and experience sought by employers.

In managing the programme the Department's systems are geared towards capturing performance data at a high level. These systems do not systematically capture data at the level of the individual employer. Consequently, the Department does not retain the specific details of each work placement and host employer at the level needed to provide the detailed information sought.



As set out in AQW 33212, I can reaffirm that the information sought on Steps to Work is not gathered in a format that would facilitate the provision of validated statistical data broken down by employer or political party during the period 1 January 2014 to 8 May 2014.

### Jobseekers Allowance: Canvassing

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 33212/11-15, can he clarify that the guidance is to be reissued on 8 May 2014.

(AQW 33609/11-15)

**Dr Farry:** I can confirm that the Youth Employment Scheme staff guidance was revised on 8 May 2014 to specifically exclude placements involving any activity that is likely to be seen as indoctrinating participants or as promoting a particular political, religious or other controversial viewpoint. My Department would consider canvassing to be a political activity.

Operational staff in Jobs & Benefits offices and Jobcentres, responsible for the delivery of the Youth Employment Scheme, were advised of this amendment to guidelines by email on 8 May 2014. The key message was that future YES placements must not include canvassing for elections as part of a placement activity.

## Department of Enterprise, Trade and Investment

### Organisation for Economic Co-operation and Development Report

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment whether his Department has received and assessed the recommendations of the Organisation for Economic Co-operation and Development Regional Development Working Paper 2013/20 'The Case of Ireland - Northern Ireland - Regions and Innovation: Collaborating Across Borders'; and to outline the actions that will be taken to implement the Report's recommendations.

(AQW 33390/11-15)

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** My Department has received and is currently reviewing a copy of the Organisation for Economic Co-operation and Development Regional Development (OECD) Working Paper 2013/20 'The Case of Ireland – Northern Ireland – Regions and Innovation: Collaborating Across Borders'.

### Power NI: Non-disconnection of Prepaid Customers on Bank and Public Holidays

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment why Power NI do not have a consistent policy of non-disconnection of prepaid customers on all bank and public holidays.

(AQW 33471/11-15)

**Mrs Foster:** I have been advised by Power NI that its published Code of Practice on Services for Prepayment Meter Customers confirms that, besides night and weekends, the extension of credit covers 1 January, 17 March, 12 July and 25 December. Variable times and dates such as May and August holidays are not covered.

## Department of the Environment

### Vacancies and Agency Staff: DOE

**Mr Dallat** asked the Minister of the Environment to detail the (i) vacancies; and (ii) agency staff in his Department, broken down by grade.

(AQW 32518/11-15)

**Mr Durkan (The Minister of the Environment):** The number of current vacancies that DOE plan to fill at 19 May 2014 is set out in the attached tables and includes both General Service and Analogous Grades. Figures are provided in Full Time Equivalent (FTE).

Agency staff filling posts at Administrative Officer and Administrative Assistant levels include those filling temporary posts that will end when the DVLA centralises vehicle licensing work in Swansea.

#### Sum of FTE

Grade	Total
Administrative Assistant	3
Support Grade Band Level 2	2
Administrative Officer	9.9

Grade	Total
Executive Officer 2	11
Executive Officer 1	4
Staff Officer	12
Staff Officer Accountant	1
Deputy Principal	3
Deputy Principal Accountant	1
Grade 7	1
Grade 6	2
Grade 5	1
Professional Technical Officer	4
Higher Professional Technical Officer	6
Senior Professional Technical Officer	16
Information Communication Technician Level 3	6
Information Communication Technician Level 4	1
Technical Grade 1	5
Traffic Examiner	3
Senior Traffic Examiner	1
Scientific Officer	8
Higher Scientific Officer	6
Senior Scientific Officer	9
Principal Scientific Officer	2.8
Industrial	3
Ranger	3
Curatorial E	2
<b>Grand Total</b>	<b>126.7</b>

Agency staff currently engaged in the Department as detailed in the table below.

#### Count of FTE

Grade	Total
Administrative Assistant	40
ANPR Operator	6
Administrative Officer	61
Conservation Architect	5
Curatorial E	1
Curatorial F	1
Deputy Principal Accountant	1
Information Communication Technician Level 3	2
Information Communication Technician Level 5	1
Investigation officer	7
Personal Secretary	3
Ranger	35

Grade	Total
Scientific Officer	24
Support Grade Band Level 2	3
Staff Officer Accountant	1
<b>Grand Total</b>	<b>191</b>

### Lough Neagh Special Protection Area: Mineral Extraction

**Mr Agnew** asked the Minister of the Environment when his Department became aware that the extraction of minerals from Lough Neagh Special Protection Area was taking place without planning permission.  
(AQW 33401/11-15)

**Mr Durkan:** The Department is aware that this activity predates the current planning system and has been ongoing since the 1930s. The issue has been raised in previous years but the decision at that time was not to pursue enforcement action, however this decision is now being revisited in consultation with the NIEA.

### Quarries: Noise Pollution

**Mr McGimpsey** asked the Minister of the Environment how many quarries (i) are currently; and (ii) have been subject to legal enforcement by local authorities under Environmental Protection noise pollution responsibilities in each of the last five years, broken down by council area.  
(AQW 33406/11-15)

**Mr Durkan:** Individual District Councils are responsible for dealing with complaints about noise from premises including quarries under the Clean Neighbourhoods and Environment Act ( Northern Ireland) 2011.

Councils report noise complaints statistics to the Department annually under the following six categories: industrial; commercial and leisure; domestic; transport; noise in the street; and construction. The Department is not however able to disaggregate those complaints from quarries that lead to legal enforcement from the statistics provided.

The latest Noise Complaint Statistics report (2011/12) is available on the Department's website

[http://www.doeni.gov.uk/noise\\_complaints\\_statistics\\_report\\_2011\\_2012.pdf](http://www.doeni.gov.uk/noise_complaints_statistics_report_2011_2012.pdf)

### Driver and Vehicle Agency Staff

**Mr Campbell** asked the Minister of the Environment when the process, undertaken by the Head of the Civil Service on civil service work being undertaken by staff who currently work in the Driver and Vehicle Agency, will be completed.  
(AQW 33430/11-15)

**Mr Durkan:** In conjunction with the Finance Minister, and with the support of the Executive, I wrote to all Ministers asking each department to seek to identify what functions could be relocated to Coleraine to be undertaken by the DVA staff who will become surplus as a consequence of the decision by the Department for Transport in London to centralise vehicle registration and licensing in Swansea.

Following initial replies from Ministers, meetings have been taking place at official level with some departments. Minister Hamilton and I will provide an update to the Executive by the end of this month that will also set out proposals for further action.

The letter sent jointly with the Finance Minister also asked Ministerial colleagues to agree to the immediate application of controls on the recruitment and promotion of staff until the needs of surplus of staff in the DVA have been addressed. These measures are now in place.

### Giro d'Italia: Legacy Action Plan

**Mr Lyttle** asked the Minister of the Environment whether he will advocate the inclusion of a target of 50 per cent of all Primary 6 pupils to have completed on-road cycle training as part of the Executive Giro d'Italia Legacy Action Plan.  
(AQW 33450/11-15)

**Mr Durkan:** My Department will continue to offer the Cycling Proficiency Scheme (CPS) to all primary schools within Northern Ireland and encourage school Principals to engage with the scheme. The scheme is focussed on road safety aspects of cycling, in line with my Department's responsibilities, and is currently being enhanced in line with the conclusions of a recent review.

I recognise the benefits for children of completing on-road cycle training. However, participation in CPS, and the use of optional on-road module within it, remains a decision for individual school Principals. My officials will therefore continue to work closely with the education sector, and the Department for Regional Development which leads on Active Travel, to ensure that the encouragement of cycling is taken forward in ways which take full account of road safety issues.

### Lough Neagh Special Protection Area: Sand Extraction

**Mr Agnew** asked Minister of the Environment, pursuant to AQW 32997/11-15; (i) what assurances he can give that no EU Directives are being breached by the continuing unregulated sand extraction taking place in Lough Neagh Special Protection Area; (ii) and whether he has given clearance for the unauthorised extraction to continue in the absence of any planning permissions or an Environmental Impact Assessment.  
(AQW 33458/11-15)

**Mr Durkan:** This matter is the subject of an ongoing investigation and accordingly the information that I can provide is limited. However, I can assure you that any consent issued in regard to extraction will be in accordance with the EIA and Habitats Directives.

### Aggregates Levy Credit Scheme Certificates

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 32872/11-15, to detail the eight Aggregates Levy Credit Scheme certificates granted by his Department, including the dates of each application and when they were granted.  
(AQW 33460/11-15)

**Mr Durkan:** A table detailing the information requested is attached.

ALCS No.	Name & Site address	Date applied for	Date Certificate Issued	Other Information
49	Norman Emerson & Sons Ltd Kinnego House, 1 Annaloiste Rd, Lurgan	9 Feb 2004	Not issued	A certificate was not issued as the Discharge Consent for Water was outstanding. The Company, on advice from their accountants subsequently withdrew their application on 14 November 2005.
51	Norman Emerson & Sons Ltd, Ardmore Readymix, 118 Ardmore Rd, Lurgan	9 Feb 2004	18 Nov 2004	The Company, on advice from their accountants subsequently withdrew their application on 14 November 2005.
99	A E Mulholland & Sons, Derryclone Rd, Gawleys Gate, Craigavon, BT67 0BP	20 May 2004	12 Apr 2005	
100	Mulholland Bros. (B&S) Ltd, 17 Shore Rd, Ballinderry Upper, Lisburn BT28 2LQ	2 Aug 2004	17 Nov 2004	
125	Cemex (NI) Ltd, Toomebridge Sand Depot, 30 Creagh Rd, Toomebridge BT41 3SE	17 May 2004	26 Jan 2005 re-issued 16 Oct 2007	Certificate re-issued due to change of Company name from Readymix (NI) Ltd to Cemex (NI) Ltd.
137	Northstone (NI) Ltd Sandybay Site, 19 Shore Rd, Upper Ballinderry BT28 2LF	23 June 2004	17 Nov 2004 re-issued 4 Jul 2006	Certificate re-issued due to change of ownership from Scott (Toomebridge) Ltd to Northstone (NI) Ltd.
138	Northstone (NI) Ltd, Ballyginniff Site, Loughview Rd, Crumlin, Co Antrim BT29 4EE	23 June 2004	17 Nov 2004 re-issued 4 Jul 2006	Certificate re-issued due to change of ownership from Scott (Toomebridge) Ltd to Northstone (NI) Ltd.
139	Northstone (NI) Ltd, Hutchinson's Site, Creagh Rd, Toomebridge, Co Antrim BT41 3SD	23 June 2004	17 Nov 2004 re-issued 4 Jul 2006	Certificate re-issued due to change of ownership from Scott (Toomebridge) Ltd to Northstone (NI) Ltd.

### Lough Neagh Special Protection Area: Lignite

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 32561/11-15, whether his Department is aware of, has received any reports on, any evidence of lignite being disturbed from the bed of Lough Neagh Special Protection Area as part of the process of unregulated sand extraction.  
(AQW 33482/11-15)



**Mr Durkan:** My Department is not aware of any lignite being disturbed from the bed of the Lough Neagh Special Protection Area.

### Habitats Regulations

**Mr Agnew** asked the Minister of the Environment, pursuant to AQW 30253/11-15, to specify the concerns relating to the Habitats Regulations; and why he has not yet made his announcement.

**(AQW 33483/11-15)**

**Mr Durkan:** I am aware of the concerns previously raised by the member in relation to the review of extant planning permissions as required by the Habitats Directive and associated guidance.

I can confirm that I have instructed officials to produce updated advice and guidance for staff on the Habitats Regulations and a training programme will also be delivered as part of Capacity Building for Reform/Transfer.

In addition, in the light of the Mills report and ongoing work within the Department, I have established a Minerals Working Group (MWG) comprising relevant officials from Planning and NIEA, including the Environmental Crime Unit, to consider issues such as:

- legacy and systemic issues, including the Department's approach to enforcement of minerals related cases;
- resource and structural issues including how Minerals cases should be dealt with post transfer of planning functions in 2015;
- co-ordination and working relationships within relevant parts of the Department and with key stakeholders
- putting the correct structure, resources and procedures in place to ensure compliance with obligations under European Environmental Directives.

The MWG will produce a draft Action Plan to address these issues for my consideration and I will make an announcement in due course. Further to my previous answer (AQW 29460/11-15) it is my intention that this Action Plan will include the review of extant permissions on a phased basis.

### Taxi Licensing: Single-tier Proposals

**Lord Morrow** asked the Minister of the Environment how many reports have been carried out into the draft proposals related to the single tier taxi proposals; and to detail (i) the name and date of each report, including whether they were compiled by his Department or independently; and (ii) the cost, or estimated cost, of each report.

**(AQW 33508/11-15)**

**Mr Durkan:** My Department has not compiled any reports on its proposals for a single tier taxi licensing system except those compiled as a part of the normal policy development process, regarding which I would refer the member to my answers to AQWs 32974/11-15 and 33194/11-15. My Department has not commissioned any external reports on this matter.

### Comparative Study of Taxi Regulation in Europe

**Lord Morrow** asked the Minister of the Environment for his assessment of the Comparative Study of Taxi Regulation in Europe which found that of the thirteen European countries examined who had adopted the Single Tier System, the majority have reverted to the original system.

**(AQW 33509/11-15)**

**Mr Durkan:** My officials have studied this report. The report concludes that the taxi industry, and its regulation, varies significantly between countries. The conclusion states that those countries which have introduced total deregulation have reintroduced some measure of regulation; and that current regulatory trends are towards quality requirements rather than quantity regulations.

These moves are completely in line with my approach, under the Taxis Act 2008, where the proposed regulatory regime focuses on key aspects such as driver testing and training, and consumer protection measures such as maximum fares, and meters and receipt printers.

The provisions in the Act have been the subject of considerable review and consideration dating back to the 2002 Taxi Review, which informed the original 2005 Proposals for Public Consultation that ultimately led to the Taxis Act. This included consideration of the experience of how taxis are regulated in other jurisdictions, particularly in England, Wales, Scotland, Ireland and the Netherlands. This helped ensure that the policy proposals consulted upon were evidence-based, focused on outcomes, forward-looking and joined-up and that they met Northern Ireland's requirements.

The responses to the 2005 consultation indicated that the two tier system in Belfast worked poorly in practice and was unsustainable: the tiers overlapped and there was confusion amongst the public, making the system difficult to enforce.

Since then, the Department's policy position in relation to single tier has consistently been supported by clear majorities in public consultations (most recently by 84% in the 2011 consultation) and by the Consumer Council, Inclusive Mobility and Transport Advisory Committee (IMTAC) and Disability Action.

Single tier licensing will support and consolidate taxi operator licensing, which was introduced on 1 September 2012. Moving to a one tier system will mean that consumers will find increased availability of taxis to use, offer them greater choice in which

taxis they can choose to use and help to reduce confusion around what activities classes of taxis are permitted to undertake. It will also enable DVA to take more effective enforcement against illegal taxi activities which is an issue those in the taxi industry as a whole are very concerned about.

The regime being implemented therefore appears to me to align with the trends being reported internationally, whilst being closely based on what is right for this jurisdiction.

### Public Service Vehicles (Northern Ireland) Regulations 1985

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 33317/11-15, whether the line in Regulation 49 of the Public Service Vehicles (Northern Ireland) Regulations 1985 which states that any person to be carried for hire in the vehicle refers to any and all vehicles and not just that of the driver in question.

**(AQW 33599/11-15)**

**Mr Durkan:** Further to my answer to AQW 33317/11-15 and for the avoidance of any doubt, I can confirm that regulation 49 (Touting) of the Public Service Vehicles Regulations (NI) 1985, which is a public domain document, provides that:

*"A person employed as driver of a vehicle shall not by touting, calling out or otherwise, importune any person to be carried for hire in the vehicle."*

### Planning Applications: Active Farm Definition

**Mrs McKeivitt** asked the Minister of the Environment to outline the definition of an active farm used by Planning NI when considering planning applications.

**(AQW 33611/11-15)**

**Mr Durkan:** Policy CTY10 of Planning Policy Statement 21: 'Sustainable Development in the Countryside' permits a dwelling on a farm subject to a number of criteria, including that the farm business is currently active and has been established for at least six years. The policy contains a definition of 'agricultural activity' which is 'the production, rearing or growing of agricultural products including harvesting, milking, breeding animals and keeping animals for farming purposes or maintaining the land in good agricultural and environmental condition'.

## Department of Finance and Personnel

### Equal Pay: PSNI/DOJ/NIO

**Mr Allister** asked the Minister of Finance and Personnel for an update on the outstanding PSNI, and other staff, equal pay claims. **(AQW 29153/11-15)**

**Mr Hamilton (The Minister of Finance and Personnel):** You are aware that there is no legal liability within the PSNI, or the NIO, in the way in which there was an equal pay liability in the NICS that gave rise to the settlement. However, mindful of the strength of feelings that exists in relation to this matter, I have explored ways in which the moral argument that has been raised could be recognised in some way. I have recently circulated a paper to my Executive colleagues outlining a recommendation that will result, I hope, in a satisfactory resolution of the issue for this group of staff. The recommendation, and any expenditure of resources, will require the agreement of the Executive.

### Equal Pay: PSNI/DOJ/NIO

**Mr Allister** asked the Minister of Finance and Personnel when a decision will be made regarding outstanding equal pay claims of PSNI and other staff. **(AQW 33246/11-15)**

**Mr Hamilton:** I refer you to my response provided to AQW 29153/11-15 also asked by you, which provides an update on this matter.

### Pension Funds: Access

**Mr Cree** asked the Minister of Finance and Personnel for an assessment of (i) the Chancellor's planned changes to over 55 year olds accessing the funds in their pensions; and (ii) how this may affect the local economy. **(AQW 33288/11-15)**

**Mr Hamilton:** The proposed change to enable over 55s to access their pension funds is a matter for HM Treasury.

### Civil Service: Vacant Posts

**Mr Eastwood** asked the Minister of Finance and Personnel to detail the (i) location; and (ii) number of vacant posts in the Northern Ireland Civil Service at (a) Administrative Assistant; (b) Administrative Officer; (c) Executive Officer II; (d) Executive Officer I; (e) Staff Officer; and (f) Deputy Principal grades, in each Government Department. **(AQW 33389/11-15)**

Mr Hamilton: The information requested is set out in the following table.

**AQW 33389/11 - Location & Number of Vacant Posts in the NICS at AA, AO, EO2, EO1, SO & DP at 13 May 2014 \*\*\***

	AA	Location	AO	Location	EOII	Location	EOI	Location	SO	Location	DP	Location
<b>DARD</b>	3	1 Coleraine 2 Stormont	2	1 Antrim 1 Stormont	5	1 Armagh 1 Londonderry 3 Stormont	10	1 Londonderry 1 Omagh 8 Stormont	5	1 Newry 4 Stormont	7	2 Belfast 5 Stormont
<b>DCAL</b>	0		0		1	Belfast	0.85	Belfast	1	Belfast	2	Belfast
<b>DE</b>	2	Bangor	2	1 Bangor 1 Londonderry	2	Londonderry	2	Bangor	0		1	Bangor
<b>*DEL</b>	0.5	Belfast	11	1 Antrim 6 Belfast 1 Cookstown 1 Lisburn 1 Londonderry 1 Omagh	31.44	2 Antrim 1 Armagh 1.64 Ballymoney 2 Banbridge 19.8 Belfast 2 Dungannon 1 Enniskillen 1 Limavady 1 Newtownabbey	24.85	1 Ballymena 20.6 Belfast 1 Dungannon 0.6 Lisnagelvin 0.65 Magherafelt 1 Newtownards	19	16 Belfast 1 Enniskillen 1 Larne 1 Newtownabbey	10	Belfast
<b>DETI</b>	2	Belfast	1	Belfast	4	3 Belfast 1 Stormont	0		2	Stormont	1	Stormont
<b>DFP</b>	2	Belfast	18	Belfast	10	1 Bangor 1 Ballymena 7 Belfast 1 Londonderry	6	Belfast	7	6 Belfast 1 Londonderry	5	1 Bangor 4 Belfast
<b>DHSSPS</b>	1	Stormont	1	Stormont	1	Stormont	1	Stormont	1	Stormont	1	Stormont

	AA	Location	AO	Location	EOII	Location	EOI	Location	SO	Location	DP	Location
<b>DOE</b>	3	1 Ballymena 1 Belfast 1 Lisburn	12.9	0.5 Ballymena 7.8 Belfast 2 Coleraine 2 Craigavon 0.6 Londonderry	12	1 Ballymena 3 Belfast 7 Coleraine 1 Eastern Region	6	2 Belfast 3 Coleraine 1 Craigavon	19	18 Belfast 1 Coleraine	5	Belfast
<b>DOJ</b>	0		2	1 Belfast 1 Londonderry	0		2	Stormont	4	1 Antrim 2 Belfast 1 Londonderry	1	Stormont
<b>DRD</b>	1	1 Belfast	1.5	1 Enniskillen 0.5 Ballymena	3	2 Belfast 1 Downpatrick	4	Belfast	6	4 Belfast 2 Craigavon	1	Belfast
<b>*DSD</b>	0		5	#3 Belfast *1 Londonderry *1 Omagh	1	Omagh	4	Belfast	4	Belfast	2	1 Banbridge 1 Belfast
<b>*OFMDFM</b>	0		0		0			1 Belfast	1	Belfast	1	Belfast
<b>PPS</b>	0		9	5 Belfast 3 Foyle 1 Lisburn	8	7 Belfast 1 Newry	0		0		0	
<b>Total</b>	<b>14.5</b>		<b>65.4</b>		<b>78.44</b>			<b>61.7</b>	<b>69.0</b>		<b>37.0</b>	
<b>Total Vacancies</b>		<b>326.04</b>										

**Notes**

- \* DEL 13.1 of the vacancies listed (0.5 AA, 3 AO, 3 EO2, 2.6 EO1, 3 SO and 1 DP) are currently on hold awaiting the outcome of staffing reviews.
- \* DSD \*Administrative Officer post which is time-bound due to the Reform of Local Government.
- # One of these Administrative Officer posts is time-bound within Child Maintenance Service
- \* OFMDFM The vacancies listed are those in the general service grades that the Department is actively seeking to fill at 13 May 2014. Two of the vacancies listed are due to be filled on 19th May.



## HGV Road User Levy

**Mr Allister** asked the Minister of Finance and Personnel who has local responsibility for the enforcement and collection of the HGV Road Users Levy.

**(AQW 33399/11-15)**

**Mr Hamilton:** The HGV Road User Levy was introduced by the Department of Transport who are responsible for making the necessary arrangements for its enforcement and collection. My Department has no responsibility in this regard.

## Standing Conference on Teacher Education North and South

**Mr Allister** asked the Minister of Finance and Personnel what evaluation his Department has made regarding value for money of funding of the Standing Conference on Teacher Education North and South (SCOTENS); and the decision to further renew its funding by the Department of Education and the Department of Employment and Learning.

**(AQW 33403/11-15)**

**Mr Hamilton:** My Department has not made any evaluation regarding the funding of the Standing Conference on Teacher Education North and South, nor on the decisions of other departments to renew funding for it. My Department would not engage in decisions of this nature and scale unless they were the subject of a bid for additional funding to it, or if it deemed the funding to be novel or contentious.

## Cycle to Work Scheme

**Mrs D Kelly** asked the Minister of Finance and Personnel to detail the procurement method used to appoint contractors to supply bicycles to employees under the Cycle to Work scheme.

**(AQW 33495/11-15)**

**Mr Hamilton:** There was no procurement involved in the NICS Cycle to Work scheme. The NICS does not appoint contractors to supply bicycles to employees for the Cycle to Work scheme: staff can select the cycle and qualifying equipment from any cycle retailer – provided the retailer can furnish a written quotation and invoice.

## Department of Health, Social Services and Public Safety

### Beechlea Care Home, Enniskillen

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety whether issues surrounding the school attendance rates of children resident in Beechlea care home, Enniskillen have been identified; and what action has been taken to increase their attendance rates.

**(AQW 33392/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** I have been assured by the Western Health and Social Care Trust that the education of all looked after children is a priority for the Trust.

Arrangements for the promotion of the education of children accommodated within Beechlea children's home are set out in its Statement of Purpose and Function and will be dependent on the needs of each young person. As part of the pathway planning process, the education of each young person is discussed and agreed at the first planning meeting and subsequent review meetings. In addition, every looked after child is required to have a Personal Education Plan (PEP) which establishes effective recording and reporting practices and is a transferable account of the young person's needs, support and progress in education.

Residential staff, and key workers in particular, liaise closely with schools through the appointed looked after children support teacher and with Education & Welfare officers or home tutors to monitor the young person's progress and try to resolve any difficulties that occur.

Finally, by way of the Adoption and Children Bill due to be introduced in the Assembly next year, it is proposed to amend the Children (Northern Ireland) Order 1995 to include a specific duty to promote the educational achievement of all looked-after children.

### Skin Diseases: Specialist Clinics

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many nurses are qualified to take specialist clinics on skin disease complaints.

**(AQW 33414/11-15)**

**Mr Poots:** Information on the number of nurses qualified to take specialist clinics on skin disease is not held by the Department, therefore the figures below have been provided directly by Health and Social Care Trusts.

Health and Social Care Trust	No. of Nurses Qualified (Headcount)
Southern	18*
South Eastern	2
Western	2
Northern	3
Belfast	3.46 (whole time equivalent)

**Source:** Health and Social Care Trusts

\* 18 staff nurses participate in nurse led Dermatology clinics with varied autonomy

Whilst the number of nurses qualified to take specialist clinics varies across the region, Nurses can also build up experience in Skin Disease through the course of their daily duties.

### Skin Diseases: Specialist Treatment

**Mr Weir** asked the Minister of Health, Social Services and Public Safety how many nurses are being trained for specialist treatment of skin diseases.

**(AQW 33416/11-15)**

**Mr Poots:** Across the region a number of nurses have already completed the Queens University Short course in dermatology and the Nurse Prescribing course. There are currently no nurses in training for specialist treatment of skin diseases.

### Skin Diseases: Specialist Nurses

**Mr Weir** asked the Minister of Health, Social Services and Public Safety what provision is in place to cover specialist skin disease nurses when they are absent from work.

**(AQW 33418/11-15)**

**Mr Poots:** Health and Social Care Trusts employ a range of measures to ensure continuity of service as far as practically possible. Measures include:-

- Staff rotating across the specialty
- Teams adjust their work patterns to absorb elements of the work of an absent colleague

It is recognised, however, that in some cases when dermatology clinical nurse specialists are absent from the workplace, cover cannot be provided, as a workforce with the skills and competencies to practise at this level is not readily available to recruit for temporary work.

The Health and Social Care Board is supporting the ongoing expansion of services and, through Local Commissioning Groups, are working with the Trusts to reduce ongoing reliance on waiting list initiatives and create a more sustainable service for the longer term.

### Health and Social Care Payroll Functions

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33079/11-15 , AQW 33008/11-15 and AQW 33007/11-15, to detail the additional costs incurred on the further expert support for the Health and Social Care payroll functions.

**(AQW 33422/11-15)**

**Mr Poots:** My Department approved further expert support in April 2014 amounting to £123,600 for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help payroll staff and managers develop solutions to a number of technical issues.

### Transatlantic Trade and Investment Partnership

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety what impact the introduction of the proposed Transatlantic Trade and Investment Partnership would have on the ability of local commissioning groups to resist legal challenges from US health companies in the event of a contractual dispute.

**(AQW 33461/11-15)**

**Mr Poots:** The Transatlantic Trade and Investment Partnership (TTIP) is a trade agreement that is presently being negotiated between the European Union and the United States. Negotiations began in July 2013 with the fifth round of talks taking place in Arlington, Virginia, from 19-23 May 2014.

The potential agreement aims at removing trade barriers in a wide range of economic sectors to make it easier to buy and sell goods and services between the EU and the US.

The EU's objective and approach is to preserve the right of member states to choose whether or not to open markets or sectors, as they see fit. The UK's aim in relation to health services in TTIP negotiations, is to maintain commitments that are broadly in line with existing obligations under the General Agreement on Trade in Services, 1995. To work or operate here, any overseas healthcare professionals and healthcare companies would have to comply with UK standards and regulations in just the same way as UK healthcare providers. The UK position is also that TTIP will not affect the position that it is for local NHS commissioners to take decisions on which providers should deliver services in the best interests of their patients.

### Transatlantic Trade and Investment Partnership

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety what action he has taken to make the Health Service exempt from the proposed Transatlantic Trade and Investment Partnership. (AQW 33462/11-15)

**Mr Poots:** The Transatlantic Trade and Investment Partnership (TTIP) is a trade agreement that is presently being negotiated between the European Union and the United States. Negotiations began in July 2013 with the fifth round of talks taking place in Arlington, Virginia, from 19-23 May 2014.

The potential agreement aims at removing trade barriers in a wide range of economic sectors to make it easier to buy and sell goods and services between the EU and the US.

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### IVF and ICSI Fertility Treatment

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety when Health Service IVF and ICSI fertility treatment will be brought into line with UK National Institute for Health and Clinical Excellence guidance. (AQW 33487/11-15)

**Mr Poots:** In February 2013 the National Institute for Health and Clinical Excellence (NICE) published a Clinical Guideline (CG156) on Fertility. The Guideline was considered and endorsed by my Department in November 2013, and it is now the responsibility of the HSC Board, as commissioner of services, to set out its approach to implementing the guidance within the context of currently available resources and other HSC priorities.

Full implementation of the Guideline is expected to have significant financial implications and the Board is unable to give definitive plans for implementation until my Department's budget allocations for 2014/15 are finalised.

### GPs: Weekly Hours

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety what weekly hours GPs are expected to fulfil on a full-time basis. (AQW 33488/11-15)

**Mr Poots:** Under the terms of the General Medical Services (GMS) Contract the HSCB contracts with GMS Practices, and not with individual GPs, to provide primary medical services to their registered patients during core hours, 8 am to 6.30 pm, Monday to Friday except on public holidays and local holidays that have been agreed with the HSCB.

The GMS contract does not stipulate the number of hours that should be worked by individual GPs. The majority of GPs in Northern Ireland are party to a GMS Contract and self-employed.

Some GP Practices employ salaried GPs and a salaried full-time GP will generally be contracted to work for 37½ hours per working week.

### Medicines: Return to Pharmacies

**Lord Morrow** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33109/11-15, to detail the estimated annual cost to the Health Service. (AQW 33511/11-15)

**Mr Poots:** The exact value of medicines returned to community pharmacies in Northern Ireland is currently not measured nor is there any requirement for such information to be collected. However, based on research undertaken in England it is estimated that the overall level of medicines waste, which would include medicines returned unused to pharmacies, is around £18million per annum.

### Pancreatic Cancer Survival Rates

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety to detail the (i) one; and (ii) five year survival rates for people diagnosed with pancreatic cancer in Northern Ireland compares to the rest of the UK. (AQW 33545/11-15)

**Mr Poots:** The table below details one and five year age-standardised relative survival\* estimates of patients who were diagnosed with pancreatic cancer (ICD-10 code: C25) in the United Kingdom in the years 2000-2007 and followed up to the end of 2008.

UK country	No of cases	1-year survival		5-year survival	
		(95% confidence interval)		(95% confidence interval)	
England	46,571	19.50%	(19.1% - 19.9%)	4.70%	(4.4% - 5.0%)
Northern Ireland	1,321	15.30%	(13.2% - 17.7%)	3.00%	(1.8% - 5.0%)
Scotland	4,946	17.40%	(16.2% - 18.6%)	3.40%	(2.8% - 4.3%)
Wales	3,149	18.80%	(17.2% - 20.5%)	5.40%	(4.3% - 6.7%)

**Source:** Eurocare/Northern Ireland Cancer Registry

\* Relative survival compares the number of surviving patients in an area to that expected of a population of similar age, gender and region without pancreatic cancer. This removes inaccuracies inherent from deaths due to causes other than pancreatic cancer.

### GP Practices: Technology

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what actions he is taking to ensure that GP practices have access to the latest technology used to diagnose pancreatic cancer. (AQW 33548/11-15)

**Mr Poots:** Pancreatic cancer rarely causes any symptoms when it first develops, which can make it hard to diagnose; the first symptoms can include pain, unexpected weight loss and jaundice.

NICE CG27 Referral Guidelines for Suspected Cancer were published to help GPs make decisions about when to refer patients to specialist teams.

GPs are advised to make a red flag referral to either an Upper Gastro Intestinal Team or a Hepato-biliary Team if the patient reports the following signs and symptoms:

- Jaundice;
- unexplained abdominal pain and weight loss, with or without back pain (abdominal pain occurs in 70% of cases); and
- upper abdominal mass without dyspepsia.

GPs may order an ultrasound if the patient is jaundiced and will arrange for full blood count and test urine for bile to aid specialist assessment. The blood test is not a diagnostic test but is used for the monitoring of treatment and follow up of pancreatic cancer.

### Consultant Community Paediatricians

**Mr Lyttle** asked the Minister of Health, Social Services and Public Safety to detail the nature of the difficulties in the recruitment of Consultant Community Paediatricians at the Belfast Health and Social Care Trust. (AQW 33556/11-15)

**Mr Poots:** The Belfast Health and Social Care Trust advises that it has been actively seeking to fill the roles specified in the question. There were six recruitment competitions held from April 2013 through to February 2014. There was only one Consultant hired through these competitions as the other applicants either did not meet the criteria/standard required or accepted a position elsewhere. There is a nationally recognised lack of suitably qualified candidates to fulfil paediatric roles that deliver clinics in the community.

### Rathmoyle Daycare Centre Tutors

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety to list the dates in the last six years on which tutors attended Rathmoyle Day Centre; and to detail (i) the cost of each tutorial term; (ii) who paid these costs; and (iii) the colleges who provided the tutors. (AQW 33560/11-15)

**Mr Poots:** Tutors have provided one class per week at Rathmoyle Resource Centre since 2007/08 and this continues to date, with the exception of 2012/13 when there were no classes.



The Northern Health and Social Care Trust is unable to detail the cost of each tutorial term as these costs are paid by the Northern Regional College, who also provide the tutors at the Day Centre.

### Further Education Courses at the Base, Ballynahinch

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety to list the dates in the last six years when tutors from further education colleges ran courses in the Base, Ballycastle; and to detail the (i) cost of the courses; (ii) the content of the courses; and (iii) the number of people who attended the courses.

**(AQW 33562/11-15)**

**Mr Poots:** The only course to take place at the Base, Ballycastle in the last six years was a ten week computer course in 2013. Ten clients attended the ten week computer course.

The Northern Health and Social Care Trust is unable to detail the cost of each course as costs are paid by the Northern Regional College.

### Emergency Eye Clinic: Royal Victoria Hospital

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail the (i) average; and (ii) longest waiting time at the emergency eye clinic at the Royal Victoria Hospital since the beginning of 2014; and what action is being taken to improve waiting times.

**(AQW 33565/11-15)**

**Mr Poots:** The Eye Casualty at the Royal Victoria Hospital provides a service for patients who require emergency or urgent eye care. It is a walk-in emergency service; patients can be referred by their GP, optometrist or can self-refer. Waiting times vary depending on the number of patients attending the department at any one time and on the number of priority cases being dealt with.

Information is not currently available on waiting times at the Eye Casualty in the Royal Victoria Hospital. The Belfast Trust is in the process of purchasing a new software system for the Eye Casualty which is similar to that used within the main emergency departments to facilitate the timing and/or recording of waiting times. However, on average 50 to 60 patients a day attend the Eye Casualty, Monday to Friday and 15 to 20 patients on Saturday and Sunday. The service aims to triage these patients within 30 minutes, and see and treat within 4 hours; however this is not always possible.

The Belfast Trust has advised that it is working on a number of projects to modernise and reform emergency eye care services such as optometry-led services, increasing the number of specialist nurses and providing similar services at key locations across Northern Ireland for patients who need to be assessed but not necessarily within the acute eye casualty setting.

### Emergency Eye Clinic: Royal Victoria Hospital

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety how many consultants are employed at the emergency eye clinic at the Royal Victoria Hospital.

**(AQW 33566/11-15)**

**Mr Poots:** The Belfast Trust has advised that their Eye Casualty service is delivered by permanent nursing staff, along with approximately 20 medical staff working on a rotational and shift basis. There are 32 (26.0 WTE) Consultant Ophthalmologists who work within the main Ophthalmology Department, who provide on-call support to the service when required. Clinical leadership for Eye Casualty is provided by one of these consultants.

### Health and Social Care Trust Employee Numbers

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety to detail the number of (i) Chief Executives; (ii) Deputy Chief Executives; (iii) Directors; (iv) Deputy Directors; (v) other managerial roles; and (vi) the number of employees, in each Health and Social Care Trust.

**(AQW 33578/11-15)**

**Mr Poots:** The senior management structure of each Trust and details of Directorates can be found on their respective websites on the 'About Trust' web pages:

- <http://www.belfasttrust.hscni.net>
- <http://www.northerntrust.hscni.net>
- <http://www.setrust.hscni.net>
- <http://www.southerntrust.hscni.net>
- <http://www.westerntrust.hscni.net>
- <http://www.niamb.co.uk>

In addition, a Chief Executive has now been appointed to the Northern Trust who will take up post in August 2014.

### (vi) Staff in Post<sup>1</sup> by HSC Trust as at 31st December 2013

HSC Trust	Headcount of Posts	Whole-time Equivalent (WTE)
Belfast	19,682	16,972.8
Northern	10,698	9,005.3
South Eastern	9,090	7,722.0
Southern	9,260	7,818.7
Western	9,503	8,400.1
NI Ambulance Service	1,185	1,162.4

**Source:** Human Resources Management System / Human Resources, Payroll, Travel & Subsistence System.

- 1 Figures exclude bank staff, home helps, staff with a WTE less than or equal to 0.03, staff on career breaks and members of Boards/Chairperson.

### Fire and Rescue Service: Chairperson

**Mr Dallat** asked the Minister of Health, Social Services and Public Safety when the post of Chairperson of the Northern Ireland Fire and Rescue Service will be vacant; and to outline the procedure for filling this post.

**(AQW 33581/11-15)**

**Mr Poots:** The current Chair of the Northern Ireland Fire and Rescue Service (NIFRS) has indicated his wish to step down but has also agreed to remain in post until his replacement is appointed.

The position is being filled using the Department's established Public Appointment procedures. This position has been advertised and interviews are scheduled to take place in June 2014. It is anticipated that the appointment of the new Chair will be made in August 2014.

### Children in Care

**Mr D McIlveen** asked the Minister of Health, Social Services and Public Safety to detail the number of children in care in each of the last five years.

**(AQW 33585/11-15)**

**Mr Poots:** Table 1 below details the number of children in care in Northern Ireland in each of the last five years.

**Table 1: Children in Care in Northern Ireland at 31 March (2009 – 2013)**

Year	No. of Children in Care
2009	2,463
2010	2,606
2011	2,511
2012	2,644
2013	2,807

**Source:** Children Order Return LA1 2009 – 2010, Health and Social Care Board Corporate Parenting Returns 2011 - 2013

These figures are published in 'Children's Social Care Statistics for Northern Ireland 2012/13' which can be found on the Department's website at the following link:

[http://www.dhsspsni.gov.uk/index/stats\\_research/stats-cib/statistics\\_and\\_research-cib-pub/children\\_statistics/stats-cib-children\\_order.htm](http://www.dhsspsni.gov.uk/index/stats_research/stats-cib/statistics_and_research-cib-pub/children_statistics/stats-cib-children_order.htm)

## Department of Justice

### Legal Aid: Reductions in Budgets

**Mr Agnew** asked the Minister of Justice to outline the rationale for the cuts made to the Legal Aid budget for solicitors compared to the cuts to the Legal Aid budget for barristers.

**(AQW 33536/11-15)**

**Mr Ford (The Minister of Justice):** Through the access to justice reform programme, I am aiming to create an effective, sustainable, affordable and accessible legal aid system. The current proposals for reform of Legal Aid are about ensuring that

the people who need help, receive levels of advice and representation that are appropriate and affordable. I have not made cuts to the budget, but looked at the fees which are being paid from the legal aid budget. In applying the value for money test, I take into consideration the position in other jurisdictions, especially England and Wales, and this has informed my recent proposals for reform of Crown Court remuneration.

### Legal Trial Cost

**Mr Campbell** asked the Minister of Justice, following the trial of a number of people in connection with the death of Kevin McDaid in Coleraine in 2009, to detail the total cost of the preparation and trial from May 2009 to date.

(AQW 33550/11-15)

**Mr Ford:** The table below details the estimated costs to date of the case as at 22 May 2014.

Cost Type	Estimated Cost
(i) Legal Aid <sup>1</sup>	£115,606
(ii) Prosecution <sup>2</sup>	£27,704
(iii) Court (Judiciary and staff costs)	£24,921
(iv) Facilities (e.g. courtroom accommodation)	£5,606
<b>Total</b>	<b>£173,837</b>

- 1 Legal aid costs to date include fees and disbursements paid to legal representatives for proceedings in the Magistrates' Court. A number of Magistrates' Court costs have yet to be received or assessed. No claims have been submitted in respect of Crown Court proceedings.
- 2 The total Public Prosecution Service cost is not yet available. An estimate of costs for counsel and witnesses to date has been provided.

### Dungannon Courthouse: Security Bollard

**Lord Morrow** asked the Minister of Justice to outline the incident in which a security bollard damaged a car at Dungannon courthouse and clarify (i) when the device was fitted; (ii) when it became operational; (iii) what staff training was supplied in the use of the device; (iv) how long after the device became operational the failing occurred; (v) whether any other incidents occurred prior to this; and if so, to provide further details; and (vi) whether this particular device remains operational in this location.

(AQW 33552/11-15)

**Mr Ford:** On 11 March 2014 a car was entering Dungannon Courthouse precincts when a bollard dislodged from its casing and rose from the ground causing damage to the underside of a car. An investigation is on-going to establish whether human error or a malfunction of the bollard mechanism occurred.

A range of static and gas bollards were installed at Dungannon Courthouse in August 2012 and became operational in January 2013.

Following installation, staff from G4S Secure Solutions (UK) Limited received on-site training from the bollard supplier on 22 November 2012. Further training was provided in February 2013. In addition, bollard operation manuals were provided to all G4S staff at courthouses.

The incident referred to occurred 14 months after the bollards became operational. No other incidents of this type have occurred at Dungannon Courthouse. The bollard was damaged during the incident; it was repaired on 9 April 2014 and is currently operational.

### Anti-social Behaviour Orders

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33102/11-15, how many of the Anti-Social Behaviour Orders relate to (i) youth; and (ii) adult courts.

(AQW 33559/11-15)

**Mr Ford:** The number of Anti-Social Behaviour Orders made during the calendar years 2009 to 2013, split by Court Division and Tier, are presented in Tables 1 to 5.

**Table 1: Anti-Social Behaviour Orders made during 2009**

Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Belfast	0	4	5	9

Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Londonderry	0	0	0	0
Antrim	0	6	3	9
Fermanagh and Tyrone	0	0	0	0
Armagh and South Down	0	2	0	2
Ards	0	3	3	6
Craigavon	0	3	0	3
<b>Total</b>	<b>0</b>	<b>18</b>	<b>11</b>	<b>29</b>

**Table 2: Anti-Social Behaviour Orders made during 2010**

Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Belfast	0	1	6	7
Londonderry	0	0	0	0
Antrim	0	4	4	8
Fermanagh and Tyrone	0	2	0	2
Armagh and South Down	1	2	0	3
Ards	0	3	3	6
Craigavon	0	0	0	0
<b>Total</b>	<b>1</b>	<b>12</b>	<b>13</b>	<b>26</b>

**Table 3: Anti-Social Behaviour Orders made during 2011**

Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Belfast	0	7	6	13
Londonderry	0	0	0	0
Antrim	0	1	1	2
Fermanagh and Tyrone	0	0	0	0
Armagh and South Down	0	2	0	2
Ards	0	0	0	0
Craigavon	1	0	0	1
<b>Total</b>	<b>1</b>	<b>10</b>	<b>7</b>	<b>18</b>

**Table 4: Anti-Social Behaviour Orders made during 2012**

Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Belfast	0	2	2	4
Londonderry	0	0	0	0



Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Antrim	2	1	2	5
Fermanagh and Tyrone	0	0	0	0
Armagh and South Down	0	0	0	0
Ards	0	1	2	3
Craigavon	0	0	0	0
<b>Total</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>12</b>

Table 5: Anti-Social Behaviour Orders made during 2013P

Court Division	No. of ASBOs made in Crown Court <sup>1</sup>	No. of ASBOs made in Adult Magistrates' Court	No. of ASBOs made in Youth Magistrates' Court	Total no. of ASBOs made
Belfast	0	3	1	4
Londonderry	0	1	0	1
Antrim	0	1	0	1
Fermanagh and Tyrone	0	0	0	0
Armagh and South Down	0	0	0	0
Ards	1	0	1	2
Craigavon	0	2	1	3
<b>Total</b>	<b>1</b>	<b>7</b>	<b>3</b>	<b>11</b>

Source: Integrated Court Operations System (ICOS)

PData are currently provisional and may be subject to change

1 All Anti-Social Behaviour Orders made at the Crown Court during the period 2009 to 2013 related to adult defendants.

### Probation Board

**Lord Morrow** asked the Minister of Justice what payments are made to people or agencies who engage with the Probation Board for Northern Ireland to place offenders carrying out community service. (AQW 33561/11-15)

**Mr Ford:** Probation Board for Northern Ireland (PBNI) allocate grant funding to a range of voluntary and charitable organisations that provide services for adjudicated offenders including community service placements. During 2013-2014 PBNI provided grants to 35 local organisations who provide community service placements at a cost of £188,424.

### Anti-social Behaviour Orders

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33102/11-15 and in relation to the 2010 statistics for Fermanagh and Tyrone, to detail the courts within the division that issued the two Anti-Social Behaviour Orders. (AQW 33569/11-15)

**Mr Ford:** The two Anti-Social Behaviour Orders made in Fermanagh and Tyrone court division in 2010 were made at Omagh court office.

Source: Integrated Court Operations System (ICOS)

### Cost of Legal Trial

**Mr McQuillan** asked the Minister of Justice to detail the total cost of the Kevin McDaid trial. (AQW 33570/11-15)

**Mr Ford:** The table below details the estimated cost of this case as at 22 May 2014.

Cost Type	Estimated Cost
(v) Legal Aid <sup>1</sup>	£115,606
(vi) Prosecution <sup>2</sup>	£27,704
(vii) Court (Judiciary and staff costs)	£24,921
(viii) Facilities (e.g. courtroom accommodation)	£5,606
<b>Total</b>	<b>£173,837</b>

1 Legal aid costs to date include fees and disbursements paid to legal representatives for proceedings in the Magistrates' Court. A number of Magistrates' Court costs have yet to be received or assessed. No claims have been submitted in respect of Crown Court proceedings.

2 The total Public Prosecution Service cost is not yet available. An estimate of costs for counsel and witnesses to date has been provided.

### Courts and Tribunals Service: Disability Audits

**Mr Hussey** asked the Minister of Justice, pursuant to AQO 6165/11-15, to detail who completes the disability audits on behalf of the Courts and Tribunal Service.

(AQW 33601/11-15)

**Mr Ford:** Central Procurement Directorate (CPD) in the Department of Finance and Personnel or consultants commissioned by CPD completed the disability audits for the Northern Ireland Courts and Tribunals Service.

### Prison Service: Investigation of a Death

**Lord Morrow** asked the Minister of Justice to provide a copy of the report of the Northern Ireland Prison Service's internal investigation following the death in custody of Mr E.

(AQW 33603/11-15)

**Mr Ford:** The internal investigation refers to a Prisoner Safety and Support Team review which is documented in Section 8 of the Prisoner Ombudsman's report.

### Benefit Appeal Tribunals

**Lord Morrow** asked the Minister of Justice to detail the courthouses and hearing centres that host Benefit Appeal Tribunals. (AQW 33604/11-15)

**Mr Ford:** The Appeals Service currently list appeal hearings at the following venues throughout Northern Ireland.

#### Name of Venue

- Antrim Courthouse
- Ards Business Centre
- Ards Courthouse
- Armagh Business Centre
- Armagh Courthouse
- Ballybot House, Newry
- Ballymena Business Development Centre
- Ballymena Courthouse
- Ballymoney Townhall
- Banbridge Enterprise Centre
- Bangor Signal Centre
- Belfast Courthouse
- Causeway Enterprise Agency, Coleraine
- City Hotel, Londonderry
- Cleaver House, Belfast
- Coleraine Courthouse
- Coleraine Townhall
- Cookstown Enterprise Agency
- Central Library, Derry
- Down Business Centre, Downpatrick
- Downpatrick Courthouse
- Dungannon Enterprise Centre
- Enniskillen Business Centre
- Hearing Centre, Bedford House, Belfast
- LCDI Advice Centre, Limavady
- Londonderry Courthouse
- Mount Zion House, Lurgan
- Newry Courthouse
- Omagh Library
- Omagh Courthouse
- Strabane Enterprise Centre
- TAS Omagh
- The Millennium Forum, Londonderry
- Magherafelt District Council

### Prisoner Ombudsman for Northern Ireland: Investigation a Death

**Lord Morrow** asked the Minister of Justice, in relation to the Prisoner Ombudsman for Northern Ireland's investigation into the death in custody of Mr E, specifically page 8 "Nurses felt his concerns about bullying were not a matter for them; and on the basis of information provided by landing staff, they did not consider that Mr E had mental health problems" and given the outcome of this case, for his assessment of whether all new intake and/or first time prisoners should be regarded as vulnerable and treated as such.

(AQW 33629/11-15)

**Mr Ford:** That was not a recommendation made by the Ombudsman in this case. All prisoners undergo an assessment, including in respect of vulnerability, as part of the committal and induction process. A range of interventions can be taken to support vulnerable prisoners on an individual basis.

### Court Fines Outstanding

**Lord Morrow** asked the Minister of Justice, to list the top ten highest outstanding court fines between 2009 and 2013; and of these, to detail the reasons for the fines and the court that handed them down.

(AQW 33631/11-15)

**Mr Ford:** The table below details the ten outstanding court fines with the greatest monetary value for the period 2009 to 2013, as at 22 May 2014.

Fine	Offence	Court Venue	Court Tier
£144,500.43	Public Health Nuisance	Belfast	Magistrates
£143,750.43	Public Health Nuisance	Belfast	Magistrates
£100,000.00	Fraud - Abuse of Position	Downpatrick	Crown
£95,000.00	Fraud - Abuse of Position	Downpatrick	Crown
£80,000.00	Corporate Manslaughter	Downpatrick	Crown
£37,750.00	Deception	Antrim	Crown
£31,716.53	Fraud - Abuse of Position	Belfast	Crown
£26,792.52	Fraud - Abuse of Position	Craigavon	Crown
£25,588.50	Planning Regulation	Enniskillen	Magistrates
£23,039.32	Fraud - Abuse of Position	Antrim	Crown

Source: Integrated Court Operations System

### Arteriovenous Malformation

**Mr Flanagan** asked the Minister of Justice, pursuant to AQW 33308/11-15, whether Arteriovenous Malformation is considered by Prison Service standards as a 'serious medical problem that could be adversely affected by the full search procedure'.

(AQW 33632/11-15)

**Mr Ford:** Any medical problem or condition that is known or made known will be assessed by a healthcare professional. Any search under force will only be carried out if it is deemed that this will not have an adverse effect on the prisoner's condition.

### Cannabis Factory Charges

**Lord Morrow** asked the Minister of Justice how many people are currently in the court system in connection to cannabis factory charges classed as larger scale cultivation and production or intended production, broken down by court division.

(AQW 33645/11-15)

**Mr Ford:** It is not possible to identify charges relating to cannabis factories or to distinguish between large and small scale cannabis production. However, the following table details the number of defendants currently in the court system charged with cannabis cultivation as at 22 May 2014.

Division	Defendants
Antrim	13
Ards	19
Armagh & South Down	11
Belfast	24

Division	Defendants
Craigavon	11
Fermanagh & Tyrone	7
Londonderry	3
<b>Total</b>	<b>88</b>

Source – Integrated Court Operating System

## Department for Regional Development

### Cycling Infrastructure, North Down

**Mr Weir** asked the Minister for Regional Development how much has been spent on cycling infrastructure in North Down in each of the last five years.

(AQW 32235/11-15)

**Mr Kennedy (The Minister for Regional Development):** Details of my Department's expenditure on cycling measures in the North Down District Council area are only available for financial years 2009/10 to 2012/13 and are set out in the table below:

Financial Year	Spend on Cycling Measures in North Down (£)
2009/10	27,709
2010/11	5,000
2011/12	0
2012/13	112

### Street Lighting

**Mr Campbell** asked the Minister for Regional Development, pursuant to AQW 32668/11-15, how many of the fourteen requests were met and put in place (a) in full; or (b) partially.

(AQW 33097/11-15)

**Mr Kennedy:** Of the 5 requests received by my Department in 2013, I can confirm that none have yet been implemented.

### Roads and Lanes: Upgrading

**Ms McGahan** asked the Minister for Regional Development to detail the funding available to upgrade roads/lanes to an adoptable standard.

(AQW 33260/11-15)

**Mr Kennedy:** My Department generally adopts roads and streets that have been provided following the exercise of street planning functions under Article 3(1) of the Planning (Northern Ireland) Order 1991, and in accordance with an agreement under Article 32 of the Private Streets (Northern Ireland) Order 1980. Most typically, these are housing development roads where the developer has funded the full cost of constructing the roads infrastructure to an adoptable standard.

In the case of roads which were not determined for adoption, for example, private roads and lanes, my Department does not have any funding available to upgrade such roads and lanes to an adoptable standard.

A scoping study in 2011 found that there are over 620 kilometres of unadopted rural roads in Northern Ireland which serve five or more dwellings, and the cost of bringing these roads up to current standards for adoption was estimated to be in the region of £300 million. This estimate was based on rates for road construction, but actual costs would depend on the specific requirements for road geometry, width, construction depth, drainage, etc as appropriate to each location. The estimated cost did not include for items such as land purchase, structures, embankments, utility works, consultancy fees, etc.

Due to the prohibitive costs, it would not be feasible for my Department to take on the responsibility for upgrading the many hundreds of kilometres of unadopted roads and lanes in Northern Ireland to an adoptable standard.

While my Department does not have responsibility for private roads which were not pre-determined for adoption at the planning approval stage, under Article 9 of the Private Streets (NI) Order 1980, it is possible for owners or occupiers to offer such roads for adoption, if they are brought up to the appropriate standards. Article 9 of the Private Streets (Northern Ireland) Order 1980 allows my Department to consider a private road for adoption where:

- the majority of the owners and/or frontagers so request it;
- the Department is of the opinion that the street, or part of the street, should become a public road; and



- the road is first brought up to the required standard at the expense of the owners and/or frontagers.

### Roads Service: Removal of Election Posters

**Mr Dunne** asked the Minister for Regional Development why election posters were removed by Roads Service from a lamp post at the junction of Whinney Hill and Ballymiscaw Road, Holywood on 8 May 2014.  
(AQW 33395/11-15)

**Mr Kennedy:** Unfortunately an error of judgment was made by officials, which resulted in the removal of two posters to facilitate the erection of diversionary route signage relating to the Giro d'Italia cycling event.

When you first raised the matter with local officials, steps were taken to have the posters re-erected.

I apologise to the Member and his party for any offence or inconvenience caused by this action.

### Flood Storage Capacity

**Mr Agnew** asked the Minister for Regional Development, pursuant to AQW 29942/11-15, given that the illegal landfill site at Mabuoy Road is co-terminus with the lands where his Department intends to create the flood storage capacity by depositing vast quantities of surplus materials from the construction of the A6 dual carriageway, whether the installation of the "appropriately engineered" but as yet unknown measures referred to will require an Environmental Impact Assessment and a Habitats Regulation Assessment.  
(AQW 33415/11-15)

**Mr Kennedy:** The Member will be aware from my response to his previous question regarding this issue, that if the illegal landfill is still present when the road is being constructed, I am content the installation of appropriately engineered measures to contain the illegal waste would ensure the compensatory floodplain could be constructed as planned. An Environmental Impact Assessment and reconsideration of the Statement to Inform the Habitats Regulations Appropriate Assessment would be necessary if the illegal waste is still present when the road is being constructed.

### Lough Neagh Special Protection Area: Mineral Extraction

**Mr Agnew** asked the Minister for Regional Development to detail (i) whether his Department has awarded any contracts to the operators of the unregulated mineral extraction taking place from Lough Neagh Special Protection Area; and (ii) whether he is aware of lignite having been present in aggregates provided to, or having been used in, works commissioned by his Department, including the detail of any problems that have arisen.  
(AQW 33417/11-15)

**Mr Kennedy:** My Department is not aware of any contracts being awarded to operators of unregulated mineral extraction from Lough Neagh Special Protection Area.

In addition, my Department has no record of lignite being present within aggregates provided for or incorporated within our works schemes.

### Car Parking in Holywood, Co. Down

**Mr Weir** asked the Minister for Regional Development what steps are being taken to improve car parking in Holywood, Co. Down.  
(AQW 33423/11-15)

**Mr Kennedy:** My Department commissioned an extensive parking study for Holywood in early 2012 to survey parking patterns and occupancy throughout the town centre. It was acknowledged that on-street parking provision is popular and well used, but is adequately controlled by regular enforcement of the limited waiting areas. This helps promote a good turnover of short stay parking which benefits local shops and businesses. There are also a number of charged off-street car parks under my Department's control within a reasonable walking distance from the commercial centre of Holywood, and these have capacity to meet the daily parking demands for the town.

You will be aware that, as part of the Review of Public Administration, responsibilities for off-street car parking are moving to local Councils from 1 April 2015. You may wish to pursue this issue with the new North Down & Ards Council at that time if you feel it would be beneficial. However, in the interim period I have asked officials to keep this issue under review.

### Portavoe Reservoir: Avian Botulism

**Mr Agnew** asked the Minister for Regional Development whether cases of avian botulism have been confirmed in any dead birds found in the area of Portavoe Reservoir; and if so, to detail (i) what action has been taken to prevent any further spread of this disease; and (ii) what investigations will take place to ascertain the source of the disease.  
(AQW 33452/11-15)

**Mr Kennedy:** There are no confirmed reports of avian botulism in any dead birds found in the area of Portavoe Reservoir. NI Water is working with other Departments to attempt to establish the reason for the deaths and should any further dead birds be found that are in an acceptable condition for analysis, they will be removed and efforts made to determine the cause of death.

### Translink: Metro Service 96

**Mr Agnew** asked the Minister for Regional Development, given that Metro Service 96 which connects Belfast city centre to the ferry terminals at West Bank Road operates between 06:31 and 18:26, and that ferries continue to sail at 21:45, 23:30 and 01:45, what consideration has been given to improving the public transport provision to meet arrivals and departures.  
(AQW 33496/11-15)

**Mr Kennedy:** Translink currently operates the Metro 96 service between the Stena terminal and Belfast city centre (Upper Queen Street), which links with ferry arrival times from Cairnryan. Services depart 30 minutes after the vessel's scheduled arrival time. This also allows Translink to provide a public transport service to cater for workers based in the Westbank / Duncrue areas.

Translink has advised me that it is currently in discussions with Stena about the introduction of a bespoke contracted service designed to meet with their sailings. These discussions are on-going. As part of these discussions Stena has requested that the service is designed to meet with all sailings with the exception of the last 2 late night/early morning services (23:30 and 03:30).

### Flooding Risk: Mournview, Newcastle, Co. Down

**Mr Hazzard** asked the Minister for Regional Development for an update on his Department's recent work to alleviate the risk of flooding in Mournview, Newcastle, Co. Down.  
(AQW 33497/11-15)

**Mr Kennedy:** NI Water has received the initial draft report on the feasibility study from its consultants on the drainage situation within the Mournview Estate. The report has been reviewed and a number of queries have arisen which need to be addressed. These include the need for NI Water to consult with Roads Service as there are potentially multiple sources for the flooding.

NI Water has advised that a finalised report is expected to be available by the end of May 2014, and solutions to the flooding will be developed as quickly as possible thereafter.

### 'Estimating the Consumptive Use Costs of Shale Natural Gas Extraction on Pennsylvania Roadways' Study

**Mr Flanagan** asked the Minister for Regional Development whether his Department is aware of and has read the study published in the Journal of Infrastructure Systems; and for his assessment of the report.  
(AQW 33544/11-15)

**Mr Kennedy:** My Department was not previously aware of the study which you have highlighted and I thank you for drawing it to our attention.

However, broadly speaking, the study deals with the damage caused to the road network by extraordinary traffic. Article 11 of the Roads Order 1993 makes provision for my Department to recover any additional expenses incurred in maintaining a road as a result of excessive weight or other extraordinary traffic. The application of such powers and the question of what constitutes extraordinary traffic is one of fact to be determined in each case.

## Department for Social Development

### Housing Executive: Boilers

**Mr Frew** asked the Minister for Social Development, pursuant to AQW 31337/11-15 and AQW 32643/11-15, what checks and balances the Housing Executive has to ensure that works carried out on boilers are completed as stated by the contractor and that any money paid is for work that has been proven to have been completed.  
(AQW 33328/11-15)

**Mr McCausland (The Minister for Social Development):** The Housing Executive has advised that as part of their Governance Procedures they select a sample for post inspection of servicing and responsive repairs. The Housing Executive's inspectors are fully trained to OFTEC and Gas Safe standards, allowing them to carry out detailed and invasive checks to ensure that works comply fully with their specification.

The Housing Executive has further advised that contractor's invoices are based on a tendered single rate for the appliances concerned, some of which are automatically paid. The others are subject to verification that the sampled post inspected works have proven satisfactory. A further tier of assurance is provided by the Housing Executive's Corporate Assurance Unit who carry out further real time checks on both workmanship and the quality of materials.

### Housing Executive: Financial Assistance for Tenants

**Mr Wells** asked the Minister for Social Development whether the Housing Executive provides financial assistance for tenants who require CCTV for their homes following attacks on their property.  
(AQW 33382/11-15)

**Mr McCausland:** The Housing Executive has advised that they partner fund the 4 tier scheme along with the PSNI. This is for home safety projects which have provision for visual door monitoring equipment to be installed for victims of crime.

The Housing Executive also administers the HIPA scheme (Hate Incident Practical Action) on behalf of the Department of Justice. This scheme provides enhanced security measures to private and NIHE homes after a property has been attacked and Police Service NI (PSNI) has determined the attack was a hate crime. Works are carried out as recommended by PSNI and in some instances the security assessment recommends CCTV which is then fitted by NIHE. However, practices to date have involved the provision of CCTV from PSNI's own supplies (they have purchased a number of CCTV cameras for this purpose). On the request of HIPA works (which includes CCTV provision) NIHE fits the PSNI equipment to the relevant properties.

There is also the Sanctuary Scheme which is a victim-centered initiative to assist those who have suffered serious domestic violence and which aims to prevent homelessness for such victims who live in NIHE properties. It can involve the creation of a "sanctuary room" – a safe room – where the victim can call and wait for the arrival of the police. Other work includes door and window security and provision of fire safety equipment. However, the provision of 'sanctuary' in properties with multiple tenancy occupation (e.g. flats) can present problems as it is difficult to control access to communal entrance doors. Typical action taken by the NIHE in such instances includes the installation of automatic closers, a robust intercom system and CCTV.

### Rent Arrears

**Mrs D Kelly** asked the Minister for Social Development how rent arrears can accrue to such an extent that a Housing Association tenant received a court order for eviction from the property, when then landlord was in direct payment of the rent from the Housing Executive.

**(AQW 33384/11-15)**

**Mr McCausland:** The Northern Ireland Federation of Housing Associations has advised me that a Housing Association tenant may accrue rent arrears by not paying rent during a period when they were not entitled to Housing Benefit and, by the time that case is taken to court, they may then be in receipt of Housing Benefit. In addition, a Housing Association tenant may only be in receipt of partial Housing Benefit and may fail to pay the shortfall and would therefore accrue rent arrears.

On a case by case basis, a Housing Association may proceed to court seeking order for possession with a "stay", so that they would at the direction of the court be granted an order but would not proceed to evict while the tenant is on benefit and deductions continue at £3.60 per week. The Housing Association takes into account the individual circumstances and, with the new Pre-Action Protocols in place for all rent arrears cases, the Association enlists the support of specialist Debt Advisers to engage with clients before proceeding to court. It should be noted that if a Housing Association does not satisfy the courts that they have taken all reasonable actions an order for Possession would not be granted.

### Private Rented Households

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 33117/11-15, for his assessment of this figure, given that his Department estimates there are at least 123,000 private rented households.

**(AQW 33478/11-15)**

**Mr McCausland:** At present, the Tenancy Deposit Schemes Regulations (NI) 2012 apply only to private landlords who have taken a tenancy deposit on, or after, 1 April 2013.

In the absence of an accurate estimate of the number of new private tenancies created each year, it is difficult to provide a meaningful assessment of up-take. However, in the coming weeks my officials will both be engaging with Councils to encourage effective regulation of the sector and also be developing publicity aimed at landlords and tenants.

The requirement for all tenancy deposits to be protected, irrespective of when they were received, is likely to be considered as part of the wider review of private rented sector regulation.

### Social Housing: Lower Oldpark

**Mr F McCann** asked the Minister for Social Development whether all of the recently allocated social houses in the Lower Oldpark area were allocated to people in housing stress.

**(AQW 33486/11-15)**

**Mr McCausland:** I assume the Member is referring to Phase 5. Clanmil Housing Association has advised that allocations of the properties in Phase 5 of their Lower Oldpark scheme commenced on 7 May and four dwellings have been allocated so far. All of these were allocated to applicants in housing stress.

### Publications in Accessible Format: DSD

**Mr Agnew** asked the Minister for Social Development whether his Department implements a policy of providing publications in an accessible format for people who are visually impaired; and if so, whether this applies to all agencies within his Department, including the Social Security Agency.

**(AQW 33523/11-15)**

**Mr McCausland:** I can confirm that the Department for Social Development provides publications in a range of suitable alternative accessible formats for people who are visually impaired and that this policy applies to all agencies within my Department including the Social Security Agency.

### Housing Executive: Ministerial Interaction

**Mr Dickson** asked the Minister for Social Development, in light of the recent comments by the former Ombudsman for Northern Ireland, Dr Maurice Hayes, whether he will restrict his interaction with the Northern Ireland Housing Executive to the Board or the Chief Executive.

**(AQO 6196/11-15)**

**Mr McCausland:** In my role as Minister for Social Development I meet regularly with the Chairman and the Chief Executive of the Housing Executive to discuss both strategic and operational issues. However, there are also meetings, in my role as Minister, when it is entirely appropriate and normal protocol for the relevant departmental and Housing Executive officials, who have responsibility for the area under discussion, to attend meetings with me in order to provide appropriate advice.

### Town Centre Redevelopment, Bangor

**Mr Weir** asked the Minister for Social Development for an update on the redevelopment of Bangor town centre.

**(AQO 6190/11-15)**

**Mr McCausland:** The Department for Social Development is fully committed to the development and regeneration of Bangor Town Centre. DSD has approved funding of £3 million towards a major £8.5 million public realm scheme in the town centre. Work on the scheme is due to commence in May with completion anticipated in Spring 2016. This investment is viewed as a major step towards revitalising and regenerating the town centre and the works will be completed in advance of work starting on the Queen's Parade Comprehensive Development scheme that DSD is promoting.

DSD is also taking the lead to progress proposals for the comprehensive development of the Queen's Parade area as set out in the Bangor Masterplan that Minister McCausland published in July 2011. The Bangor Town Centre Masterplan set out a range of proposals for the regeneration of the town centre including the redevelopment of the Queen's Parade area as the optimum way to regenerate the town centre.

The Queen's Parade scheme will be complex and challenging to deliver. DSD has established a Project Board to oversee the comprehensive development of the site and attain planning approval for the development.

Over recent months good progress has been made and the Department has agreed the purchase of a number of properties required to complete the proposed site boundary. Negotiations to acquire the remaining property are ongoing with owners. In March DSD appointed Turley Associates to work with officials to develop a planning application and attain planning permission for the Queen's Parade scheme by March 2015.

In taking forward development plans my Department is committed to ensuring that there is effective communication with and involvement of the local community and all key stakeholders. Some early engagement events to seek the views of the public, local businesses and Council on what they would like to see developed on this prominent site have already taken place. It is anticipated that options for the site will be formally consulted on in June 2014. This is a major regeneration project and we are on target to assemble all the land needed for the development scheme and attain planning approval by March 2015.

### Overpayment of Contractors: DSD

**Mr McGlone** asked the Minister for Social Development for an update on his Department's negotiations with the contractors involved in the alleged overpayment of £18m.

**(AQO 6191/11-15)**

**Mr McCausland:** My Department has not been negotiating with the contractors. This is a matter for the Northern Ireland Housing Executive.

### Pensioner Income

**Mr Gardiner** asked the Minister for Social Development what action he has taken to address the 8 per cent decrease in pensioners' gross income between 2010/11 and 2011/12.

**(AQO 6192/11-15)**

**Mr McCausland:** Pensioner income is derived from a variety of sources including benefits, earnings, occupational and personal pensions, savings and investments etc. The overall economic climate has affected a number of income sources; for example, the reduction in real term earning may be due to a combination of pay freeze and economic restructuring following the recession. Interest rates have been at an historic low, affecting income from savings – investment income has fallen by over thirty per cent in the last four years.



Many of these issues are outside of the control of the Minister for Social Development. However, benefits account for the largest proportion of income for pensioners in Northern Ireland. It is, therefore, vitally important that we ensure pensioners are getting the full benefit income to which they are entitled. Over the 2009/12 period:

- pensioner couples in Northern Ireland had the highest weekly benefit income in the UK; and
- single pensioners had similar weekly benefit income to the UK average, England and Scotland.

Benefit uptake is a priority for the Department for Social Development and each year the Department delivers a wide ranging programme of work aimed at improving the uptake of benefits, with a focus on older people. Last summer Minister McCausland launched a three-year plan for improving uptake.

In 2010/11, the programme generated £3.95 million for approximately 1,300 people. Additional investment in 2011 delivered over £13.1million for 4,089 people; almost £10 million of this went to older people. The outcomes of the 2012/13 Programme were announced recently. An additional £16.9 million in income was generated for 4,909 people. Over £12 million of this went directly to older people. On average, people who benefited were better off by an average of £65 per week.

### Double Glazing: Kilcooley Estate

**Mr Easton** asked the Minister for Social Development for an update on the double glazing scheme for the Kilcooley Estate, Bangor.

**(AQO 6194/11-15)**

**Mr McCausland:** The Housing Executive has advised me that the brief for a double glazing scheme which covers Kilcooley/Rathgill/Willowbrook and Groomsport was issued to the contractor Bann Ltd on 9 April 2014.

The Housing Executive anticipates a start date of September 2014.

### Alcohol Licensing

**Ms McGahan** asked the Minister for Social Development whether he plans to introduce legislation to reform alcohol licensing. **(AQO 6195/11-15)**

**Mr McCausland:** In 2012 I consulted on proposed changes to the law regulating the sale and supply of alcohol in Northern Ireland seeking views on a wide range of proposals which aim to contribute both towards a reduction in alcohol related harm and helping to make the licensed trade offering more sustainable and attractive to tourists.

I am currently giving careful consideration to all of the issues consulted on and expect to make an announcement on the way forward in the near future.

### Facing the Future Housing Strategy

**Mr Rogers** asked the Minister for Social Development for an update on his Department's ongoing correspondence with the Equality Commission with regard to conducting a full Equality Impact Assessment on his Facing the Future: Housing Strategy. **(AQO 6197/11-15)**

**Mr McCausland:** The Equality Commission NI is to conduct an investigation into a potential breach of DSD's Equality Scheme commitments in connection with the Housing Strategy 2012-17. My Department will of course cooperate fully with the investigation.

The Equality Commission has not made a determination of whether or not the Department has failed to comply with its Equality Scheme. That will be decided by the Commission following its investigation. It would therefore be inappropriate for me to comment further at this stage.

### Food Banks

**Mr Cree** asked the Minister for Social Development what support his Department offers to food banks. **(AQO 6198/11-15)**

**Mr McCausland:** My officials are working with the sector and have put in place a partnership model whereby Foodbanks can ensure that every individual and family presenting in need of food support is referred to the Social Security Agency for a full and confidential benefit entitlement check. This assesses entitlement, not only to Social Security Benefits, but also to a wide range of additional government benefits, services and supports.

In addition, Foodbanks are offered a second layer of support - a named Community Outreach Officer, who will work closely with staff and volunteers to ensure that anyone who needs further benefit advice or help with making a claim is given the support they need immediately, in their own homes where necessary.

My Department is also taking forward research to understand the demand for and the reasons for people visiting Foodbanks in Northern Ireland.

### Urban Villages

**Mr Lyttle** asked the Minister for Social Development for an update on the delivery of the Together: Building a United Community Strategy commitment to create Urban Villages.

**(AQO 6199/11-15)**

**Mr McCausland:** As you may be aware OFMdFM announced two of the four urban villages at the Colin Town Centre (CTC), and the Lower Newtownards Road (LNR). DSD has been identified as the lead delivery Department. These two projects are at very different stages. The Colin Town Centre is well developed with an existing plan having been launched, with support across a number of government departments. In contrast, the Lower Newtownards Road is at an early stage and it is impossible at this point to anticipate what the needs of the area are or what expenditure or investment may be required. DSD will continue to work with OFMdFM to identify the most effective delivery mechanisms to take forward Urban Villages.

### Affordable Homes: West Tyrone

**Mr Buchanan** asked the Minister for Social Development how many affordable homes his Department has funded in West Tyrone since May 2011.

**(AQO 6200/11-15)**

**Mr McCausland:** The Northern Ireland Co-ownership Housing Association (NICHHA) collect data by local council area, rather than by parliamentary constituency. Between April 2011 and January 2014 (the last date for which data is available), NICHHA supported 11 affordable home purchases in the Strabane and Omagh local council areas.

NICHHA is the main delivery mechanism for affordable housing. It caters mainly for first time buyers, encouraging them to take the first step towards home ownership via their lower cost, shared equity product.

I would hope that there would be as wide a geographical spread as possible across Northern Ireland, but it is important to remember that affordable housing is necessarily a demand-led undertaking – potential homebuyers approach NICHHA with a property already selected.

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# Northern Ireland Assembly

Friday 6 June 2014

## Written Answers to Questions

### Office of the First Minister and deputy First Minister

#### Race Equality Legislation

**Mr D Bradley** asked the First Minister and deputy First Minister what progress has been made on updating race equality law. (AQO 6142/11-15)

**Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister):** We are currently considering the options for legislative reform. When we have made a decision we will outline our proposals.

We intend that the consultation on the draft Racial Equality Strategy will begin shortly and there are a number of questions in relation to reform of the Race Relations Order included in the document.

#### Maze/Long Kesh Site: Colliers Report

**Mr Elliott** asked the First Minister and deputy First Minister for their assessment of the Colliers International Marketing Strategy and Plan for a Peace Building and Conflict Resolution Centre at the Maze/Long Kesh site. (AQO 6136/11-15)

**Mr P Robinson and Mr M McGuinness:** The Strategic Investment Board commissioned the Colliers International Peace Building and Conflict Resolution Centre Marketing Strategy and Plan.

We did not complete an assessment of the Marketing Strategy and Plan.

#### Racial Equality Strategy

**Mr F McCann** asked the First Minister and deputy First Minister when their racial equality strategy will go out for consultation. (AQO 6138/11-15)

**Mr P Robinson and Mr M McGuinness:** Following the most recent meeting of the Racial Equality Panel on 1 April, officials are refining the draft consultation document for the Racial Equality Strategy. This exercise is near completion and the public consultation of the revised Strategy will commence very shortly.

The consultation will last at least 12 weeks. A number of events will be held in the areas of highest population for minority ethnic people and events will be facilitated in different languages where appropriate.

We also intend to use social media to gather views from as many interested parties as we can.

At the end of that exercise we intend to have a reinvigorated, contemporary and focused Strategy that will help improve the lives of our minority ethnic people for the next decade.

### Department of Agriculture and Rural Development

#### Growing for Growth

**Mr Swann** asked the Minister of Agriculture and Rural Development how many of the recommendations in Growing for Growth, that fall within the remit of her Department, have received funding. (AQW 33527/11-15)

**Mrs O'Neill (The Minister of Agriculture and Rural Development):** I am fully committed to delivering on the aims and objectives of Going for Growth and, although the overall Executive response has not been agreed, in the meantime I have made progress on a number of fronts in the key areas of marketing, innovation and sustainable growth and my officials continue to work with the Agri-food Strategy Board (AFSB) and other departments to progress other agreed actions.



In relation to marketing, I have deferred the introduction of charges for Export Health Certificates for meat and dairy products. There has also been significant work done to help open up export markets. DARD has hosted inward inspections by Chinese and Singaporean officials, which have led to conditions for trade being secured. During my visits to China, which represents one of the key market opportunities for our industry, I have been able to build relationships with key officials that will assist in furthering negotiations on pork export contracts. I have also asked my officials to prepare for potential inward inspections from USA, Russia, China and Australia later this year, aimed at opening pork and beef markets.

On innovation in the sector, I have increased the number of postgraduate placements funded by DARD and I have opened a further tranche of the Research Challenge Fund My Department is also funding a dedicated contact point at AFBI to assist local researchers and businesses in accessing EU Research Funds.

In the area of sustainable growth and production efficiency, I recently opened an additional tranche of the Manure Efficiency Technology Scheme (METS), which supports the AFSB's aims of growing the sector whilst enhancing our sustainability credentials. The METS scheme has been funded from the additional allocation of funding that I was able to secure in the 2014/15 capital reallocation exercise to help support the aims and objectives of Going for Growth.

My Department has consulted on proposals for the 2014-2020 Rural Development Programme, which will be an important tool for delivering on a number of the recommendations in Going for Growth, not least the proposed Farm Business Improvement Scheme.

The main outstanding issue is funding for the Farm Business Improvement Scheme. The Board has set a very ambitious challenge for both industry and government to provide the investment necessary to grow the sector. That represents a major commitment and to deliver fully on the aims and objectives of Going for Growth I will need to pull in further funding in line with industry need.

### Staff Community Background: DARD

**Mr Campbell** asked the Minister of Agriculture and Rural Development to detail the number of staff recruited to her Department in 2013; and of these, how many stated their community background as (i) Protestant; (ii) Roman Catholics; and (iii) non-determined. **(AQW 33616/11-15)**

**Mrs O'Neill:** In total there were 99 staff recruited to DARD in 2013. Of these, the breakdown by community background was as follows:

- (i) Protestant - 43
- (ii) Roman Catholic - 47
- (iii) Non-determined - 9

### Poultry Litter

**Mrs Dobson** asked the Minister of Agriculture and Rural Development when the pilot projects under the joint project for the sustainable use of poultry litter will commence. **(AQW 33634/11-15)**

**Mrs O'Neill:** The first stage of the joint DARD and DETI project for the Sustainable Use of Poultry Litter was a Small Business Research Initiative (SBRI) competition. The SBRI funded proof of concept /feasibility stage work and has encouraged the technical development of solutions to utilise poultry litter.

The next stage prior to the full commercial roll out of the technologies is the demonstration of consistent operation of poultry litter processing facilities at full, or near to full, scale.

Therefore, building on the progress from the SBRI competition, a project team comprising the Strategic Investment Board, DARD, DETI and InvestNI officials has developed a support package. This support aims to fast track the development of demonstrator plants to prove commercial and technical viability of solutions as soon as practicable.

However, a number of other factors, which involve the technology providers and the poultry sector, will impact on the timing of when these demonstrator plants will become operational. These include the time required to obtain the relevant regulatory consents, agree contracts for the supply of poultry litter and build the plants.

Qualifying technologies producing energy from the treatment process may also attract subsidies from the various Renewable Energy support schemes including the NI Renewables Obligation Certificates (NROCs) Scheme. To secure funding under the NROCs Scheme, processing plants would need to be operational and accredited under the Scheme by end March 2017.

### Flooding, Fintona and Trillick

**Mr McElduff** asked the Minister of Agriculture and Rural Development to detail her Department's plans to address flooding problems in the Fintona and Trillick areas; and whether her Department will review and report on the problems caused by flooding in these areas on 22 May 2014. **(AQW 33670/11-15)**

**Mrs O'Neill:** The localised flooding incident of 22 May 2014 affecting Fintona and Trillick areas was due to torrential rainfall which led to flooding from overland flow, runoff from roads and inadequate drainage systems. Rivers Agency is currently conducting a CCTV survey of their culvert network to ensure that no debris has been washed into the system that could cause future blockages. The Agency will inspect open watercourse channels in the immediate area to ensure they are free flowing, and will also look for opportunities to improve the flow and reduce the risk of flooding. The Agency has agreed a site for a sandbag store close to Fintona town centre.

Rivers Agency met with residents and their representatives on 3 June as part of a planned pilot on community engagement with those at risk of flooding. Further meetings are planned and updates on progress to address flooding issues will be provided.

### Countryside Management Scheme Payments 2013

**Mr Swann** asked the Minister of Agriculture and Rural Development for an update on the progress of the 2013 Northern Ireland Countryside Management Scheme payments. **(AQW 33759/11-15)**

**Mrs O'Neill:** The Department has received 1,444 applications for the 2013 NI Countryside Management Scheme (NICMS).

Payment processing commenced on 22nd May 2014 and as at 2 June 2014, 534 payments (36.98%), with a total value of £1,672,807, have been processed.

We continue to clear cases as quickly as practical and it is anticipated that 90% of all eligible claims will be processed by 31 July 2014.

### Bushmills Trust

**Mr Allister** asked the Minister of Agriculture and Rural Development how much funding has been paid to The Bushmills Trust, in each of the last three years. **(AQW 33798/11-15)**

**Mrs O'Neill:** The Bushmills Trust received Axis 3 funding of £14,099.55 on 21/09/12 under Measure 3.5 – Village Renewal.

## Department of Culture, Arts and Leisure

### Coarse Fishing: Regulation Amendment

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33014/11-15, whether any proposals have been brought forward to amend this regulation, including any which have been rejected. **(AQW 33319/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** My Department has received no proposals to amend this Regulation.

### Libraries NI: Irish Language Strategy

**Mr McGlone** asked the Minister of Culture, Arts and Leisure to detail Libraries NI's strategy to promote the Irish language. **(AQW 33404/11-15)**

**Ms Ní Chuilín:** Libraries NI's strategy to promote the Irish language is based around my Líofo campaign which aspires to make Irish more accessible to people across the north of Ireland. As part of this strategy, Libraries NI is working to expand its Irish language stock and since April 2011 has spent over £47k on Irish language material. Libraries NI is endeavouring to make this existing, and any new Irish language information and reading material it acquires in the future, available in the majority of its libraries.

Currently almost 12,500 items of Irish language material (adults' and childrens') are available for loan with larger collections deliberately located in branches where interest in the language is particularly strong. In addition Libraries NI holds an extensive collection of Irish language Heritage material which it is seeking to make more readily accessible to the entire community.

Libraries NI continues to run an extensive programme of activities and events designed to promote interest in and the use of Irish. These include local Irish language reading groups and conversational circles, storytelling sessions for children, public talks and exhibitions.

Libraries NI will also be launching its 2014 Children's Summer Reading Challenge in June which will incorporate provision for Irish language speakers. The authority is also planning a bilingual workshop (Irish and English) for school children during Community Relations Week in the same month.

**Elver Kill, Ballyshannon, 2013**

**Mr Allister** asked the Minister of Culture, Arts and Leisure whether there was an elver kill at Ballyshannon in 2013; and if so, to detail the extent and protocols agreed with authorities in the Republic of Ireland as a result.

(AQW 33516/11-15)

**Ms Ní Chuilín:** An incident occurred in May 2013 in which approximately 5kg of dead elvers were discovered at the ESB facility at Ballyshannon. An investigation established that the water supply to the trap had been accidentally turned off.

Consequently protocols have been put in place to ensure a continuous supply of running water to the trap.

**Elver Kill, Ballyshannon, 2014**

**Mr Allister** asked the Minister of Culture, Arts and Leisure for her assessment of the assertion of the Electricity Supply Board that the elver kill at Ballyshannon reported on 22 April 2014 was the result of an excessive run of elvers on just one night.

(AQW 33517/11-15)

**Ms Ní Chuilín:** I am most concerned at the incident that occurred at the Electricity Supply Board (ESB) facility at Ballyshannon which resulted in the loss of a substantial number of elvers. Inland Fisheries Ireland (IFI) is currently investigating the matter.

As this is an ongoing investigation it would therefore not be appropriate for me to comment on the details at this time. I have requested a full report on the incident.

**Elver Kill: Enforcement Action Against ESB**

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure whether enforcement action is under consideration against ESB or others on either side of the border as a result of the recent death of hundreds of thousands of elver on Lough Erne.

(AQW 33554/11-15)

**Ms Ní Chuilín:** This incident occurred at the Electricity Supply Board (ESB) facility at Ballyshannon and Inland Fisheries Ireland (IFI) is investigating the matter.

This is an ongoing investigation and it would not be appropriate for me to comment on the possible outcome at this time.

**Arts Council: Dance Funding**

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure how many grants have been provided to (i) Scottish Country Dance; (ii) Highland Dance; and (iii) Irish Dance by the Arts Council for Northern Ireland in (a) 2011; (b) 2012; and (c) 2013; and to detail the amount of money allocated in each case.

(AQW 33597/11-15)

**Ms Ní Chuilín:** The Arts Council supports dance through both its Small Grants Programme and its Annual Funding Programme. Funding provided through these programmes since 2011 has been detailed in the tables that follow.

The Arts Council has advised that dance projects for Scottish Country Dance and Highland Dance are often classified broadly as 'Ulster-Scots'. Therefore, it is not possible to determine into which of these categories the project funding would fall so funding the categories (i) and (ii) has been grouped together.

**Funding to Highland / Scottish Country Dancing (Ulster-Scots)**

Financial Year	Organization Name	Project Title	Grant Amount (£)
2012-2013	Ballysillan Highland Dancers	Tuition of Highland Dancing	4,600
	Magherafelt Highland & Country Dance Group	Moving Best Foot Forward	3,087
	Bright Lights*	Hands on Dance (Ulster-scots and Irish Dance project)	8,000
	Mid-Armagh Community Network	2012-2013 Music and Dance Programme	8,925
2011-2012	Magherafelt Highland & Country Dance Group	Best Foot Forward - Dance Project	2,646
	Bright Lights*	Hands on Dance (Ulster-scots and Irish Dance project)	8,000
	Mid-Armagh Community Network	2011-12 Music and Dance Programme	9,976

**Funding to Irish Dancing**

Financial Year	Organization Name	Project Title	Grant Amount (£)
2013-2014	BelfastTrad (Traditional Music and Dance Society)	Annual Funding	19,400
2012-2013	BelfastTrad (Traditional Music and Dance Society)	Annual Funding	20,000
	Bright Lights*	Hands on Dance (Ulster-scots and Irish Dance project)	8,000
2011-2012	BelfastTrad (Traditional Music and Dance Society)	Annual Funding	20,000
	Bright Lights*	Hands on Dance (Ulster-scots and Irish Dance project)	8,000
	Shannean Set Dancing Club	Shannean Set Dancing Club	3,190

\* Please note that 'Bright Lights' falls into both categories and the total grant amount has been included in both tables.

**Sport NI: Dance Funding**

**Mr Humphrey** asked the Minister of Culture, Arts and Leisure to detail the number of grants for dance provided by SportNI in (i) 2011; (ii) 2012 and (iii) 2013; and to outline the dance genre and amount of money allocated in each case.

(AQW 33598/11-15)

**Ms Ní Chuilín:** During the years detailed above, Sport NI has not provided any grants which are specifically for dance activities.

That said, since April 2010 Sport NI has invested £12.746 million in the Active Communities Programme, a National Lottery funded initiative. Dance is one of 36 sports and activities delivered through the programme and currently accounts for 2.2% of the programme.

On the basis of this, Sport NI has estimated that £280,412 has been invested in dance since April 2010. This investment has resulted in the following: -

- 4,858 hours of dancing delivered in school, club and community settings; and
- 12,863 people have participated in dance within the Active Communities programme.

During 2014/15, seven schools received grants from Sport NI under the Exchequer funded Active Schools programme for activities which include dance. While the dance genre is not known, a breakdown of the awards is detailed below: -

- Ballyclare Secondary School - £4,610
- Colaiste Feirste (Belfast) - £4,715
- Drumlish Primary School (Dromore) - £4,537
- Mount Lourdes Grammer School (Enniskillen) - £1,602
- Riverside Special School (Antrim) - £2,072
- St Bernard's Primary School (Belfast) - £1,786
- St Colman's Primary School (Lisburn) - £4,600

**Elver Kill, Ballyshannon**

**Mr Campbell** asked the Minister of Culture, Arts and Leisure what steps currently exist to prevent a recurrence of the fish kill at the ESB power station in Ballyshannon.

(AQW 33613/11-15)

**Ms Ní Chuilín:** There have been protocols in place for some time between ESB and my Department regarding the trapping of elvers at Ballyshannon and their subsequent transport for release into Lough Erne.

Following the significant loss of elvers at the facility over the Easter period, my officials, in conjunction with colleagues from ESB and Inland Fisheries Ireland, have been carrying out an urgent review of the protocols to ensure that the elvers making their way into the Erne catchment are afforded the maximum protection.



## Fisheries Staff

**Mr Flanagan** asked the Minister of Culture, Arts and Leisure to detail (i) the number of staff currently employed within the fisheries section of her Department; (ii) the location of these staff; and (iii) what consideration has been given to relocating the responsibilities of fisheries staff to Co. Fermanagh.

**(AQW 33672/11-15)**

**Ms Ní Chuilín:**

- (i) There are currently 66 staff employed within my Department's Inland Fisheries Group.
- (ii) Staff are located in six regional offices across the North as follows:
- 17 in Causeway Exchange, Belfast;
  - 10 at Bushmills Salmon Research Station, Co Antrim;
  - 10 at Movanager Fish Farm, Kilrea, Co Antrim;
  - 10 at Riversdale and Inishkeen, Co Fermanagh.
  - 11 in Portadown, Co Armagh;
  - 8 in Castlewellan, Co Down;
- (iii) No consideration has been given to relocating the responsibilities of fisheries staff to Co Fermanagh in view of the need to operate strategic hubs across the North reflecting operational requirements.

## Boxing

**Mr Copeland** asked the Minister of Culture, Arts and Leisure to detail the number of clubs and boxers from (i) Northern Ireland; and (ii) the Republic of Ireland that entered and competed in the Youth 1 and 2; National Boy 1, 2 & 3 and National Girl Championships held in Dublin National Stadium in April and May 2014; and to provide a breakdown of all the participant's gender.

**(AQW 33676/11-15)**

**Ms Ní Chuilín:** The organisation and delivery of sporting competitions rests wholly with the governing body of that sport, in this instance the Irish Amateur Boxing Association. Neither my Department, nor Sport NI, holds the information requested.

## Derry, City of Culture 2013: Legacy

**Mr Eastwood** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33120/11-15, to detail her bid to the Executive for 2014-16 to maximise the impact and sustainable legacy of Derry as City of Culture 2013 in terms of (i) the amount bid for; and (ii) the specific projects to be targeted.

**(AQW 33681/11-15)**

**Ms Ní Chuilín:** In November 2013 I announced that my Department will establish a strategic focus on cultural development in the North West to tackle significant socio economic need. My officials are finalising a bid to the Executive to support this and build on the success of City of Culture.

The bid, which is still in draft form, has a range of options and will support both the continuation of key projects from the 2013 City of Culture and a range of community and cultural development projects in the North West.

The bid to the Executive also proposes setting up a new delivery structure to take forward key activities and to pursue longer term funding for sustainable creative and cultural interventions.

I have already directed around £2M of funding to support high profile initiatives between January and March 2014. This included the return to Derry of Other Voices and the continuation of other music and digital skills activities, as well as sports investment and the development of cultural strategies for disadvantaged areas within the City.

## Coleraine Library

**Mr Campbell** asked the Minister of Culture, Arts and Leisure to detail the plans to renovate Coleraine Library, including (i) the time period; (ii) the total expenditure; and (iii) when work will occur.

**(AQW 33686/11-15)**

**Ms Ní Chuilín:** Consideration is currently being given to a proposal to refurbish and extend the existing public library in Coleraine. This has been set out in a business case recently submitted to DCAL by Libraries NI. This business case suggests that the proposed refurbishment should make the library more accessible to all people, particularly those with limited mobility. It also argues that the renovations it recommends would improve health and safety and fire safety, enhance the building's energy efficiency, address inequalities and barriers to participation in areas of social need, provide access to cultural and heritage materials and offer a shared community space that would contribute effectively to the Executive's 'Together: Building A United Community' strategy.

The total estimated capital cost of the preferred option identified within the business case is £2.1m. Work on refurbishment will only occur when the business case receives all the requisite approvals and provided funding is secured for the project. If the

necessary approvals and funding are secured, Libraries NI estimates that the proposed renovation of Coleraine library would take a minimum of 2 financial years to complete. A commencement date has not yet been established.

## Venue for Sport and Cultural Activities, Londonderry

**Mr Campbell** asked the Minister of Culture, Arts and Leisure whether she has sought to identify a large scale venue for sport and cultural activities in the Londonderry area to replace The Venue, to cater for patrons in the wider North West.

**(AQW 33687/11-15)**

**Ms Ní Chuilín:** I recognise that The Venue 2013, funded primarily by DSD, was an essential space for hosting large scale events included in the City of Culture's Cultural Programme during 2013. My Department is proposing to continue key cultural projects from City of Culture 2013 and develop new cultural and sporting venues in the North West of Ireland, subject to securing the necessary resources from the Executive.

This investment is being made under my Department's top priority of 'Promoting Equality and tackling Poverty and Social Exclusion', and on the basis of targeting public resources at sectors of greatest inequality in areas of greatest objective need.

Coleraine Borough Council has been allocated £1.5m to develop the first phase of a multi-sport 'sports village' in Rugby Avenue, Coleraine. Phase 1 of the Coleraine Borough Council project will provide provision of two synthetic pitches and ancillary facilities which are due to be operational by September 2014.

## Velodrome

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure whether a site has been identified for the development of a new velodrome; and to detail if a business case has been prepared.

**(AQW 33688/11-15)**

**Ms Ní Chuilín:** Responsibility for bringing forward a proposal for a velodrome rests in the first instance with the governing body of the sport, Cycling Ireland.

As yet, my Department, or Sport NI, have not received any formal proposals in this regard. That said we will be happy to support Cycling Ireland, as it takes forward the development of these.

Any new proposals for a velodrome would have to demonstrate value for money, and would need to be considered within the wide context of the Executive's priorities, DCAL priorities for sport and as part of a clear co-ordinated strategy for the sport, developed by the governing body.

As cycling is organised on an All Ireland basis, I and my Department will also be looking at the possibility of an all island approach to both the velodrome and the broader promotion of cycling.

## Coleraine Library

**Mr Ó hOisín** asked the Minister of Culture, Arts and Leisure to detail the plans for the redevelopment of Coleraine Library.

**(AQW 33690/11-15)**

**Ms Ní Chuilín:** Consideration is currently being given to a proposal to refurbish and extend the existing public library in Coleraine. This has been set out in a business case recently submitted to DCAL by Libraries NI. This business case suggests that the proposed refurbishment should make the library more accessible to all people, particularly those with limited mobility. It also argues that the renovations it recommends would improve health and safety and fire safety, enhance the building's energy efficiency, address inequalities and barriers to participation in areas of social need, provide access to cultural and heritage materials and offer a shared community space that would contribute effectively to the Executive's 'Together: Building A United Community' strategy.

The total estimated capital cost of the preferred option identified within the business case is £2.1m. Work on refurbishment will only occur when the business case receives all the requisite approvals and provided funding is secured for the project. If the necessary approvals and funding are secured, Libraries NI estimates that the proposed renovation of Coleraine library would take a minimum of 2 financial years to complete. A commencement date has not yet been established.

## Coarse Fishing: Trophy Fish

**Lord Morrow** asked the Minister of Culture, Arts and Leisure, pursuant to AQW 33192/11-15 and AQW 33605/11-15, to detail the location of each seizure.

**(AQW 33735/11-15)**

**Ms Ní Chuilín:** The table below details the location of seizures as reported in AQW 33192/11-15 and AQW 33605/11-15:

Year	Seizures
2011	Case 1 - Spa Lake, Ballynahinch
	Case 2 - Cusher River, Tandragee

Year	Seizures
2013	Case 1 - Mc Auley's Lake, Ballynahinch
	Case 2 - Mc Auley's Lake, Ballynahinch
	Case 3 - Cusher River, Tandragee
2014	Case 1 - Upper Bann, Portadown

## Department of Education

### Elective Home Education

**Mr Campbell** asked the Minister of Education what consideration has been given to how the relevant authorities in other regions of the UK address the issue of Elective Home Education.

(AQW 33615/11-15)

**Mr O'Dowd (The Minister of Education):** Whilst the issue of elective home education is a devolved policy area my Department actively seeks to ensure, as for any policy area, that appropriate consideration is given to how such matters are addressed in other jurisdictions including the south of Ireland, Scotland, England, Wales and further afield.

The Education and Library Boards are currently undertaking an open consultation on their draft guidelines for elective home education and have advised that, in developing the guidelines, information from a range of sources was reviewed. I understand that this included consideration of, for example, the elective home education policy in the South of Ireland, the "Elective Home Education Guidelines for Local Authorities" published in 2007 by the Department for Children, Schools and Families and Birmingham City Council's Elective Home Education Policy.

### Schools: Newbuilds

**Mr Agnew** asked the Minister of Education how many new school builds have been agreed since 2011; and how much funding has been allocated to each new build.

(AQW 33623/11-15)

**Mr O'Dowd:** On 25 June 2012 I announced 18 schools that would receive a new build as part of a £173m investment in the schools' estate.

Subsequently, on 22 January 2013 I announced a further 22 schools projects to be advanced in planning representing a potential investment of £220m.

Attached are tables showing the 2012 and 2013 projects and their associated costs.

### June 2012 Capital Announcement

School	Estimated Cost*	Approved Cost*
Tannaghmore Primary School, Lurgan		£6m
Bunscoil Bheann Mhadagain, Belfast		£3.7m
St. Teresa's Primary School, Lurgan		£3.9m
Victoria Park Primary School, Belfast		£4.3m
St. Joseph's Convent Primary School, Newry		£9.025m
St. Clare's Convent & St. Coleman's Abbey Primary School, Newry		£6.3m
St. Mary's Primary School, Banbridge		£6.8m
Eglinton Primary School, Derry		£2.6m
St. Gerard's Resource Centre, Belfast		£4.3m
Dromore Central Primary School, Co. Down		£11.4m
Arvalee Special School, Omagh		£18.9m
Foyle College/Ebrington Primary School, Derry		£31.9m
Coaliste Feirste		£11.9m

School	Estimated Cost*	Approved Cost*
Castletower Special School, Ballymena		£20.2m
Rossmar Special School, Limavady		£8.3m
Belmont House Special School, Limavady	£7.4m	
Enniskillen Model Primary School	£5.7m	

School	Estimated Cost*	Approved Cost*
Strabane Academy		£21.5m
St Patrick's Academy Dungannon	£27m	
Holy Trinity College, Cookstown	£25m	
Portora Royal/ Collegiate, Enniskillen	£17m	
St Marys St Pauls & St Michaels – Lurgan	£26.5m	
St Joseph & St James Primary School, Poyntzpass & SMA	£2m	
Gaelscoil Ui Dhochartaigh, Strabane	£2m	
Gaelscoil Ui Neill, Coalisland	£2m	
St Bronagh's Primary School, Rostrevor & SMA	£3m	
St Mary's PS/Glenravel Primary School	£2m	
Omagh Integrated Primary School	£4m	
Braidside Integrated Primary School	£3.5m	
Portadown Integrated Primary School	£2m	
Craigbrack PS/ Mullabuoy PS/ Listress Primary School	£2m	
Corran Integrated Primary School	£2m	
Edendork Primary School, Dungannon & SMA	£4m	
Devenish College/ Lisnakea, Enniskillen	£22.5m	
Parkhall Integrated College, Antrim		£19.9m
Down High School	£17m	
Elmgrove Primary School/ Avoniel Primary School	£11m	
Edenderry Nursery School	£0.5m	
Glenwood Primary School	£10.5m	

### January 2013 Capital Announcement

Estimated costs relate to those projects which have not yet had an Economic Appraisal (EA) approved.

Projects with an approved cost have Economic Appraisals (EA's) approved.

### Schools: Physical Education

**Mr Humphrey** asked the Minister of Education to detail the number of schools in each education sector which offer dance as the physical component for (i) GCSE; and (ii) GCE Physical Education.

(AQW 33650/11-15)

**Mr O'Dowd:** The information requested is not collected. The Council for Curriculum Examinations and Assessment (CCEA) has advised that it holds records at subject level only i.e. candidates who have achieved specific grades in GCSE or GCE Physical Education. Although candidates may choose to study 'Dance' as one option/component of the specification, this level of detail is not recorded in the CCEA examinations database.



**Schools: Physical Education**

**Mr Humphrey** asked the Minister of Education to detail the number of pupils in each education sector who took dance as the physical component for (i) GCSE; and (ii) GCE Physical Education in (a) 2010/11; (b) 2011/12; and (c) 2012/13.

(AQW 33651/11-15)

**Mr O'Dowd:** The information requested is not collected. The Council for Curriculum Examinations and Assessment (CCEA) has advised that it holds records at subject level only i.e. candidates who have achieved specific grades in GCSE or GCE Physical Education. Although candidates may choose to study 'Dance' as one option/component of the specification, this level of detail is not recorded in the CCEA examinations database.

**Schools: Physical Education**

**Mr Humphrey** asked the Minister of Education to detail the number and percentage of pupils in each education sector who took dance as the physical component for (i) GCSE; and (ii) GCE Physical Education in (i) 2010/11; (ii) 2011/12; and (iii) 2012/13, who attained grades A\*-C.

(AQW 33652/11-15)

**Mr O'Dowd:** The information requested is not collected. The Council for Curriculum Examinations and Assessment (CCEA) has advised that it holds records at subject level only i.e. candidates who have achieved specific grades in GCSE or GCE Physical Education. Although candidates may choose to study 'Dance' as one option/component of the specification, this level of detail is not recorded in the CCEA examinations database.

**Primary Schools: Curriculum**

**Mr Humphrey** asked the Minister of Education to detail the number of primary schools in each education sector which offer (i) Irish dance; (ii) highland dance; and (iii) Scottish country dance as part of the curriculum.

(AQW 33653/11-15)

**Mr O'Dowd:** The Department of Education does not collate information on the types of dance offered by schools in their delivery of the curriculum.

**Primary Schools: Extra-curricular Dance Activity**

**Mr Humphrey** asked the Minister of Education to detail the number of primary schools in each education sector which offer (i) Irish dance; (ii) highland dance; and (iii) Scottish country dance as an extra-curricular activity.

(AQW 33654/11-15)

**Mr O'Dowd:** The Department of Education does not routinely collect information on extra-curricular dance activities.

**Ballee Community High School**

**Mr Swann** asked the Minister of Education when he received the latest development plan for Ballee Community High School from the North Eastern Education and Library Board.

(AQW 33695/11-15)

**Mr O'Dowd:** I understand that this question relates to the Development Proposal (DP) to close Ballee Community High School (CHS).

On 3 September 2013, the North Eastern Education and Library Board (NEELB) gave my Department statutory notice of its intention to publish a DP for the closure of Ballee CHS with effect from 31 August 2014 or as soon as possible thereafter. The Board published the DP on 1 October 2013.

On 26 November 2013, NEELB published a DP to increase the enrolment at Dunclug College. As the two proposals formed part of NEELB's area solution for Ballymena, they were considered together, rather than in isolation from each other.

A two-month public consultation period commenced at the publication date of each of these DPs. The consultation periods ended on 2 December 2013 and 27 January 2014 for the Ballee and Dunclug proposals respectively.

Having carefully considered the detail of these proposals, and all relevant circumstances, I decided to approve the closure of Ballee CHS and the expansion of Dunclug College on 21 May 2014.

**Primary 1 Places: Oversubscription**

**Dr McDonnell** asked the Minister of Education to detail the number of oversubscribed places at Primary 1 level in each education sector in South Belfast, that are administered by the (i) Belfast Education and Library Board; and (ii) South Eastern Education and Library Board, as of 1 May 2014.

(AQW 33701/11-15)

**Mr O'Dowd:** The information requested for schools in South Belfast is set out in the following tables:

**1 Belfast Education and Library Board****Controlled**

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Rosetta PS	59	25	-
Harding Memorial PS	30	31	1
Nettlefield PS	54	45	-
Taughmonagh PS	28	25	-
Stranmillis PS	58	75	17
Finaghy PS	66	69	3
Donegall Road PS	45	24	-
Fane Street PS	71	26	-
Blythefield PS	73	7	-
Botanic PS	30	37	7

**Catholic Maintained**

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Holy Rosary PS	73	61	-
St Anne's PS	120	123	3
St Bride's PS	116	130	14
St Michael's PS	58	76	18
St Malachy's PS	50	58	8

**Other Maintained**

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Scoil An Droichid	21	23	2

**Controlled Integrated**

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Forge PS	36	60	24

**Grant Maintained Integrated**

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Cranmore PS	29	25	-

## 2 South-Eastern Education and Library Board

### Controlled

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Knockbreda PS	30	27	-
Belvoir Park PS	53	29	-
Cairnshill PS	83	61	-
Lead Hill PS	30	8	-
Carryduff PS	48	22	-

### Catholic Maintained

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
St Joseph's PS	60	66	6
St Bernard's PS	60	61	1
St Ita's PS	82	95	13

### Grant Maintained Integrated

School	Approved Admissions Number	First Preference Applications	Number by which over- subscribed
Loughview PS	58	77	19

**Note:** The figures were supplied by the Belfast and South-Eastern Education and Library Boards and reflect the position at 30 April 2014.

### Post-primary School Curriculum

**Mr Humphrey** asked the Minister of Education to detail the number of post-primary schools in each education sector which offer (i) Irish dance; (ii) highland dance; and (iii) Scottish country dance as part of the curriculum. (AQW 33704/11-15)

**Mr O'Dowd:** While dance is prescribed as a specific area to be covered under the Physical Education (PE) Area of Learning of the statutory curriculum at primary level, it is not specified within the PE curriculum for post-primary pupils.

At post-primary level, Key Stage 3 pupils should have opportunities to increase their knowledge, understanding and skills through frequent and regular participation in a balanced programme of athletics, games, gymnastics and swimming. At Key Stage 4, schools have further flexibility with their PE provision as pupils should be enabled to plan and participate in a regular, frequent and balanced programme of physical activity. The content of this balanced programme is a matter for each school.

Some post-primary schools may of course offer dance as an option within their PE curriculum, however the Department would not hold this information.

### Post-primary Schools: Extra-curricular Dance Activity

**Mr Humphrey** asked the Minister of Education to detail the number of post-primary schools in each education sector which offer (i) Irish dance; (ii) highland dance; and (iii) Scottish country dance as an extra-curricular activity. (AQW 33705/11-15)

**Mr O'Dowd:** The Department of Education does not routinely collect information on extra-curricular activities.

### United Nations Convention on the Rights of the Child

**Mr Humphrey** asked the Minister of Education to detail the obligations that his Department has under the United Nations Convention on the Rights of the Child; and the mechanisms in place to ensure compliance. (AQW 33706/11-15)

**Mr O'Dowd:** My Department is fully committed to the promotion and implementation of the United Nations Convention on the Rights of the Child (the Convention). The principles and four categories of rights of the Convention clearly provide an important guiding framework for the development, implementation and review of Departmental policies, legislation and practice.

The Convention places equal emphasis on all rights for children and recognises that these rights are indivisible and interrelated and that decisions with regard to one right must be made in light of all other rights in the Convention.

Reflecting this approach, my Department proactively works to ensure that children's rights are respected, promoted, protected and fulfilled in the development and implementation of legislation and policy. For example, DE makes a vitally important contribution to the protection and fulfilment of children's survival and development rights as detailed under articles 28 and 29 of the UNCRC (which relate specifically to a child's right to a sound and suitable education) and also those under articles 24, 27, 30 and 41.

In addition, the Department seeks to ensure that children's protection and participation rights including, for example, those under articles 12, 13, 19, 34 are addressed and fulfilled in developing and implementing Departmental legislation/policy.

It is important to note, however, that whilst the Westminster Government ratified the Convention in 1991 it has not been directly incorporated into law in GB or the north.

The Office of the First Minister and deputy First Minister (OFMDFM) is the lead department here with responsibility for co-ordinating Departmental actions to ensure compliance with the Convention and my Department recently provided detailed information to OFMDFM setting out the actions taken by the Department in this regard. I understand that some of this information is reflected in the State Party's 5th Periodic Report submitted to the United Nations on 23 May 2014.

### Ballee Community High School

**Mr Frew** asked the Minister of Education, in relation to the closure of Ballee Community High School, to detail the process in place to accommodate current pupils, including the provisions being made to accommodate them in other schools. (AQW 33732/11-15)

**Mr O'Dowd:** The Development Proposal to close Ballee Community High School with effect from 31 August 2014 was approved on 21 May. During this process the North-Eastern Education and Library Board consulted with the Board of Governors, staff and parents of pupils. There was also a two month period of public consultation during which comments could be sent to the Department.

Since the DP was approved the NEELB has been working to ensure that all Ballee Community High School pupils secure a place at a new school before the end of June. Senior Board officers have been liaising with principals of neighbouring schools to ensure that, as far as possible, all pupils can be accommodated in their school of choice.

The Board has also published contact details for parents of children affected on its website and has written to parents:

- of children who were due to be informed of Year 8 placement in Ballee CHS;
- of existing pupils in Years 8 to 11 advising them to make application to the school of their choice for September 2014, providing contact numbers of neighbouring schools with places available, giving advice about issues to consider when choosing another school, providing contact numbers of NEELB staff for assistance on admissions and transport matters, and enclosing the appropriate application form; and
- of pupils with Statements of Special Educational Needs advising that the NEELB's Special Education Branch would arrange placement in another school and that a Board officer would contact them regarding school preference.

### Woodlands Speech and Language Unit

**Mr P Ramsey** asked the Minister of Education what provision is available for Key Stage Two students in the new language classes replacing the Woodlands Speech and Language Unit. (AQW 33736/11-15)

**Mr O'Dowd:** The Western Education and Library Board has advised that, from September 2014, there will be speech and language classes located at Ebrington Primary School, St. Anne's Primary School and Ballykelly Primary School. These classes will be able to cater for pupils with speech and language difficulties at Key Stages One and Two with provision being tailored to the individual learning needs of each pupil attending these units.

### Portora Royal School, Enniskillen

**Mr Allister** asked the Minister of Education whether he has visited Portora Royal School in Enniskillen; and if so, to detail (i) when; (ii) who he met; (iii) the purpose of the visit; and (iv) the outcome of the visit. (AQW 33741/11-15)

**Mr O'Dowd:** I have not visited Portora Royal School in Enniskillen.



### Primary-school Places: Maintained Sector

**Mr Lunn** asked the Minister of Education what plans he has to address the lack of primary school places in the Maintained Sector in the (i) South Belfast constituency; and (ii) current Castlereagh Borough Council area.

**(AQW 33769/11-15)**

**Mr O'Dowd:** As the planning authority for maintained schools, it is the responsibility of the Council for Catholic Maintained Schools to manage and monitor their estate and to bring forward proposals to develop a cohesive plan for maintained primary school provision in Carryduff and the wider South Belfast area.

On 17 April 2013, I approved a development proposal to increase the enrolment number of St Ita's Primary School, Carryduff from 525 to 574. This was to permit the school to increase their admissions number from 75 to 82 pupils with effect from 1 September 2013.

The latest versions of the Belfast and South Eastern Education and Library Board's Draft Area Plans for Primary Schools do not contain any further proposals to increase provision at any other maintained schools in the area.

I expect CCMS to review the situation on a regular basis to ensure that there are sufficient places to meet the needs of children in the area. If additional places are required then development proposals should be brought forward in a timely manner.

### GCSE and A-level Politics

**Mr Weir** asked the Minister of Education how many pupils studied (i) GCSE; and (ii) A Level politics in each of the last ten years.

**(AQW 33784/11-15)**

**Mr O'Dowd:** The information requested is contained in the table below.

#### Number of Pupils who made one or more examination entry in Politics at either GCSE or A-level, 2003/04 – 2012/13

	Pupils with examination entries in GCSE Politics	Pupils with examination entries in A-level Politics
2003/04	0	1078
2004/05	0	1115
2005/06	0	1090
2006/07	0	1011
2007/08	0	978
2008/09	0	1018
2009/10	0	931
2010/11	0	1050
2011/12	0	992
2012/13	0	1001

**Source:** RM Education

### Public Bodies and Boards: DE

**Mr McElduff** asked the Minister of Education to list the public bodies and Boards under the aegis of his Department; and to detail the process for seeking appointment to these bodies.

**(AQW 33812/11-15)**

**Mr O'Dowd:** The public bodies and Boards currently under the aegis of my Department are as follows:

- Belfast Education and Library Board;
- North Eastern Education and Library Board;
- South Eastern Education and Library Board;
- Southern Education and Library Board;
- Western Education and Library Board
- Council for Catholic Maintained Schools;
- Comhairle na Gaelscolaíochta;
- Council for the Curriculum, Examinations and Assessment;
- Council for Integrated Education (NICIE);
- Exceptional Circumstances Body;
- General Teaching Council;
- Middletown Centre for Autism Ltd;
- Staff Commission for Education and Library Boards; and
- Youth Council.

The appointments I and my Department make to these public bodies and Boards fall into two broad categories: (1) self nomination by individuals in response to a public advertisement, and (2) nomination by an external organisation such as a local council or one of the main churches.

With the exception of the Exceptional Circumstances Body and the Middletown Centre for Autism Ltd, the appointments I and my Department make to these public bodies and Boards are regulated by the Commissioner for Public Appointments.

### Shankill Manifesto for Education

**Mr Humphrey** asked the Minister of Education for an update on the implementation of the Shankill Manifesto for Education.

**(AQO 6223/11-15)**

**Mr O'Dowd:** I met with Nigel Dodds MP and Jackie Redpath of the Greater Shankill Partnership Board in December 2013 to discuss the Shankill Manifesto for Education.

Since that meeting the Partnership Board has submitted a new proposal to the Department for the development of a framework for collaborative working by relevant agencies and partners with the aim of designating the area a 'Children's Zone'.

I am heartened by the commitment shown by the community leaders and their recognition that the community itself has a particular and significant role to play.

I am committed to supporting the framework and their proposal to designate the area as a 'Shankill Children's Zone'.

I understand that the community are not at the implementation stage and that there is still work to be undertaken with regard to the framework. However my officials have been working closely with Jackie Redpath and the Greater Shankill Partnership Board and will continue to do so.

### Teachers: Professional Development

**Mrs Cochrane** asked the Minister of Education how his Department intends to encourage and provide for the professional development of teachers.

**(AQO 6224/11-15)**

**Mr O'Dowd:** I want to ensure teachers have the skills needed to drive forward school improvement and to improve the educational outcomes for all our young people.

It is the statutory responsibility of the Curriculum Advisory and Support Service (CASS) in each of the Education and Library Boards to provide advisory and support services to all grant aided schools. Therefore, they are the main providers of in-service education and training (INSET).

In order to provide such training CASS carry out an annual training needs audit of schools from which they then prepare a scheme of support.

In addition, I am currently developing a Strategy that will set out the way forward for Teacher Professional Development. This will provide an overarching and coherent framework for teacher education and continuous professional development to support and strengthen the professionalism and expertise of the teaching workforce.

My officials are engaging with key stakeholders to inform the development of this framework.

It is regrettable that work on the establishment of a new School Development Service under ESA has been delayed. In the interim, investigation of planned provision is being carried out to inform the development of a regional programme of support for schools and professional development for teachers to complement the significant existing provision.

### Education and Library Boards

**Mrs Dobson** asked the Minister of Education for an update on the reconstitution of the Education and Library Boards.

**(AQO 6226/11-15)**

**Mr O'Dowd:** I have submitted a paper to the Executive proposing that the 5 Education and Library Boards are replaced by one Education Board. This is needed to ensure our education administration will be compatible with our new local councils from 1 April, 2015.

### Free School Meals

**Mr Brady** asked the Minister of Education whether his Department will benefit from additional resources as a result of the Barnett Consequentials following the decision to extend Free School Meal entitlement in England.

**(AQO 6227/11-15)**

**Mr O'Dowd:** All Barnett consequentials are unhypothecated and hence it is up to the Executive to decide on the use of any additional funding. However I met with the Finance Minister on Tuesday 27 May to discuss how this additional £38 million allocation could be utilised for educational purposes. I will continue to seek to maximise the funding allocated to the education sector.

## Education and Skills Authority

**Mr Lyttle** asked the Minister of Education when he will publish his list of alternatives to the Education and Skills Authority and their expected impact on Area Based Planning.

**(AQO 6228/11-15)**

**Mr O'Dowd:** I have submitted a paper to the Executive proposing that the five Education and Library Boards are replaced by one Education Board. This is needed to ensure that education administration will be compatible with our new local councils from 1 April, 2015. Key challenges such as Area Planning will be taken forward in the context of the Executive's agreement.

## Key Stage Assessments

**Dr McDonnell** asked the Minister of Education to detail the total expenditure for the implementation of the End of Key Stage Assessments over the last three years.

**(AQO 6229/11-15)**

**Mr O'Dowd:** Over the three year period from 2011 to 2014, expenditure by the Council for the Curriculum, Examinations and Assessment (CCEA) in relation to implementation of the requirement for schools to assess and to report the cross-curricular skills of pupils in Key Stages 1, 2 and 3 with reference to Levels of Progression totalled approximately £3.4 million.

These figures include the costs associated with:

- On-line and face-to-face training for all primary teachers and all relevant post-primary teachers;
- Development and trialling of assessment materials, training and arrangements;
- Funding made available to schools for assessment activity, including in-school activity;
- Provision of support services and materials to schools; and
- The operation of moderation.

This total does not include legacy end of Key Stage assessment arrangements in relation to levels of attainment or expenditure on CCEA staffing.

## Irish-medium Post-primary Advisory Group

**Ms Fearon** asked the Minister of Education for an update on the work of the Irish Medium Post-Primary Group.

**(AQO 6230/11-15)**

**Mr O'Dowd:** I can confirm that the Irish Medium Post-Primary Group presented me with their Report on 28 April. I am currently considering the findings and recommendations contained in the Report.

## Department for Employment and Learning

### Disabled Students Allowance

**Mr Swann** asked the Minister for Employment and Learning for an update on the Disabled Students Allowance.

**(AQW 33591/11-15)**

**Dr Farry (The Minister for Employment and Learning):** Disabled Students' Allowances are available to students who have a disability, mental health condition or specific learning difficulty and are attending a Higher Education course. This allowance is not means tested and is available in addition to the usual tuition fee and maintenance support.

The following is available in academic year 2014/15: A specialist equipment allowance of up to £5,266 for the whole course; a non-medical helper's allowance of up to £20,938 per year; a general allowance of up to £1,759 per year to help towards other disability related spending such a printer cartridges and Braille paper; and any extra travel costs the student may have to pay to attend University or College because of their disability.

### Youth Employment Scheme

**Mr Swann** asked the Minister for Employment and Learning, pursuant to AQW 33212/11-15, to detail the employers who utilised The Youth Employment Scheme between 1 January 2014 and 8 May 2014.

**(AQW 33596/11-15)**

**Dr Farry:** I have placed a list detailing those employers that have had one or more young people placed on the Youth Employment Scheme at some point during the period between 1 January 2014 and 8 May 2014 in the Assembly Library and on my department's website at <http://www.delni.gov.uk/>.

## South West Regional College: Enniskillen

**Mr Flanagan** asked the Minister for Employment and Learning for an update on the South West Regional College's proposed capital developments in Enniskillen.

**(AQO 6240/11-15)**

**Dr Farry:** The South West College has submitted a draft business case to address accommodation needs at its Fairview campus in Enniskillen. The draft has identified, as the value for money option, a replacement new build at the old Erne Hospital site. This site is currently in the ownership of the Western Health and Social Care Trust.

The Trust and Fermanagh District Council are working on plans for the transfer of the site from the Trust to the Council, which would see it developed as a public sector shared services site, with the College being one of the public sector bodies that would subsequently take ownership of a major part of the site.

The Council and the Trust have agreed that prior to transfer the Trust will be demolishing the current buildings. This work requires Planning Approval. There are also issues around contamination, with title and final valuations still to be completed or agreed.

The College does not expect to be in a position to finalise the business case until the Trust has completed the demolition of the existing buildings and transferred the site to the Council.

## University for Derry

**Mr McCartney** asked the Minister for Employment and Learning for an update on his most recent discussions with University for Derry in relation to additional higher education places at Magee.

**(AQO 6237/11-15)**

**Dr Farry:** I met with a delegation last September which included representatives of the University for Derry group.

I am committed to achieving the One Plan target of 1,000 additional places at Magee by 2015, subject to resources being available.

## Young Farmers' Scheme

**Mrs Overend** asked the Minister for Employment and Learning what discussions he has had with the Minister of Agriculture and Rural Development regarding the use of Regional College facilities by the College of Agriculture, Food and Rural Enterprise to help deliver the necessary number of courses for a level 2 qualification to allow the maximum number of people to qualify for the Young Farmers' Scheme.

**(AQO 6241/11-15)**

**Dr Farry:** The Department of Agriculture and Rural Development (DARD) has responsibility for food, farming, environmental policy and development of the rural sector in Northern Ireland. My Department has responsibility for skills training and helping people into employment; this includes responsibility for the Food and Drink Manufacturing and Processing sector, however, the Young Farmers' Scheme does not fall into this remit.

I co-chair the Skills Action Group for the Food and Drink Manufacturing and Processing sector and I am currently seeking to widen the membership. This will include representation from the farming sector such as the Ulster Farmers Union, the Northern Ireland Agricultural Producers' Association and Lantra, the Sector Skills Council for the environmental and land-based sector.

This will align with the Agri-food Strategy Boards Strategic Action Plan 'Going for Growth' which advocates a single supply chain to develop the industry's people and skills.

Further education colleges currently offer an extensive range of courses in their curriculum including agriculture related provision at level 2, which is accessible to young farmers.

The review of youth training is presently reviewing all aspects of provision at Level 2 for young people, including those wanting to progress to a further education course at Level 3, or into employment. The expectation is that the future offer at level 2 will be better aligned to the needs of employers across all sectors of the economy, including the land based industries.

Regarding the delivery of courses for an agricultural level 2 qualification for the Young Farmers' Scheme; this is clearly a matter for DARD under the reformed Common Agricultural Policy (CAP).

I am happy to meet with the DARD Minister to discuss how my Department can assist with skills development across the land based sector.

## Assured Skills Programme

**Mr McCarthy** asked the Minister for Employment and Learning for an update on the Assured Skills Programme.

**(AQO 6242/11-15)**

**Dr Farry:** To date, there have been twelve company projects supported through Assured Skills, relating to over 3,000 jobs. When fully realised, this will benefit the local economy by £86 million each year.

Alongside support provided by Invest Northern Ireland, the support provided through Assured Skills has been instrumental in securing new jobs for Northern Ireland, such as the significant number announced within the last few weeks.



The Assured Skills offer has many benefits for companies. They can find employees in what is commonly a new labour market. Any training developed is bespoke, helping to find people with the right skills and attributes for their company; and the trainees are more productive more quickly, with a consequent effect on the company's bottom line. Further, networks are established with local further education colleges or universities, with the potential for ongoing links to mutual benefit.

In addition, Assured Skills supports short-term interventions to meet identified needs of existing employers in Northern Ireland, and also to help unemployed graduates find suitable employment.

The Software Testers' Academy has been the most successful intervention to date, but we have also used our "academy approach" to meet needs in cloud computing, data analytics, and computer numerical control machining. We are now looking to develop academies in animation, and in sales and marketing.

Assured Skills is an innovative and responsive programme, which has made a big impact in a short period of time. It is continuing to evolve, and it is my intention to keep Assured Skills at the cutting edge of our economic interventions.

I have set challenging targets for Assured Skills, and look forward to continuing to expand the benefits that the programme brings.

## EU Youth Guarantee Scheme

**Ms Fearon** asked the Minister for Employment and Learning how he intends to engage with the recently returned Members of the European Parliament in relation to the establishment of a properly funded EU youth guarantee scheme. **(AQO 6243/11-15)**

**Dr Farry:** The EU Youth Guarantee is a framework and not a scheme or programme. As our level of youth unemployment, while challenging, is less severe than in many other parts of Europe, Northern Ireland is not eligible for EU Youth Employment Initiative funding.

Through the range of DEL programmes, Northern Ireland is delivering a Youth Guarantee.

All 16-17 year old school leavers have a guarantee of a training place through Training for Success with extended eligibility for those with a disability and from an in care background. 18-24 year olds can avail of a range of provision including further education, apprenticeships, foundation degrees, Steps to Work, and the Youth Employment Scheme. In addition my Department provides a comprehensive range of programmes for individuals who are not in employment, education or training supported through the Pathways to Success strategy and the European Social Fund.

My Department plans to allocate over half of the ESF funding for 2014-20 to programmes targeting young people. The ESF allocation to the new Programme for 2014-2020 will be €205 million, giving a total fund value of £417 million, including matched funding. In the new ESF Programme, there will be a specific focus on supporting young people who are not in education, employment or training; this will be through a ring-fenced allocation under Priority 1 of £50 million, which includes matched funding.

In addition, young people who are not in education, employment or training will also benefit from activity under Priority 2, through the Community Family Support Programme, and under Priority 3, which will focus on apprenticeships and youth training.

During his recent visit to Belfast, Commissioner László Andor acknowledged Northern Ireland's approach to supporting the Youth Guarantee framework. My intention is to work in partnership with the recently returned Members of the European Parliament and anyone else who can help ensure that Northern Ireland maximises all opportunities within Europe, including funding opportunities.

## Northern Regional College: Ballymoney

**Mr Frew** asked the Minister for Employment and Learning for an update on the future of the Ballymoney campus of the Northern Regional College. **(AQO 6244/11-15)**

**Dr Farry:** The College is currently preparing an outline business case exploring options for the provision of further education in the Ballymena, Ballymoney and Coleraine areas.

This business case will identify the value for money option, funding requirements and procurement route. Until the business case has been assessed and approved, I am not in a position to be definitive about the College's plans for the Ballymoney area.

However, I can assure you that my Department is working hard with the College to ensure that, going forward, the learners, employers and community in the College's area will benefit from the state of the art accommodation and equipment that are now available in many other College areas.

## University Research Base

**Mr Lunn** asked the Minister for Employment and Learning for an update on the development of a strong, internationally-regarded research base in local universities. **(AQO 6236/11-15)**

**Dr Farry:** Through "Graduating to Success", a Higher Education Strategy for Northern Ireland, I have committed to supporting our universities in the development of an internationally excellent and world-leading research base.

I have promoted this commitment by introducing a new Quality Related Research funding model, through a substantially increased allocation to the latest round of our Higher Education Innovation Fund, as well as making provision for an enhanced Connected Programme. Also there are various special funding initiatives including the US-Ireland Research and Development Partnership and the recently announced partnership between my Department and Science Foundation Ireland in relation to their prestigious Investigators Programme.

In order to maximise Northern Ireland's drawdown from the European Commission's recently-launched Horizon 2020 programme, Minister Foster and I jointly established a new network of experienced EU practitioners known as Northern Ireland Contact Points who are tasked with providing specialist advice and assistance to academics and businesses right across Northern Ireland.

We are also focused on developing the researchers of tomorrow. To that end, I was pleased to be able to provide support for a Centre for Doctoral Training in Photonic Integration for Advanced Data Storage. Announced by the Engineering and Physical Sciences Research Centre last week, the Centre is the first of its kind here. It will be led by Queen's University and involve key industry partners, including Seagate Technology.

This is a strategically significant development for Northern Ireland and will support a cohort of 50 future scientists and engineers. The Centre will help create new working cultures, which will present the ideal environment for our future PhDs to carry out high-quality research whilst also developing the skills that are crucial for themselves and for the wider economy. This should help further increase the international profile of our higher education research base.

## Department of Enterprise, Trade and Investment

### Invest NI Funds

**Mrs Dobson** asked the Minister of Enterprise, Trade and Investment, pursuant to AQW 33091/11-15, whether she is concerned that InvestNI funds have been utilised to procure products and services outside Northern Ireland when such items are readily available locally. **(AQW 33463/11-15)**

**Mrs Foster (The Minister of Enterprise, Trade and Investment):** In my response to AQW 33091, I clarified that it is explicitly prohibited under EU guidelines to attach conditions to Invest NI offers of support to companies to stipulate the procuring of locally produced products and services.

The Northern Ireland Executive's Economic Strategy and Invest NI's Corporate Plan both recognise the potential of supply chain initiatives to meet the needs of potential customers. Invest NI will continue to work closely with NI businesses to ensure they are well positioned to exploit the supply chain opportunities that exist.

The final procurement decision will, ultimately, be for the company based on its own individual business needs and requirements.

### Growing for Growth

**Mr Swann** asked the Minister of Enterprise, Trade and Investment how many of the recommendations in Growing for Growth, that fall within the remit of her Department, have received funding. **(AQW 33526/11-15)**

**Mrs Foster:** All recommendations in Going for Growth which fall within the remit of my Department are being taken forward and funded, where required.

### Lignite Extraction Moratorium: North Antrim

**Mr Swann** asked the Minister of Enterprise, Trade and Investment for an update on the current moratorium on lignite extraction in North Antrim. **(AQW 33580/11-15)**

**Mrs Foster:** The Planning Appeals Commission's (PAC) Independent Examination of Development Plans was expected to report to the Department of the Environment at end of May 2014 on the Commission's findings in relation to the draft Northern Area Plan 2016.

When the outcome of the PAC Report is known, DETI intends to issue a paper for public consultation on a revised policy on lignite and a proposal to extend the moratorium on licensing for lignite prospecting and extraction.

The public consultation will remain open for a period of 12 weeks.

## Tamboran

**Mr Flanagan** asked the Minister of Enterprise, Trade and Investment to detail the work items Tamboran has delivered since permission was granted to drill a deep stratigraphic borehole in May 2012.  
(AQW 33671/11-15)

**Mrs Foster:** Permission has not been granted for Tamboran Resources Pty Ltd to drill a deep stratigraphic borehole. The company has not applied to drill this or any other borehole in their petroleum licence area.

## Invest NI: First Minister's Comments

**Mr McGlone** asked the Minister of Enterprise, Trade and Investment what evaluation has been carried out by InvestNI of the risk caused to inward investment and export sales as a result of the First Minister's comments in support of Pastor McConnell's reported views.  
(AQW 33774/11-15)

**Mrs Foster:** Attracting inward investment and supporting local companies to grow their export base are key elements of Invest Northern Ireland's long term strategy to support delivery of Programme for Government targets.

The organisation has recently reported its best ever year of performance with a very strong outcome in relation to inward investment. I am pleased to advise that there is also a very healthy pipeline of new potential projects.

Invest NI is continuing to implement its current Overseas Event and Inward Investment Programmes (2014-15), which will see almost seventy Trade Missions and other Trade events to over thirty countries.

Invest NI enjoys productive and mutually beneficial relationships with many regions and countries throughout the world and is confident that these will continue.

Both Invest NI, and my Department, are fully committed to working openly and constructively with all those who can contribute to the economic revitalisation of the Northern Ireland economy, both home and abroad. Northern Ireland is, and will continue to be, open for business and a welcoming region with which to do business.

## Broadband Improvement Project

**Mrs McKeivitt** asked the Minister of Enterprise, Trade and Investment for an update on the Northern Ireland Broadband Improvement Project as announced on 7 February 2014.  
(AQW 33811/11-15)

**Mrs Foster:** Since signing the contract for the Northern Ireland Broadband Improvement Project, BT has been engaged in an extensive survey and design process that takes account of technical feasibility, quality of existing infrastructure in the area, reasonable costs, number of anticipated customers etc. This methodology seeks to achieve the greatest value for money, while at the same time attaining the highest number of beneficiaries. This is a complex process which has taken longer than anticipated to complete.

The project will be completed in eight phases and details of the roll-out plans will be published as the outcomes of the survey and design process become available. My Department intends to use the NI Direct website for that purpose.

## Economic Data

**Ms McGahan** asked the Minister of Enterprise, Trade and Investment to outline her Department's proposals to address the data gap within local economic strategies as highlighted in the report published by the Northern Ireland Council for Voluntary Action in March 2014.  
(AQO 6250/11-15)

**Mrs Foster:** I reject the implication that data is not available to monitor local economic strategies. We have access to a wide range of information, including national statistics produced by the Northern Ireland Statistics and Research Agency.

In drawing their conclusion, the Northern Ireland Council for Voluntary Action report did not highlight that the Economic Strategy has four measurable objectives and a further seventeen key performance indicators which are reported on each year by the Executive Sub-committee on the Economy.

Whilst my officials regularly engage with Northern Ireland Statistics Research Agency colleagues to identify potential data improvements, we all have to be aware that gathering more information from businesses increases the burden on them.

## Border SMEs

**Mr Boylan** asked the Minister of Enterprise, Trade and Investment to outline her Department's strategy to address the regulatory barriers and challenges facing small and medium sized enterprises located around the border in building their sales and export base.  
(AQO 6251/11-15)

**Mrs Foster:** The overarching goal of the Northern Ireland Economic Strategy is to rebalance the Northern Ireland economy through a focus on export led economic growth. For many small companies, particularly those located in border areas, the Republic of Ireland market offers a first opportunity to sell to an export market. To this end, Invest NI offers regular export skills workshops to encourage cross border trade and works closely with InterTradelreland, on programmes such as Acumen, which seeks to promote cross border sales for small and medium enterprises across Northern Ireland and the Republic of Ireland.

InterTradelreland has also established a 'First Stop Shop' for businesses on both sides of the border and provides guidance on regulations which affect companies wishing to undertake cross border business.

Invest NI provides a wide portfolio of support for small and medium sized businesses in the border areas providing practical help and support to help boost sales and exports.

Finally, my Department is currently undertaking a comprehensive review of business red tape which aims to find ways to reduce the regulatory burden on all businesses.

## Tourism: Cruise Ships

**Mr Douglas** asked the Minister of Enterprise, Trade and Investment to outline the economic benefits of the growing number of cruise ships docking at Belfast Harbour.  
(AQO 6252/11-15)

**Mrs Foster:** The number of cruise ships docking in Belfast is increasing each year. In 2009, thirty six cruise ships docked, in 2013 this figure increased to fifty nine ships generating an estimated five million, eight hundred thousand pounds in visitor spend. Sixty one ships have scheduled a visit during 2014.

Visit Belfast and Belfast Harbour Commissioners work in partnership to sell Belfast and Northern Ireland as a cruise destination, under the banner of 'Cruise Belfast'. This partnership has been successfully developed over a number of years, with excellent relationships built up with the cruise companies and ground handlers. A wide range of marketing activities are undertaken including:

A personal welcome and visitor information is provided to all passengers about Belfast and Northern Ireland, the service is delivered on the ship and in a marquee at the quayside.

## Broadband: Rural Timescales

**Mr Craig** asked the Minister of Enterprise, Trade and Investment to outline the timescales for the roll-out of high speed rural broadband.  
(AQO 6255/11-15)

**Mrs Foster:** On 4th February 2014 my Department signed a contract with British Telecom for a twenty three million, five hundred thousand pounds project which will see improvements in the broadband service for more than forty five thousand premises across Northern Ireland by the end of 2015.

The project will be completed in eight phases and will be informed by an extensive survey and design process that takes account of technical feasibility, quality of existing infrastructure in the area, reasonable costs, number of anticipated customers etc. This methodology seeks to achieve the greatest value for money and the highest number of beneficiaries. This is a complex process which has taken longer than anticipated to complete.

Details of the roll-out plans will be published as the outcomes of this process become available and my Department intends to use the Northern Ireland Direct website for that purpose.

## Rugby World Cup 2023

**Mr A Maginness** asked the Minister of Enterprise, Trade and Investment for an update on her input to the cross-border steering group undertaking a feasibility study into an Irish bid for the 2023 Rugby World Cup.  
(AQO 6256/11-15)

**Mrs Foster:** The cross-border steering group looking at the feasibility of hosting the Rugby World Cup 2023 has met four times since it was established in February 2014.

The group is discussing issues such as the number of matches to be played in Northern Ireland, number of training camps expected, numbers of potential visitors and their related spend as well as the social benefits of hosting an event such as the Rugby World Cup.

It is expected that Hugo MacNeill, former Ireland International rugby player and Managing Director at Goldman Sachs Dublin, who chairs the group will present a report to Ministers over the summer to allow a decision to be made about a bid.

## Going for Growth

**Mr McMullan** asked the Minister of Enterprise, Trade and Investment when she plans to bring the Going for Growth strategy to the Executive.  
(AQO 6257/11-15)



**Mrs Foster:** Going for Growth has been forwarded to the Executive Secretariat by myself, and the Minister for Agriculture and Rural Development.

All recommendations in Going for Growth which fall within the remit of my Department are being taken forward.

## Department of the Environment

### Restoration of Listed Buildings: Grants

**Ms Lo** asked the Minister of the Environment whether grants for the restoration of listed buildings awarded by the Northern Ireland Environment Agency have been put on hold; and if so, for how long.  
(AQW 32074/11-15)

**Mr Durkan (The Minister of the Environment):** First of all, I must apologise for the delay in responding to your question.

Additional funding was made available through the Executive's 2012 Economy and Jobs Initiative. In November 2012, NIEA received an extra £2.4M from this 'Initiative' (for its Listed Buildings Grant-aid scheme), to be expended up until the end of financial year 2014/15. This funding was provided for a specific short-term period as part of an Executive package to stimulate economic activity during the recession. This funding enabled NIEA to raise the cap to £500K per scheme - as well as raising the rate of grant aid from 35% to 45% (an actual increase of 28%) - with immediate effect.

Overall, the NIEA listed buildings grant aid continues to provide significant investment in the construction industry, with a proven ratio of 1:7.65 of leverage funding (every £1 of NIEA grant aid results in an overall spend of £7.65). Over the last six years the Department's c£24M investment has resulted in a total spend of c£183M in this sector.

I understand that this increase in the Listed Buildings Grant Aid rate - and cap - has proved to be so successful that the additional funding is now fully committed. Prior to December 2012, applications were received at a rate of 14 per month. Since then, the average has been 19 new applications monthly, with the near doubling of the average grant-aid award to approximately £60K. As such I understand that there is a substantial amount of applications to be processed to letter of offer stage; officials have advised that these will be processed in the usual orderly manner, with letters of offer being issued, as funding becomes available. I can also advise that I have prepared a bid for additional funding in the June Monitoring round.

### Lough Neagh Special Protection Area: Mineral Extraction

**Mr Agnew** asked the Minister of the Environment whether his Department has administered or authorised payments of the aggregates level rebate for any of the unregulated minerals extractions taking place within Lough Neagh Special Protection Area; and if so, to detail each occasion and the amounts involved.  
(AQW 32560/11-15)

**Mr Durkan:** The Department of the Environment administered the Aggregates Levy Credit Scheme on behalf of Her Majesty's Revenue and Customs (HMRC), and was responsible for entering into Aggregates Levy Credit Scheme (ALCS) agreements with site operators; monitoring such agreements and issuing and, where necessary, withdrawing ALCS certificates. The Department did not administer or authorise payments. The ALCS was suspended on 1 December 2010.

Prior to December 2010, a site operator was required to satisfy the Department that all mandatory authorisations to achieve legal compliance were in place in order to qualify for tax relief from HMRC under the ALCS. Entry to the scheme was also conditional on the operator agreeing to commission environmental audits and to undertake work, where necessary, to resolve any issues subsequently highlighted.

Under the ALCS criteria, unauthorised sites did not receive an ALCS certificate, and therefore were ineligible to apply for a rebate from HMRC on the levy payable.

### Environment Agency: Unconventional Gas Exploration and Extraction

**Mr Flanagan** asked the Minister of the Environment (i) what is the total predicted cost of the Environmental Protection Agency, Department of Communications, Energy and Natural Resources and the Northern Ireland Environment Agency's Research Programme on Unconventional Gas Exploration and Extraction; and (ii) how much his Department is contributing to the research programme.  
(AQW 33493/11-15)

**Mr Durkan:** The cost of the initial contract related to the Research Programme on Unconventional Gas Exploration and Extraction is estimated to be in the region of €700,000 plus VAT. A supplementary tender may be required for subsequent aspects of the research which are dependent upon the outcome of the initial contract. The cost of the supplementary tender is not yet known.

My Department is contributing €246,000 to the overall Research Programme.

### Planning Application E/2013/0093/F

**Mr Flanagan** asked the Minister of the Environment to detail the number of representations received by his Department with regards to planning application E/2013/0093/F; and how many of these representations (i) objected to; and (ii) supported the application.

(AQW 33541/11-15)

**Mr Durkan:** The Department has received 1423 representations in connection to planning application E/2013/0093/F.

All of the representations received are in opposition to the development.

### Environmental Impact Assessment

**Mr Flanagan** asked the Minister of the Environment whether a full Environmental Impact Assessment will be carried out on planning application E/2013/0093/F.

(AQW 33542/11-15)

**Mr Durkan:** Under Regulation 10 of the Planning 'Environmental Impact Assessment' (EIA) Regulations (NI) 2012, the Department is required to make a determination as to whether the proposed development would or would not be deemed EIA development.

The application automatically falls within the thresholds of Schedule 2:2(D) of the Planning (Environmental Impact Assessment) Regulations (NI) 2012 and the Department is automatically required to determine if the application is required to be accompanied by an Environmental Statement.

I can assure you that the environmental regulation of fracking will be subject to the requirements and environmental standards set out in the relevant European Directives. The Environmental Impact Assessment Directive will play a central role and is non-negotiable in the decision making process as it will ensure the environmental implications of this project are taken into account before any final decision and it will involve the public in the decision making process making it more transparent.

I have made it publicly clear that all appropriate planning and environmental standards will be strictly applied on the issue of fracking. As Planning and Environment Minister this approach will not be compromised.

### Driver and Vehicle Agency: Maestro Card Payments

**Mr Flanagan** asked the Minister of the Environment why the Driver and Vehicle Agency is unable to accept online Maestro card payments for services such as theory test bookings; and when he expects this issue to be resolved.  
(AQW 33553/11-15)

**Mr Durkan:** In 2010, Barclaycard, the card processor for the theory test, advised the Driver & Vehicle Agency (DVA) and the Driver & Vehicle Standards Agency (DVSA) in Britain, that they required 3D Secure card payment security arrangements to be implemented for all theory test internet bookings. At that time, it was estimated that the work would cost £1 million.

In Britain, as Maestro card payments only accounted for a very small number of DVSA's transactions, DVSA chose to cease accepting Maestro payments.

In Northern Ireland, as 18% of online theory test payments were made using Maestro, the DVA chose to maintain accepting Maestro card payments for as long as possible.

In November 2013, the theory test contractor advised the DVA that they could no longer maintain Payment Card Industry (PCI) accreditation of their card payment processing system if they continued to process Maestro payments.

The cost of implementing these security arrangements for the DVA's theory test customers would necessitate the Agency increasing the theory test fees for all customers to recover the £1 million investment. Therefore, the Agency took the decision to remove the facility to accept Maestro payments from online theory test bookings. However, Maestro card payments can still be accepted for theory test telephone bookings. Danske Bank, one of the banks to issue Maestro cards in Northern Ireland, has recently announced that they are phasing out the use of Maestro in favour of a new Debit Mastercard, which will be accepted for online theory test payments.

Provision has been made in the new theory test contract, which comes into effect in September 2016, for payments to be made using Maestro. The Agency will keep the volume of Maestro transactions under review to establish if this facility will be required in 2016.

Since November 2013, the Agency has received only one comment from the public regarding the removal of Maestro payments.

### EU Water Directive: Lough Erne

**Mr Flanagan** asked the Minister of the Environment what discussions he has had with his counterpart in Dublin on the implementation of the EU water directive on Lough Erne and the role that ESB plays in managing fish movements.  
(AQW 33555/11-15)

**Mr Durkan:** The North Western International River Basin District lies partly in Northern Ireland and partly in the Republic of Ireland; it includes the Lough Erne catchment. The North Western River Basin Management Plan which covers the period

2009-2015, was published in December 2009 to meet the requirements of the Water Framework Directive (WFD). In addition, Managing our Shared Waters – Working Together – The North Western International River Basin District is a published document outlining the cooperation arrangements between the two jurisdictions of Northern Ireland and the Republic of Ireland, involved in implementing WFD in our shared waters.

At the North South Ministerial Council meeting in May 2014 it was noted that both jurisdictions continue to work in preparation for the second river basin planning cycle (2015-2021) as required by the Directive.

WFD has a requirement to assess the continuity of watercourses, which includes the ability of fish and eels to pass man-made obstacles. The ESB hydro-electric plant at Ballyshannon is a significant barrier to the passage of migratory fish and eels. ESB is required by European law to manage methods to ensure safe fish-passage and to comply with the EU Eel Management Plan for the Erne catchment. As such, eels currently have to be caught in traps and assisted in their migration both upstream and downstream.

Following the recent incident at the ESB hydro-electric plant at Ballyshannon, with the reported loss of approximately 100kgs of elvers (juvenile eels) from the Erne system, Inland Fisheries Ireland is currently undertaking a formal investigation.

The Northern Ireland Environment Agency (NIEA) is working closely with Fisheries Agencies (DCAL and Loughs Agency) to assess continuity for all of Northern Ireland for WFD classification reporting in 2015. These assessments will include the Lough Erne catchment.

Regular liaison occurs between NIEA and Inland Fisheries Ireland through a Rivers and Lakes Technical Group, and an inter-agency River Restoration and Continuity Group which has, amongst other things, been set up to co-ordinate continuity issues. Both these groups enable the sharing of monitoring and classification data collected to meet the requirements of Water Framework Directive.

I have directed my officials to ensure that measures to ensure safe fish-passage and to comply with eel management plans for the catchment will be included in the draft North Western River Basin Management Plan to be published for consultation by 22 December 2014. Given that eels stocks are under considerable pressure throughout Europe, I am committed to working with fellow Ministers to manage our shared waters and to ensure no further loss of eels in the Erne catchment.

### Taxis: Ravenhill Rugby Grounds

**Lord Morrow** asked the Minister of the Environment, pursuant to AQW 32602/11-15 and with reference to the legal position regarding taxi provision at Ravenhill Rugby Grounds, and under the heading Particular Provisions and Considerations Point 1 states that there must be an explicit engagement in place, why no such an agreement is in place. (AQW 33568/11-15)

**Mr Durkan:** The document to which the member refers, which has previously been provided to the member and to the Environment Committee, states as follows:

#### 1 Taxis proceeding to Ravenhill

Regulation 13(i) of the 1985 Regulations allows private hire taxis to wait in order to fulfil an engagement previously entered into. This allows for an organisation or individual to order one or more taxis to a particular location for passengers.

Requirements – there must be an explicit engagement made. This requires a request by someone other than an on-duty employee of the taxi operator, to the taxi operator, to send specified numbers of vehicles at specified times to a specified location. A record of this request must be maintained by the operator in accordance with the record keeping requirements of the 2012 Regulations.

The document does not require an agreement to be in place – rather, on each occasion that taxis are required, a request must be made as set out.

The Department is content that fonaCAB Ltd provide taxis at Ravenhill in accordance with Regulation 13(i) of the 1985 Regulations and maintain a register of booking records which has been scrutinised by DVA Taxi Compliance Officers.

### Driver and Vehicle Agency: Closure

**Mr G Robinson** asked the Minister of the Environment for an update on the provision of new employment opportunities at County Hall in Coleraine following the closure of the Driver and Vehicle Agency. (AQW 33573/11-15)

**Mr Durkan:** Following the decision by Department for Transport to centralise all vehicle licensing services in Swansea, the local motor tax offices will cease to deliver these services after the close of business on 17 July 2014. The Driver and Vehicle Agency's other functions, such as driver licensing, driver and vehicle testing, the licensing of bus and taxi operators and taxi drivers and the enforcement of compliance with licensing and roadworthiness requirements are not affected by this decision

The cessation of vehicle licensing services affects 205 permanent staff in County Hall, Coleraine. In conjunction with the Minister for Finance and Personnel, and with the support of the Executive, measures have been put in place across all departments to restrict the recruitment, promotion and transfer of staff in the affected grades until the surplus staff position in the DVA has been addressed.

In parallel with these measures, all Ministers agreed to seek to identify any opportunities to transfer work to Coleraine. This process is continuing and a number of measures are currently under consideration to address the surplus staff position.

### Environment Agency: Scientific Officer Posts

**Mr McGlone** asked the Minister of the Environment how many Scientific Officer posts there are within the Northern Ireland Environment Agency. (AQW 33590/11-15)

**Mr Durkan:** There are currently 127 Scientific Officer posts within the Northern Ireland Environment Agency. This is comprised of 120 staff and 7 vacancies. There are an additional 18 Scientific Officer posts within the wider Department, comprised of 17 staff and 1 vacancy.

### Environment Agency: Scientific Officer Posts

**Mr McGlone** asked the Minister of the Environment, in relation to the Northern Ireland Environment Agency Scientific Officer posts advertised in August 2012, why candidates were not informed if their application was successful until September 2013. (AQW 33592/11-15)

**Mr Durkan:** The Department's Scientific Officer competition was advertised in October 2012. Due to the overwhelming number of applicants there was a delay in arranging the next stage of the recruitment process. Candidates were notified of this in January 2013. Interviews commenced in May 2013 and were completed in September 2013. Candidates could not be informed of the outcome of their interview until all interviews were complete.

### Environment Agency: Scientific Officer Posts

**Mr McGlone** asked the Minister of the Environment, in relation to the Northern Ireland Environment Agency Scientific Officer posts advertised in August 2012, how many posts in were filled through this recruitment campaign; and how many of the posts were filled by external candidates. (AQW 33593/11-15)

**Mr Durkan:** To date, 49 posts have been filled from this recruitment competition, 45 in the Northern Ireland Environment Agency and 4 in the wider Department. Of these posts 47 were filled by external candidates and 2 by internal candidates.

### Environment Agency: Historic Buildings Unit

**Mrs Dobson** asked the Minister of the Environment for his assessment of the effectiveness of the Northern Ireland Environment Agency's Historical Buildings Unit to respond in a timely manner to planning applications involving listed buildings. (AQW 33617/11-15)

**Mr Durkan:** In recent years, the Historic Buildings Unit of the Northern Ireland Environment Agency has consistently exceeded its published targets to respond to Planning Applications involving listed buildings. These targets are:

- to respond to 75% of Routine Planning Applications within 15 working days;
- to respond to 75% of EIA (Environmental Impact Assessments) within 15 working days, and;
- to respond to 100% of EIA HA (Habitat Assessment) & Article 6 applications within 30 working days.

I attach detail for your information, on NIEA's responses over the last 2 years – 2012/13, and 2013/14. This is provided in Appendix A.

As can be seen from this table, while some 'routine' applications were not returned within the desired timescale, all of the Unit's targets were met.

#### Appendix A

Applications Received 2012/13	No. Applications Received	Responded	%	Not Responded within time	%
Routine	1333	1113	83.5	220	16.5
(75% Response within 15 Working days)					
Environmental Impact Assessment	1	1	100	0	0
(75% Response within 15 Working days)					
Environmental Impact Assessment	2	2	100	0	0
Habitat Assessment and Article 6					



Applications Received 2012/13	No. Applications Received	Responded	%	Not Responded within time	%
(100% Response within 30 Working days)					
<b>Total</b>	<b>1336</b>	<b>1116</b>	<b>83.53</b>	<b>220</b>	<b>16.47</b>

Applications Received 2013/14	No. Applications Received	Responded	%	Not Responded within time	%
Routine	1342	1038	77.35	304	22.65
(75% Response within 15 Working days)					
Environmental Impact Assessment	2	2	100	0	0
(75% Response within 15 Working days)					
Environmental Impact Assessment	6	6	100	0	0
Habitat Assessment and Article 6					
(100% Response within 30 Working days)					
<b>Total</b>	<b>1350</b>	<b>1046</b>	<b>77.48</b>	<b>304</b>	<b>22.52</b>

### Listed Buildings

**Mrs Dobson** asked the Minister of the Environment whether a legislative requirement exists for organisations or businesses who are evacuating listed buildings to seek approval prior to undertaking any works required to remove fixtures and fittings. (AQW 33618/11-15)

**Mr Durkan:** Article 42(7) of the Planning (NI) Order 1991 explains that the term "listed building" refers to any building included in the list and that the following is also treated as part of the building:

- "(a) any object or structure within the curtilage of the building and fixed to the building; and*  
*(b) any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 October 1973."*

Under Article 44 of the Planning (NI) Order 1991 any change that alters the special architectural or historic character of a listed building requires consent from the Department. This is known as Listed Building Consent. Fixtures and fittings which form part of a listed building fall under this control. It is a criminal offence under Article 44 (1) to carry out such works without this consent. A person guilty of such an offence, shall on summary conviction be liable to imprisonment for a term not exceeding 6 months or a fine not exceeding £100,000, or both, or on conviction on indictment to imprisonment for a term not exceeding 2 years or a fine (unlimited), or both.

If the change does not alter the character of the building, then this consent is not required. However, each case must be treated individually, and owners that contemplate works to remove such features are advised to contact the Department to ensure that an offence is not committed.

Departmental Policy in Annex C of Planning Policy Statement 6 (paragraph C32 and C33) also explains that:

*"The word 'fixed' has the same connotation as in the law of fixtures, where any object or structure fixed to a building should be treated as part of it. It is therefore a test of fact in each case as to whether a structure is free-standing or physically fixed to the building." ... "Free standing objects, such as statues, may be fixtures if they were put in place as part of an overall architectural design; this would include objects especially designed or made to fit in a particular space or room. Works of art which were placed in a building - primarily to be enjoyed as objects in their own right, rather than forming part of the land or building - are not likely to be considered as fixtures."*

### Illegal Taxis: Prosecution

**Lord Morrow** asked the Minister of the Environment, in relation to the prosecution of taxi drivers operating illegally, whether he will introduce legislation to automatically include an additional charge of not being AccessNI cleared whilst performing a public service.

(AQW 33621/11-15)

**Mr Durkan:** Currently, at the point of application, all taxi drivers are required to produce an Access NI Enhanced Disclosure Certificate which is no longer than 3 months old. A licence is not granted by DVA unless such certification is produced.

Further, as per regulation 7(2) of the Motor Vehicles (Taxi Drivers' Licences) Regulations (NI) 1991, it is condition of their licence that they must, if convicted of any offence, immediately notify in writing particulars of the conviction to the Department.

Failure to do so is an offence which may result in the licence being revoked. This ensures that, should there be a change in drivers' circumstances during the period of the licence, the onus is on them to inform the Department.

It is the Department's intention that this condition and related offence will continue when taxi drivers are licensed under the Taxis Act.

I do not feel, therefore, that the offence of failing to be AccessNI cleared is required in addition to the offences already involved in operating a taxi service whilst not being appropriately licensed.

### Agrifood Industry: Planning Applications

**Mrs Dobson** asked the Minister of the Environment what steps he is taking to enable planning application decisions to be expedited, especially those which will help to grow the local Agri-food industry. (AQW 33635/11-15)

**Mr Durkan:** I fully support and acknowledge the importance of a planning system which creates a better environment and a stronger economy. Timely planning decisions, which are not at the expense of our environment, are crucial to this.

You will be aware from AQW33513/11-15 that I created a dedicated planning team to deal specifically with applications for poultry houses in order to support and facilitate developments in the agri-food industry. The aim of this team is to reduce processing times for poultry house applications. In addition to processing applications for poultry houses received from Moy Park the team also provides advice and support to Area Offices dealing with other poultry house applications.

Additionally, in early April this year I launched revised guidance for Pre-Application Discussions. This key improvement recognises the great benefit of front-loading the planning system through constructive discussions before applications are submitted. The new guidelines open up the process to a broader range of development proposals including those applications made by the agri-food industry.

You may also be aware that last August new permitted development rights came into operation which increased the range of agricultural development that no longer needs planning permission. As a result farmers are now able to undertake new build or extend agricultural buildings up to 500 square metres without having to go through the planning application process which will assist the agri-food industry.

### Rivers: Convictions for Pollution

**Lord Morrow** asked the Minister of the Environment to detail the (i) number of convictions; and (ii) penalties imposed for pollutants entering river courses in each of the last five years, broken down by court division. (AQW 33646/11-15)

**Mr Durkan:** The information requested is set out in the attached tables.

**Table 1: Water pollution incidents which occurred during 2009**

Courthouse	Convictions	Penalties imposed
Ards	3	£1,000 £1,200 £4,000
Antrim	2	£750 £800
Omagh	4	£250 £500 £750 £12,500
Downpatrick	6	£300 £500 £500 £2,000 £4,000 Conditional Discharge
Newry	6	Conditional discharge £250 £350 £350 £500 £700

Courthouse	Convictions	Penalties imposed
Craigavon	5	£500 £750 £750 £2,500 £3,500
Dungannon	3	£400 £500 £950
Strabane	2	£1,000 £2,250
Armagh	3	Conditional discharge £750 £2,500
Lisburn	0	N/A
Fermanagh	0	N/A
North Antrim (Coleraine)	0	N/A
North Down (Bangor)	2	Absolute discharge Absolute discharge
Ballymena	1	Conditional discharge
Magherafelt	0	N/A
Limavady	0	N/A
Belfast	0	N/A

Table 2: Water pollution incidents which occurred during 2010

Courthouse	Convictions	Penalties imposed
Ards	3	£750 £1,500 £4,000
Antrim	1	£2,000
Omagh	4	£200 £300 £600 £2,500
Downpatrick	2	£500 £1,250
Newry	4	£750 £750 £1,500 £5,000
Craigavon	3	£1,000 £1,250 £2,250
Dungannon	3	£250 £900 £1,000
Strabane	1	£1,000
Armagh	3	£600 £1,000 £1,000

Courthouse	Convictions	Penalties imposed
Lisburn	3	£400 £500 £500
Fermanagh	5	£500 £750 £750 £1,000 £2,000
North Antrim (Coleraine)	6	£150 £300 £300 £350 £400 £500
North Down (Bangor)	1	£600
Ballymena	2	Absolute discharge £300
Magherafelt	1	Absolute discharge
Limavady	1	£1,000
Belfast	2	£500 £1,000

Table 3: Water pollution incidents which occurred during 2011

Courthouse	Convictions	Penalties imposed
Ards	4	£500 £1,500 £2,500 £8,000
Antrim	0	N/A
Omagh	6	£200 £250 £300 £400 £500 £1000
Downpatrick	3	£500 £500 £2,500
Newry	3	£250 £1,500 £2,000
Craigavon	2	£500 £500
Dungannon	7	£100 £150 £250 £300 £350 £1,500 £2,500



Courthouse	Convictions	Penalties imposed
Strabane	7	£750 £1,000 £1,000 £1,500 £1,500 £1,500 £2,000
Armagh	4	Conditional discharge £500 £600 £1,500
Lisburn	1	£1,500
Fermanagh	2	£1,000 £4,500
North Antrim (Coleraine)	5	£200 £400 £400 £500 £500
North Down (Bangor)	1	£2,000
Ballymena	7	Absolute discharge Absolute discharge Absolute discharge Absolute Discharge £300 £750 £5,000
Magherafelt	4	Absolute discharge Absolute discharge Absolute discharge Absolute discharge
Limavady	1	£275
Belfast	1	£400

**Table 4: Water pollution incidents which occurred during 2012**

(Note, as detailed, above that an additional 4 prosecutions for 2012 incidents are still in the court system and so are not listed below)

Courthouse	Convictions	Penalties imposed
Ards	0	N/A
Antrim	1	£6,500
Omagh	2	£250 £300
Downpatrick	0	N/A
Newry	4	£250 £500 £500 £750
Craigavon	1	£1,000

Courthouse	Convictions	Penalties imposed
Dungannon	7	£200 £900 £1,000 £1,250 £1,400 £1,500 £7,000 plus a suspended prison sentence of 21 months (Crown Court case)
Strabane	1	£1,000
Armagh	1	£275
Lisburn	4	£300 £500 £750 £1,000
Fermanagh	1	£7,500
North Antrim (Coleraine)	2	Conditional discharge £750
North Down (Bangor)	0	N/A
Ballymena	2 (plus 1 case dismissed)	Absolute discharge £600
Magherafelt	1	Absolute discharge
Limavady	1	£500
Belfast	1	£1,000

**Table 5: Water pollution incidents which occurred during 2013**

(Note, as detailed, above that an additional 40 prosecutions for 2013 incidents are still in the court system and so are not listed below)

Courthouse	Convictions	Penalties imposed
Ards	0	N/A
Antrim	0	N/A
Omagh	0	N/A
Downpatrick	0	N/A
Newry	2	£500 £1000
Craigavon	1	£1,200
Dungannon	5	£400 £500 £525 £600 £3,000
Strabane	0	N/A
Armagh	1	£3,000
Lisburn	1	£2,000
Fermanagh	3	£1,000 £1,000 £1,000
North Antrim (Coleraine)	0	N/A

Courthouse	Convictions	Penalties imposed
North Down (Bangor)	0	N/A
Ballymena	0	N/A
Magherafelt	1	Absolute discharge
Limavady	0	N/A
Belfast	1	£500

**Table 6: Current court divisional structure (Source www.courtsni.gov.uk)**

County Court Division	Petty Sessions Districts	Local Government Districts	Courthouses
Antrim	North Antrim	Coleraine Ballymoney Moyle	Coleraine
	Ballymena	Ballymena	Ballymena
	Antrim	Antrim	Antrim
	Larne	Larne	Larne
Ards	Down	Down	Downpatrick
	Castlereagh	Castlereagh	
	Ards	Ards	Newtownards
	North Down	North Down	Bangor
Armagh and South Down	Armagh	Armagh	Armagh
	Newry and Mourne	Newry and Mourne	Newry
	Banbridge	Banbridge	Banbridge
Belfast	Belfast and Newtownabbey	Belfast	RCJ
		Newtownabbey	Laganside
		Carrickfergus	Old Townhall
Craigavon	Craigavon	Craigavon	Craigavon
	Lisburn	Lisburn	Lisburn
Fermanagh and Tyrone	East Tyrone	Cookstown	Dungannon
		Dungannon	
	Omagh	Omagh	Omagh
	Strabane	Strabane	Strabane
Londonderry	Fermanagh	Fermanagh	Enniskillen
	Londonderry	Derry	Londonderry
	Limavady	Limavady	Limavady
	Magherafelt	Magherafelt	Magherafelt

## Quarries

**Mrs Hale** asked the Minister of the Environment, in light of the current low financial trends in the quarrying industry, how his Department considers and analyses the need for further quarries when considering planning applications. (AQW 33663/11-15)

**Mr Durkan:** The need for minerals development is considered by the Department on a case by case basis. Applications will be considered in light of the provisions of the Programme for Government 2011-2015 and of Planning Policy Statements (in particular PPS 1, paragraphs 10 & 11) and 'A Planning Strategy for Rural NI'. Often, applicants will be required to provide economic justification for their proposal and a 'case of need'.

The question refers to current low financial trends in the quarrying industry. Often quarry developments, particularly hard rock quarries, will have a life span exceeding 25 years; therefore, current low financial trends are of limited weight in considering a proposal.

## Waste Incinerator, Mallusk

**Mr Mitchel McLaughlin** asked the Minister of the Environment, in relation to Arc21's proposal to develop a waste incinerator in Mallusk, for an update on (i) whether the preferred bidder status has been granted to the Becon Consortium for the project; (ii) what companies are involved in the Becon Consortium; and (iii) whether Indaver Ireland have expressed an interest or agreed to take a commercial stake in the Arc21 Mallusk Energy from Waste project. (AQW 33745/11-15)

**Mr Durkan:** Under the Competitive Dialogue process by which the arc21 procurement is being conducted, the appointment of Preferred Bidder occurs following the receipt and assessment of Final Tender by the procuring authority at close of dialogue. The arc21 project remains in dialogue with the remaining bidder and has not yet reached this stage.

My Department is not party to the procurement for which arc21 is the procuring authority. Management of the project, including the make-up of the bidder consortium and investors, is a matter for arc21 and its constituent councils, and any questions in that regard should be directed to them.

## Challenge Fund

**Mrs D Kelly** asked the Minister of the Environment what steps his Department has taken to ensure that local groups, which have no professional funding support, can access the Challenge Fund. (AQO 6268/11-15)

**Mr Durkan:** This year's Challenge Fund successfully delivered over 250 community-based environmental projects, achieving a remarkably even spread across the country, mirroring the urban and rural contributions made to the Carrier Bag Levy, ensuring that all communities have been reached by the Fund.

The applicants, comprised of communities, schools and environmental groups, were considered at every stage, very much centring the Challenge Fund on the people involved, ensuring that local groups were readily able to access the funding.

The Northern Ireland Environment Link, who administered the fund, used their extensive membership list to generate widespread interest. This in combination with regional media coverage meant publication of the Challenge Fund program was far reaching, and we received 377 applications, with funding four times oversubscribed.

The application process was streamlined, with simplified forms, guidance provided, and face to face information sessions. The judging panel also considered applications on the quality of project, rather than the written quality of application. This ensured that those more practiced at funding applications held no advantage over those without bid-writing experience.

Additional feedback was available upon request. This ranged from judge's comments to an individual session with Challenge Fund team members. Many groups took advantage of these sessions this year, and will be returning with stronger bids in the future.

To ensure that local groups with limited means were enabled to apply, no match funding was required. Grants accounted for 100% of many project budgets. For groups with restricted resources, a partial claims mechanism was available, allowing payment for completed work at specific project stages; helping small groups with limited resources deliver large projects.

I personally visited several projects and gained an appreciation for the pressures faced by many groups. The dedication and response of applicants to all challenges was inspiring. I thoroughly endorse the work done by the Challenge Fund this year, and commend the success of local community groups and all others involved.

## Councils: Voting Systems

**Mr Nesbitt** asked the Minister of the Environment how he will influence the range of issues included in councils' standing orders that will be subject to weighted majority voting. (AQO 6267/11-15)

**Mr Durkan:** The Local Government Act (Northern Ireland) 2014 makes provision for certain decisions to be taken by a qualified majority. Section 40 of the Act provides that a council's standing orders must specify decisions which are to be taken by a qualified majority. During the passage of the Act through the Assembly I stated my commitment that the decisions that must be taken by a qualified majority, in addition to those specified on the face of the Act, would be specified as a mandatory standing order in regulations, using the enabling power provided by section 38 of that Act. My position on this has not changed.

My officials are currently finalising a consultation document on proposals for the mandatory standing orders to be specified in the draft regulations that will be subject to consideration by the Assembly. This consultation will seek views on which decisions, over and above those decisions which are already specified in the Act, should be specified in the draft regulations as having to be taken by a qualified majority.



In seeking views on the content of the mandatory standing orders to be specified in the draft regulations I will seek input from the political parties, through their members on the Political Reference Group, on this important aspect of the new governance arrangements for councils. The final draft regulations will be subject to the draft affirmative procedure in the Assembly.

### Alcohol Consumption: Buses

**Mr Storey** asked the Minister of the Environment what steps his Department has taken to deal with bus operators who allow the consumption of alcohol in their vehicles.

(AQO 6263/11-15)

**Mr Durkan:** My Department consulted last year on proposals better to regulate alcohol consumption on buses with a view to mitigating the resulting road safety risks. Responses to the consultation, whilst providing no consensus as to the best way to deal with this issue, highlighted that the problems with alcohol consumption on buses were reflective of a major societal issue around excessive alcohol consumption and that we cannot effectively tackle this issue in isolation from other activities to reduce the impacts of inappropriate consumption of alcohol.

I believe that responsibilities for dealing with the road safety problems related to alcohol in buses are also shared by government and passengers, not just the operator. Therefore, in moving forward I have agreed that my Department will pursue four main strands of activity to mitigate road safety risks.

Firstly my Department has commissioned radio and social media activity which will highlight the rules about drinking alcohol on a bus and the road safety risks associated with it. Development work is underway and I anticipate this campaign starting over the coming months.

From 1 June the Driver and Vehicle Agency has been placing new licensing conditions on all new or renewed bus operator licences. These conditions require operators to take all reasonable steps to ensure that alcohol is not consumed and not do anything to promote or assist in the consumption of alcohol on board a bus. They will have to tell hirers that passengers are not allowed to consume alcohol and make it a condition of all hire contracts that alcohol is not consumed. They will also be required to display “no drinking” signs on their buses. Failure to take the required action will be a breach of their licence conditions.

My officials have been engaging with colleagues in the Department of Justice, as calls for a total ban on the carriage of alcohol would be best addressed by DOJ. I have also met with Minister Ford on this issue and plan to do so again.

Finally, my officials are working with DHSSPS and other stakeholders as part of the New Strategic Direction for Alcohol and Drugs, as I recognise that problems with alcohol consumption on buses form one facet of the wider societal problem of alcohol and drug misuse in Northern Ireland.

### Environment: Improvement Plans

**Mr Girvan** asked the Minister of the Environment what plans his Department has to improve the local environment.

(AQO 6265/11-15)

**Mr Durkan:** The Department has a number of important environment related priorities which are largely set out as Key Commitments within the Executive's 2011-15 Programme for Government. These commitments include extending the Carrier Bag Levy, having in place an action plan to implement the new Biodiversity Strategy which will work towards halting the loss of biodiversity by 2020, continuing to increase recycling or composting rates and continuing a range of measures to ensure a reduction in Greenhouse Gas emissions.

Another significant objective is to deliver all the actions in response to the Mills Report commissioned following the discovery of a major illegal waste site in the North West. I am committed to making significant improvements to the overall design and implementation of Northern Ireland's waste regulation system that everyone in Northern Ireland can have confidence in.

I directed the Chief Executive of the NI Environment Agency to implement key actions in accordance with the specified timelines to include –

- A full Operational Strategy with a detailed Action Plan.
- A new Waste Directorate will be created to bring together the various regulatory and enforcement teams in NIEA.
- A review of potential legislative enhancements.
- NIEA will build on its existing work with other government organisations within Northern Ireland, the rest of the UK, the Republic of Ireland and across Europe.
- A plan will be developed to ensure the NIEA's internal whistleblower system is strongly promoted.

I am determined that this will happen as quickly as possible. The Mills report shows it took too long to identify and take action on illegal dumping. NIEA has now restructured to deliver. For example, there is now a Resource Efficiency Division to “deal with waste”. Recognising the extent and damage caused by serious environmental offending, the Department will continue to actively participate in a number of cross agency networks to identify and bring enforcement action against offenders.

There is also a revised Innovation Strategies Division to work in close collaboration with new local Authorities to develop new levels of visitors' experience at our Country Parks and Heritage assets through investment and innovation that will enhance the local environment and help the local economy.

As planning authority my department seeks to balance the protection of the local environment with ensuring that appropriate social and economic development takes place for the greater good of our society. The Executive agreed that a number of functions would transfer from Central Government to the new councils as part of Local Government reform in April 2015. One of the key functions transferring will be responsibility for most operational planning activity. I have recently consulted on a new Strategic Planning Policy Statement which for the first time consolidates existing planning policies into one shorter, simpler and strategic document. The SPPS sets a new policy framework to ensure that the reformed two tier planning system continues to contribute to an economically, socially and environmentally sustainable Northern Ireland. Through this the new 11 District Councils will be empowered to develop plans and policies, informed by the SPPS, which will shape their local areas ensuring the appropriate balance between environmental protection and economic growth.

The Department too, has already commenced preparatory work on development plans for the new councils which will be used to guide development decisions within a specified area. The preparation of a new development plan provides an opportunity to get involved in shaping the future development of an area. This work involves close working with the new shadow councils and will allow them to move quickly to bring forward their own Local Development Plans when powers transfer.

My Department is developing Northern Ireland's first Marine Plan, which will contribute to the effective management of marine activities and the sustainable use of our marine and coastal resources. Alongside this, we are implementing the Marine Strategy Framework Directive, with the aim of achieving Good Environmental Status in the marine environment by 2020.

I am also progressing the designation of Marine Conservation Zones, which will contribute to the development of an ecologically coherent network of Marine Protected Areas, to meeting Marine Strategy Framework Directive targets and wider biodiversity commitments at European and global level.

### Dereliction Fund

**Mr McGlone** asked the Minister of the Environment what discussions he has had with the Minister of Finance and Personnel regarding the allocation of funding to the Dereliction Fund in the next monitoring round.

(AQO 6266/11-15)

**Mr Durkan:** As many of you know, the Dereliction Intervention Funding programme was introduced in February 2012 to provide councils with funding to enhance and improve the cosmetic and aesthetic appearance of an area, whether it is a city, town, village or neighbourhood.

Since February 2012, some £4.2m has been allocated to councils. The scheme has received very positive feedback from both residents and visitors to the areas covered.

As part of the 2014-15 June Monitoring round I have submitted a bid for an additional £1.0 million which will help progress the scheme on a gradual basis with the aim of meeting all bids submitted by councils.

### Taxis: Public Hire

**Mr Maskey** asked the Minister of the Environment for an update on his proposals to address the concerns of public hire taxi operators in Belfast.

(AQO 6269/11-15)

**Mr Durkan:** The Taxis Act (Northern Ireland) 2008, which was passed by this Assembly without division, was designed to deliver the benefits which enhanced taxi regulation could bring to Northern Ireland. The benefits derive from an increased choice for consumers, greater clarity around what taxis are (and are not) permitted to do, and an increased capacity within the industry to deal with peak demand at specific times and locations, thereby helping to address public and personal safety concerns. My Department has already introduced taxi operator licensing and is preparing a suite of legislation which will fully implement the remaining provisions of the Taxis Act.

The proposed introduction of a single tier licensing system, which is a central component of the new legislation, is opposed by Belfast public hire taxi drivers and operators. Single tier licensing is however supported by a wide range of stakeholders. I have listened carefully to the issues raised and am currently considering what – if any – changes might be appropriate to the plans which have been approved by the Environment Committee, and which could address those concerns whilst still delivering the benefits flowing from the Act.

### HGV Road User Levy

**Ms Boyle** asked the Minister of the Environment, in light of his statement on 12 May 2014 that no one is enforcing the Heavy Goods Vehicle Levy locally, whether Donegal hauliers are subject to the levy.

(AQO 6270/11-15)

**Mr Durkan:** The Heavy Goods Vehicles (HGV) Road User Levy has been introduced by the Department for Transport in London. It has applied since 1 April 2014 to all qualifying HGVs using the roads in all parts of the UK. It is classified as an Excepted Matter for the purposes of the Northern Ireland Act 1998 and as such the Department for Transport has lead responsibility for all aspects of the levy, including its enforcement. Not paying the Levy when using the UK's roads is an offence; all UK trucks have been paying the Levy as part of their Vehicle Excise Duty (VED) since 1 April 2014.

## Planning: Article 31 Applications

**Mr Givan** asked the Minister of the Environment how many Article 31 planning applications are currently under consideration. (AQO 6271/11-15)

**Mr Durkan:** You will know that applications which have been processed under Article 31 fall to me to determine. As at 27 May, there are 26 live Article 31 applications with the Department. Of these, Notices of Opinion to refuse have issued on 7 applications, and these have all requested a hearing before the Planning Appeals Commission, and one further application is scheduled for a public inquiry.

This leaves 18 applications on which I have yet to make a decision.

Since coming to office in May 2011, there were 60 applications with the Department and my predecessor and I have processed 48 applications to a final decision.

## Department of Finance and Personnel

### Air Passenger Duty

**Mr Flanagan** asked the Minister of Finance and Personnel to detail (i) the number of flights taken to destinations in Air Passenger Duty Band B and C since the Assembly legislated to set the Air Passenger Duty of such flights to zero on 1 January 2013; and (ii) the total cost to date to the Executive of funding the reduction. (AQW 33543/11-15)

**Mr Hamilton (The Minister of Finance and Personnel):** Information on the number of flights in this regard is not publically available.

The total cost to date applied to the NI Block Grant has been £2.04m.

### Negative Equity

**Mr Lyttle** asked the Minister of Finance and Personnel to detail any assistance being offered to mortgage holders in negative equity. (AQW 33622/11-15)

**Mr Hamilton:** My department has no responsibility or role to play in providing assistance to mortgage holders in negative equity.

### Negative Equity

**Mr Lyttle** asked the Minister of Finance and Personnel what action he is taking in response to the issue of negative equity ownership. (AQW 33675/11-15)

**Mr Hamilton:** My department has no responsibility or role to play in providing assistance to mortgage holders in negative equity.

## Department of Health, Social Services and Public Safety

### Televisions in Hospitals: Digital Switchover

**Mr Campbell** asked the Minister of Health, Social Services and Public Safety, following the digital switchover in October 2012, how many wards in Acute Hospitals do not have televisions available in wards as a result of set-top boxes still not having been activated. (AQW 33515/11-15)

**Mr Poots (The Minister of Health, Social Services and Public Safety):** Following the digital switchover in October 2012, all Health and Social Care Trusts report that all wards in Acute Hospitals have television sets which are in working order and are available for use. Unfortunately, a number of television sets in wards in the Royal Victoria Hospital, Belfast, are not working due to their age and the unavailability of spare parts. Their condition is not related to the digital switchover.

### Disposable Nappies

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety to detail (i) the incentives in place to promote the use of reusable nappies; (ii) the incentives he is putting in place to encourage parents to choose reusable nappies; and (iii) for his assessment of the impact the gift of disposable nappies to parents of newborns by corporations has on the uptake of disposable nappies. (AQW 33522/11-15)

**Mr Poots:** The Public Health Agency (PHA) issues The Pregnancy Book to all first time mothers which includes information regarding nappies in general and provides advice on both cloth and disposable nappies.

While the PHA does not provide direct incentives for the use of either type of nappy, The Pregnancy Book does advise that, "Washable cloth nappies are cheaper than disposable nappies, even when you take into account the cost of washing them at home or getting them washed by a laundry service. They are more environmentally friendly and are easily laundered in a 60°C wash." It also provides advice on accessories needed to use cloth nappies (pins, liners, sterilising equipment etc) and links to information about local suppliers and laundry services.

New mothers are given free product sample-packs and information from Bounty, which is a charitable trust. The samples provide opportunities to 'try before buying'. The packs are issued at the beginning of pregnancy and after a baby is born, and their contents are the responsibility of Bounty. My Department does not hold information on the impact of these packs on the uptake of disposable nappies.

### Pancreatic Cancer

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety for his assessment of the availability of information for people who are newly diagnosed with pancreatic cancer. (AQW 33546/11-15)

**Mr Poots:** Health and Social Care Trust medical and nursing teams provide support and advice to newly diagnosed pancreatic cancer patients. In addition patients are offered information booklets published by Macmillan Cancer Support. This support continues throughout the patient pathway. Some Trusts also offer referral to Citizen's Advice for financial support and counselling if required.

### Pancreatic Cancer

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what contact his Department has had with relevant third sector organisations to improve awareness, diagnosis, treatment and care of pancreatic cancer. (AQW 33547/11-15)

**Mr Poots:** I supported the launch of the Northern Ireland Fundraising Group of the Pancreatic Cancer Research Fund (PCRF) in February 2014 and attended a charity walk the group held in Moira in July 2013. My Department is committed to working in partnership with the third sector to provide the best awareness, information and services that we can provide for all types of cancer.

### Pancreatic Cancer

**Mr Buchanan** asked the Minister of Health, Social Services and Public Safety what action he is taking to ensure that current medical training promotes early diagnosis of pancreatic cancer. (AQW 33549/11-15)

**Mr Poots:** Training in pancreatic cancer diagnosis is provided for GP trainees in accordance with the GP curriculum. This includes interpreting common symptoms, understanding the indications for urgent referral for pancreatic cancer and understanding the risks associated with various symptoms which may indicate pancreatic cancer.

Training is also covered in the surgical curriculum. Trainees are required to manage the patient presenting with symptoms relating to pancreatic cancer and be competent to diagnose and manage those patients appropriately.

### Emergency Eye Clinic: Royal Victoria Hospital

**Mr Agnew** asked the Minister of Health, Social Services and Public Safety what facilities are available to facilitate wheelchair uses at the emergency eye clinic at the Royal Victoria Hospital. (AQW 33564/11-15)

**Mr Poots:** I am advised by the Belfast Health and Social Care Trust that the Eye Casualty in the Royal Victoria Hospital is situated on Level 8 of the Eyes, Ear, Nose and Throat (EENT) building and is accessible by elevator from both the main hospital entrance and the Falls Road entrance of the hospital. The EENT building is situated in an older part of the hospital estate, however elevators are available and doorways and corridors are wide enough to facilitate wheelchair users. If a patient with either a sensory or physical disability presents at Eye Casualty and reasonable adjustments are required, the Trust will do its utmost to accommodate these patients.

### Family Support Services

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what services are provided by Family Support; and to outline the availability of these services in each Health and Social Care Trust. (AQW 33583/11-15)

**Mr Poots:** Family Support is broad term that covers a wide range of services delivered by HSC Trusts and other Agencies. These include:

- Family Intervention Teams;
- The Community Family Support Programme; and



- Family Support Hubs.

Family Intervention Teams are situated within each HSC Trust area and seek to safeguard and promote best outcomes for children and families through the provision of a professional, accountable and quality social work service. They deliver family support and child protection services. They also provide services to court and have the Gateway Service including the single point of entry to access Gateway.

The Community Family Support Programme is a Delivering Social Change signature project entitled 'Pathways to Employment for Young People'. This programme, led by DEL, is being delivered in five areas, based on the Health and Social Care Trust areas. Community Family Support Programme providers work in partnership with statutory agencies such as Health and Social Care Trusts and the Youth Justice Agency to support families.

A Family Support Hub is a multi-agency network of statutory, community and voluntary organizations that either provide early intervention services or work with families who need early intervention services.

Delivering Social Change funding has been used to establish a further 10 hubs, bringing the total to 25 across Northern Ireland. This funding will also enable a minimum of 1700 additional family support interventions to be delivered, across a two year period, in addition to the interventions already being provided.

The network accepts referrals of families who need early intervention family support and uses their knowledge of local service providers and the Family Support Database ([www.familysupportni.gov.uk](http://www.familysupportni.gov.uk)) to signpost families with specific needs to appropriate services.

### Prostate Specific Antigen Test

**Mr McCarthy** asked the Minister of Health, Social Services and Public Safety whether he plans to reaffirm the right of men aged 50 years and over to a prostate specific antigen test.  
(AQW 33602/11-15)

**Mr Poots:** The UK National Screening Committee (NSC) has reviewed the evidence on screening men for prostate cancer. In view of the evidence available at present the NSC does not recommend screening because the potential harms from prostate cancer screening using the Prostate Specific Antigen (PSA) test are likely to outweigh the benefits.

Although the NSC has advised against a prostate screening programme using the PSA test, they acknowledge that men without symptoms of prostate cancer may request a PSA test. The NSC has advised that an informed choice programme should be available to them.

In October 2009 the Chief Medical Officer issued HSS (MD) 43/2009 to all GPs, consultant urologists and consultant histopathologists in Northern Ireland. This letter provides details of the revised prostate cancer risk management programme (PCRMP). The PCRMP aims to ensure that men without any symptoms of prostate cancer and who are considering having a PSA test are given information about the benefits, the limitations and the risks associated with having the test.

### Rare Diseases Stakeholders Group

**Mr P Ramsey** asked the Minister of Health, Social Services and Public Safety to list the members of the Northern Ireland Rare Diseases Stakeholders Group.  
(AQW 33633/11-15)

**Mr Poots:** The Northern Ireland Rare Diseases Stakeholder Group (NIRDSDG) is an ad hoc group established and chaired by the Department to help steer the development of the Northern Ireland Rare Diseases Implementation Plan. The group comprises representatives from the:

- DHSSPS policy directorates with responsibility for policy related to rare diseases;
- Health and Social Care Board (HSCB) which is responsible for the planning, commissioning and delivery of health services and support to those people who have rare diseases.;
- Public Health Agency (PHA); and,
- medical professions, universities and patient groups who are responsible for the planning, commissioning, delivery, research of rare diseases and the provision of support to those people who have rare diseases.

The current focus of the group is on health care related matters and it is expected that its membership will be extended to include other stakeholders who will contribute to non-medical aspects of the Implementation Plan.

### GPs: Shortfall

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety, in light of the shortfall in GP numbers highlighted by the Put Patients First: Back General Practice campaign, whether he has given consideration to (i) increasing the funding which his Department allocates to the Northern Ireland Medical and Dental Training Agency; and (ii) providing incentives for GPs who have left the profession to retrain and to support their period of re-induction.  
(AQW 33636/11-15)

**Mr Poots:**

- The Department is currently taking forward a workforce review of all the medical specialties across Health and Social Care. A priority area being addressed in this review is that of general practice. The outcome of this review will help to inform future funding allocations to the Northern Ireland Medical and Dental Training Agency.
- The Health and Social Care Board has recently introduced a scheme to support GPs who wish to return to work in general practice. The scheme commenced as a pilot in 2013/14 and will be evaluated during the 2014/15 financial year.

### Health Service: Funding

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety whether he has considered increasing the percentage of Health Service funding from 7.96 per cent to 11 per cent, in line with recommendations made by the Royal College of General Practitioners in Northern Ireland.  
(AQW 33637/11-15)

**Mr Poots:** I fully appreciate the commitment and contribution of General Practice in the delivery of healthcare here in NI. The issue of the overall funding allocation for GPs is clearly important but it must be considered both in the context of the current challenging financial climate and also the other elements of the General Medical Services Contract.

I have provided additional investment in the GMS Contract for 2014/15 with increased levels of funding in general practice with the highest uplift to the Contract across the UK and with further additional investment to the Quality and Outcomes Framework (QOF). This additional investment is aimed at supporting improved performance and patient care

A review of funding and workloads is currently being undertaken and its findings will be a key consideration for the 2015/16 GMS Contract negotiations within the context of available resources.

### Multiple Sclerosis: Symptom Management

**Mrs Cochrane** asked the Minister of Health, Social Services and Public Safety for his assessment of the accessibility of symptom management treatments for multiple sclerosis, particularly (i) Sativex; (ii) Fampyra; and (iii) Botox, in each Health and Social Care Trust.  
(AQW 33647/11-15)

**Mr Poots:** The Health and Social Care Board has responsibility for commissioning all drug therapies in Northern Ireland and currently commissions all National Institute for Health and Clinical Excellence (NICE) approved specialist multiple sclerosis (MS) drugs. Where a drug is not NICE approved clinicians can make an application for funding via the Individual Funding Request process. Such applications require a clear demonstration of clinical exceptionality and are evaluated via the established route.

- and (ii): NICE has issued draft Clinical Guidelines "Management of multiple sclerosis in primary and secondary care" which refers to both Fampyra and Sativex but does not recommend either drug to treat lack of mobility and spasticity for people with MS. The Scottish Medicines Consortium (SMC) has not recommended use of either drug within NHS Scotland.
- Botox (botulinum toxin): Botox does not currently hold a UK license for treatment of MS. However it is used for bladder management and spasticity management where appropriate; some of the patients will have MS.

### Expectant Mothers: Altnagelvin Hospital

**Mr Hussey** asked the Minister of Health, Social Services and Public Safety how many expectant mothers from the Omagh and Fermanagh areas have been sent to Altnagelvin Hospital to deliver their babies, in each of the last two financial years.  
(AQW 33657/11-15)

**Mr Poots:** The number of expectant mothers from the Omagh and Fermanagh areas who have given birth in Altnagelvin Hospital, in each of the last two years, is given in the table below. It is not possible to determine whether these mothers were sent or chose to attend Altnagelvin Hospital.

Area of Residence	2011/12	2012/13
Fermanagh	12	29
Omagh	184	133
Total Deliveries	2,872	2,708

Source: Hospital Inpatient System

### Down's Syndrome: Organ Transplants

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety how many (i) children; and (ii) adults with Down's Syndrome have applied for organ transplants in each of the last eight years; and how many have received an organ transplant.  
(AQW 33677/11-15)

**Mr Poots:** NHS Blood and Transplant (NHSBT) is the organ donation organisation for the UK that has responsibility for matching and allocating donated organs and managing the national organ donor register and transplant waiting lists.

NHSBT has confirmed that the information requested is not available as it does not record whether a patient has Down's Syndrome when listing them for transplant.

### South West Acute Hospital: Staff

**Mr Flanagan** asked the Minister of Health, Social Services and Public Safety why no doctors were available at the South West Acute Hospital to sign a death certificate on 26 May 2014 which resulted in a delay in the release of a deceased patient. (AQW 33678/11-15)

**Mr Poots:** There is a legal requirement that a doctor who has treated a patient in the last 28 days for a natural illness that caused their death may issue a Medical Certificate of Cause of Death (MCCD). A doctor who had not been directly involved in the patient's care at any time during the illness from which they died cannot certify the cause of death.

I am advised by the Western Health and Social Care Trust that while the normal full complement of medical staff was on duty on Monday 26 May 2014 in the South West Acute Hospital, the doctors on duty on 26 May might not have met the above criteria and as such, legally could not complete the form for particular patients.

### Condition Management Programme: Funding

**Mr Swann** asked the Minister of Health, Social Services and Public Safety how much funding his Department has provided to the Condition Management Programme in each of the last three years; and to detail the (i) budget for this year; and (ii) proposed budget for next year. (AQW 33712/11-15)

**Mr Poots:** My Department does not provide funding to the Condition Management Programme (CMP). The CMP is funded and managed by the Department for Employment and Learning (DEL) and is delivered, on behalf of DEL, by healthcare professionals in Health and Social Care Trusts.

The Minister for Employment and Learning has advised me that following a review of the CMP by his Department, he concluded that the current model is not sustainable and that funding for the programme in its existing format will cease at the end of 2014/15. Officials from my Department are liaising with officials from DEL and other key stakeholders to explore potential options for the CMP after 2014/15.

### Health Service: Payroll Issues

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety what action his Department is taking to rectify as a matter of urgency the payroll issues affecting health service staff. (AQW 33713/11-15)

**Mr Poots:** A range of measures has been taken to rectify the payroll issues affecting health service staff.

The new HRPTS system puts an emphasis on employees and managers submitting claims for additional payments in a timely and appropriate way. The BSO and Trusts continue to re-emphasise the importance of adhering to these protocols. There is also on-going training and awareness work with managers who complete and submit timesheets, and work is well underway preparing for the release of a more robust electronic timesheet at the end of June 2014.

The BSO and Trusts have already implemented a range of measures to correct any errors – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments have also been used.

In addition to this, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help staff develop solutions to staff queries. Looking forward, a range of continuous improvement measures will also be introduced to both stabilise and enhance services. This will include the consideration of moving all staff to monthly payroll cycles to improve efficiency and also reduce the opportunity for errors.

HSC organisations have also worked closely with the system supplier to identify those employees affected by incorrect National Insurance contributions and to make any outstanding payments to each member of staff. A corrective fix to the system to prevent this issue from recurring has been successfully developed and tested by the system supplier and implemented by payroll specialists from the HSC. As such, this issue has therefore been resolved.

Emergency tax codes were applied by the HMRC to a significant number of staff in the April pay run. The BSO and Trusts have therefore been urgently liaising directly with HMRC on behalf of HSC staff to investigate this issue and establish an appropriate resolution to it. HMRC has reviewed the tax codes for all affected staff and, where appropriate, have revised the tax codes in time for the May pay run. HMRC have confirmed that some staff will still remain on an emergency tax code, in line with normal business.

### Lung Transplants

**Mr Gardiner** asked the Minister of Health, Social Services and Public Safety to detail the arrangements in place for lung transplants, including the allocation of lungs for transplant and how patients are prioritised. (AQW 33715/11-15)

**Mr Poots:** The allocation of donated organs on a UK wide basis is a matter for NHS Blood and Transplant (NHSBT) who have advised that at present lungs are allocated to designated transplant centres on a zonal basis. Currently, Northern Irish patients listed for lung transplants are referred for treatment at Freeman Hospital in Newcastle Upon Tyne.

Assessing donor lungs and selecting the most appropriate recipients is often difficult and requires detailed knowledge of the recipient. The transplant surgeon will use their clinical knowledge to assess both the donor lungs and potential recipients to find the best match, based on aspects such as the risks associated with the lungs and the severity of the patient's condition. If there is no suitable recipient in a particular centre, the lungs are offered to other UK centres. Whether the donor organs are accepted for use in transplantation is the surgeon's decision and will be based on the characteristics of both the donor and the potential recipient.

NHSBT is reviewing this approach to ensure that this delivers the best patient outcomes and will make the necessary changes if other approaches offer advantages to patients.

### Wind Turbines: Health Impacts

**Mr McNarry** asked the Minister of Health, Social Services and Public Safety, in light of the comments made by Professor Alun Evans, Professor Emeritus of Epidemiology at Queen University Belfast at the Royal College of Physicians conference in Dublin on 22 May 2014, whether he will commission an investigation into the impacts of infrasound and low frequency sound generated by wind turbines and wind turbine arrays, on sleep, sleep deprivation and learning capacity in people living close to such facilities; and communicate with the Minister of the Environment on the planning impacts of any adverse findings in this regard. (AQW 33753/11-15)

**Mr Poots:** The Public Health Agency is regularly asked by the Planning Service to comment on potential health effects of proposed wind turbine development. This response will often depend on the specific details of the proposed development. However, in general, the view of the Public Health Agency is that, provided established guidance and best practice in relation to placement of wind turbines and mitigation measures is undertaken, there is minimal to no risk to the health of the population associated with such facilities. This view is supported by the best current scientific evidence.

The basis for forming the above view is threefold:

- External advice from experts in Public Health England.
- Examination of the primary literature purporting a serious adverse health condition caused by wind turbines and finding its conclusions unsustainable.
- Consideration of independent reviews of adverse health effects of wind turbines which to date have failed to demonstrate that serious adverse health effects are caused by wind turbines, the most recent of which was the Report on Health Impacts of Wind Turbines (von Hünerbein et al, April 2013) from the University of Salford, prepared for the Scottish Government, which systematically reviewed the recent peer-reviewed literature and found no conclusive evidence of serious health conditions caused by wind turbines.

### Antrim Area Hospital: Non-essential Equipment

**Mr Frew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33331/11-15, what measures are in place to ensure that ward managers at Antrim Area Hospital do not neglect the need to update non-essential equipment, such as headsets for listening to TV and Radio. (AQW 33771/11-15)

**Mr Poots:** Ward managers are responsible for all aspects of their wards and are asked to prioritise patient care, treatment and safety.

Where concerns or issues are raised in regard to non-essential equipment, such as headsets, ward managers would be expected to address these whilst all the time continuing to prioritise patient treatment and care.

The need to maintain a stock of functioning headsets has been highlighted to ward managers at Antrim Area Hospital.

### Antrim Area Hospital: Patient Headsets

**Mr Frew** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33331/11-15, what measures are in place to measure and monitor how fit for purpose headsets for listening to radio and TV in each of the wards in Antrim Area Hospital; and what is the current percentage of fit for purpose headsets in each ward in Antrim Area Hospital. (AQW 33772/11-15)

**Mr Poots:** Unfortunately, information on headsets is not collected centrally. Ward managers at the Antrim Area Hospital are expected to monitor the headsets on their ward as part of the overall ward experience.



Where issues arise in relation to headsets, patients and their families may raise these with the ward manager who can order replacement sets as necessary.

By summer 2014 it is expected that all wards in Antrim Area Hospital will use disposable headsets.

### Northern Regional College Tutors at Rathmoyle Daycare Centre

**Mr McMullan** asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 33560/11-15, to outline the content of the classes provided by the Northern Regional College Tutors at Rathmoyle Daycare Centre. (AQW 33778/11-15)

**Mr Poots:** Tutors from the Northern Regional College provided the basic skills course in Literacy, Numeracy and IT to meet the need of the individual service users at Rathmoyle Daycare Centre. Three service users completed Entry Level 3 I.C.T. from the OCR examination body.

### Healthcare Staff: Pay

**Mr Byrne** asked the Minister of Health, Social Services and Public Safety what measures have been taken to ensure that the pay glitch affecting health care staff is resolved. (AQW 33779/11-15)

**Mr Poots:** A range of measures has been taken to rectify the payroll issues affecting health service staff.

The new payroll system puts an emphasis on employees and managers submitting claims for additional payments in a timely and appropriate way. The BSO and Trusts continue to re-emphasise the importance of adhering to these protocols. There is also on-going training and awareness work with managers who complete and submit timesheets.

The BSO and Trusts have already implemented a range of measures to correct any errors – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments have also been used.

In addition to this, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help staff develop solutions to staff queries. Looking forward, a range of continuous improvement measures will also be introduced to both stabilise and enhance services. This will include the consideration of moving all staff to monthly payroll cycles to improve efficiency and also reduce the opportunity for errors.

HSC organisations have also worked closely with the system supplier to identify those employees affected by incorrect National Insurance contributions and to make any outstanding payments to each member of staff. A corrective fix to the system to prevent this issue from recurring has been successfully developed and tested by the system supplier and implemented by payroll specialists from the HSC. As such, this issue has therefore been resolved.

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### New Hospital in Omagh

**Mr McElduff** asked the Minister of Health, Social Services and Public Safety, in light of the recent High Court ruling by Mr Justice Stephens, to outline the timescale for the completion of the construction of the new hospital in Omagh. (AQW 33810/11-15)

**Mr Poots:** Due to a recent legal challenge, the construction of the new hospital has been delayed by approximately 6 months. However, following the High Court ruling by Mr Justice Stephens, the WHSCT are now in a position to proceed.

Construction will commence on site later this month with contract completion scheduled for July 2016. The hospital is expected to become operational in autumn 2016.

### Health Service: Payroll Issues

**Mr McKinney** asked the Minister of Health, Social Services and Public Safety, given the precarious financial situation that many Health Service workers find themselves in as a result of payroll errors, how the outstanding issues surrounding the Health Service payroll will be resolved. (AQW 33849/11-15)

**Mr Poots:** A range of measures has been taken to rectify the payroll issues affecting health service staff.

The new payroll system puts an emphasis on employees and managers submitting claims for additional payments in a timely and appropriate way. The BSO and Trusts continue to re-emphasise the importance of adhering to these protocols. There is also on-going training and awareness work with managers who complete and submit timesheets.

The BSO and Trusts have already implemented a range of measures to correct any errors – this includes running additional payment cycles to make good any underpayments and where this has not addressed the problem (for example hardship), then emergency payments have also been used.

In addition to this, my Department has approved further expert support for the HSC payroll functions over the coming months. This will provide additional resource to help with the familiarisation of the new HRPTS system and will also help staff develop solutions to staff queries. Looking forward, a range of continuous improvement measures will also be introduced to both stabilise and enhance services. This will include the consideration of moving all staff to monthly payroll cycles to improve efficiency and also reduce the opportunity for errors.

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## Department of Justice

### Deportation on Completion of a Custodial Sentence

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33356/11-15, to clarify whether despite completing a sentence, a person recommended for or awaiting deportation is freed or resident in a community setting. (AQW 33628/11-15)

**Mr Ford (The Minister of Justice):** Decisions on deportation including the issuing of warrants of detention pending removal (I.S.91s) are matters for the Home Office. The Northern Ireland Prison Service only holds individuals beyond their custody expiry date if those individuals have been served with such a warrant.

### Prisoner Safety and Support Team for Vulnerable Prisoners

**Lord Morrow** asked the Minister of Justice to detail the (i) desired; and (ii) average time between a referral and the instigation of action by the Prisoner Safety and Support Team for vulnerable prisoners. (AQW 33630/11-15)

**Mr Ford:** All referrals to the Prisoner Safety and Support Team (PSST) are assessed on receipt. NIPS does not collate statistics on average time between referral and action. Where necessary, support measures or appropriate interventions can be put in place immediately. The PSST continues to work in partnership with other agencies to provide the appropriate support for vulnerable prisoners.

### Unpaid Court Fines

**Lord Morrow** asked the Minister of Justice, following the release of figures in respect of unpaid court fines, what action his Department or agencies has taken to recoup outstanding fines; and to outline whether he will introduce legislation or classify the continued failure to discharge court-imposed fines as a criminal offence. (AQW 33642/11-15)

**Mr Ford:** The Northern Ireland Courts and Tribunals Service operates a fine collection service to secure fine payment without further court or enforcement action.

New fine default processes will commence in the Magistrates' Courts by the end of June. Defendants can pay their fine at any stage of default proceedings. However, if a fine remains unpaid a fine default warrant may be issued for enforcement by the PSNI. The enforcement of fine default warrants is an operational matter for the Chief Constable.

The non-payment of a fine already attracts a range of sanctions including imprisonment and I currently have no plans to create a specific and additional criminal offence for failing to discharge a court imposed fine.

However, I plan to provide courts with additional sentencing, collection and enforcement options in the Fines and Enforcement Bill, which will be introduced into the Assembly later this year. The Bill will contain proposals to enable fine payment through deductions from income or benefits and will create a new collection and enforcement service.

A public consultation on further enforcement options including the seizure of vehicles for non-payment, the removal of remission from any period spent in custody for non-payment and powers for collection officers to deduct money from bank accounts closed on 6 June.

### Excessive Street Parking Killyman Road Area:

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33512/11-15, whether (i) he is aware that residents in a nearby private estate have employed a guard to ensure their parking spaces are not abused on court sitting days; and (ii) he will engage with Dungannon PSNI in relation to safety in the Killyman Road area due to excessive street parking.

(AQW 33643/11-15)

**Mr Ford:**

- (i) Prior to the Member's question, I was unaware of this issue.
- (ii) I have been advised that the PSNI in Dungannon does not have any particular safety concerns regarding excessive street parking in the Killyman Road area.

### Legal Aid

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33196-11-15, to detail the legal aid granted in each court division for each year shown.

(AQW 33648/11-15)

**Mr Ford:** It is not possible to provide the information requested as the information can only be extracted at disproportionate cost.

### Cases not Committed: Preliminary Investigations' Findings

**Lord Morrow** asked the Minister of Justice, pursuant to AQW 33196-11-15, how many cases were not committed for trial as a result of the Preliminary Investigations' findings; and how many of these cases were dismissed.

(AQW 33649/11-15)

**Mr Ford:** The number of preliminary investigations involving mixed committal proceedings that did not proceed to trial as a result of the findings of the preliminary investigation, and their outcomes, is outlined below for the calendar years 2011 to 2013.

Number of mixed committals that did not proceed to trial, by outcome: 2011 to 2013P

Outcome of preliminary investigation	Year		
	2011	2012	2013 <sup>P</sup>
Withdrawn by the Public Prosecution Service	7	1	3
Adjourned generally	0	1	0
Not enough evidence to proceed at this stage	0	2	0
Key witness did not attend the preliminary investigation	0	0	1
Proceedings stayed	0	0	1
<b>Total number that did not proceed to trial</b>	<b>7</b>	<b>4</b>	<b>5</b>

**Source:** Integrated Court Operations System (ICOS)

P Data are currently provisional and may be subject to change.

### Sexual Offences Act 2003

**Lord Morrow** asked the Minister of Justice how many cases involving offences under (i) Section 57 of the Sexual Offences Act 2003; (ii) Section 58 of the Sexual Offences Act 2003; (iii) Section 58A of the Sexual Offences Act 2003; and (iv) Section 59 of the Sexual Offences Act 2003, are currently in the (a) Magistrates Court; and (b) Crown court systems, broken down by court division.

(AQW 33659/11-15)

**Mr Ford:** The following table details the number of cases in the Magistrates' Courts by court division as at 27 May 2014. There were no cases in the Crown Court at this date.

Offence	Court Division			
	Ards	Belfast	Craigavon	Total
(i) Section 57 Sexual Offences Act 2003	0	0	0	0
(ii) Section 58(1) Sexual Offences Act 2003	1	0	1	2
(iii) Section 58(1)(a) Sexual Offences Act 2003	0	1	0	1

Offence	Court Division			
	Ards	Belfast	Craigavon	Total
(iv) Section 59 Sexual Offences Act 2003	0	0	0	0
<b>Total</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>3</b>

**Source** – Integrated Court Operations System.

### PSNI: Disclosure Obligations

**Mr Allister** asked the Minister of Justice whether he will instigate an investigation into why the PSNI did not meet its disclosure obligations in a timely and frank manner in respect of the aborted attempt to prosecute William Frazer over alleged flag protest incidents, causing him to be remanded in custody and remain subject to stringent bail conditions for over a year.

(AQW 33660/11-15)

**Mr Ford:** I have no plans to initiate such an investigation in relation to this case. It is the statutory responsibility of the Police Ombudsman to investigate matters relating to the conduct of the PSNI. Any complaint about the conduct of the PSNI should therefore be made to the Police Ombudsman and he will investigate the matter if he considers there to be sufficient grounds to do so.

### Failed Attempt to Prosecute

**Mr Allister** asked the Minister of Justice to detail the cost of the failed attempt to prosecute William Frazer over alleged flag protest incidents.

(AQW 33661/11-15)

**Mr Ford:** Mr Frazer was charged with a number of offences and it is not possible to attribute estimated costs to individual charges. One charge remains before the court. However, the following table details the estimated cost of prosecution and court costs as at 29 May 2014.

Cost Type	Estimated Cost £
(i) Prosecution <sup>1</sup>	768
(ii) Court (Judiciary and staff costs)	939
(iii) Facilities (e.g. courtroom accommodation)	335
<b>Total</b>	<b>2,042</b>

<sup>1</sup> The total Public Prosecution Service cost is not yet available. An estimate of costs for counsel to date has been provided.

No legal aid claims have been received to date.

### Magistrates' Courts: Preliminary Enquiries

**Lord Morrow** asked the Minister of Justice to detail (i) whether he will introduce plans to abolish preliminary enquiries at Magistrates Courts in indictable prima facie cases where the defence have confirmed they will make no contrary submissions; (ii) whether hearings serve any purpose other than as a formality; and (iii) for his assessment of whether significant savings on Legal Aid of approximately £800 per hearing could be saved if non-opposed preliminary enquiries were abolished.

(AQW 33664/11-15)

**Mr Ford:** The forthcoming Justice Bill will include proposals to abolish the use of preliminary investigations and the use of oral evidence at preliminary inquiries, provide for the direct committal to the Crown Court of certain indictable cases where the defendant intends to plead guilty at arraignment, and allow for the direct committal to the Crown Court of certain specified offences.

The purpose of these proposals is to ensure that cases are managed at the appropriate court level and to expedite the disposal of cases where defendants are pleading guilty. They are not designed to reduce costs and I do not envisage that there will be any significant impact on the cost of legal aid.

### Court Cases: Asylum and Immigration (Treatment of Claimants) Act 2004

**Lord Morrow** asked the Minister of Justice how many cases involving, or relating to, Section 4 of the Asylum and Immigration (Treatment of Claimants) Act 2004 are currently in the (i) Magistrates Court; and (ii) Crown Court systems, broken down by court division.

(AQW 33667/11-15)

**Mr Ford:** As at 28 May 2014, there are currently no active cases of this type in the Magistrates' Court or Crown Court.

### Court Cases: Articles 59 to 64A of the Sexual Offences (NI) Order 2008

**Lord Morrow** asked the Minister of Justice how many cases involving Articles 59 to 64A inclusive of the are currently in the (i) Magistrates Court; and (ii) Crown Court systems, broken down by order and court division.

**(AQW 33691/11-15)**

**Mr Ford:** As at 29 May 2014, there are currently three cases in Belfast Magistrates' Court and two cases in Belfast Crown Court.

Two of the Magistrates' Court cases relate to charges under Article 63 of the Sexual Offences (Northern Ireland) Order 2008 (the Order), the remaining case involves charges under both Articles 63 and 64.

One Crown Court case relates to charges under Article 63 and the other involves charges under both Articles 63 and 64.

## Department for Regional Development

### Illegal Landfill

**Mr Agnew** asked the Minister for Regional Development, pursuant to AQW 29942/11-15, (i) for his assessment of whether the retrospective planning application A/2010/0596/F to retain illegal landfilling at the former City Waste site comprises part of the unprecedented illegal waste disposal site referred to in the Mills Report as Mobuoy Road; (ii) whether this illegal land filling remains in place; (iii) whether Road Service's evaluation and his own Department's drawings indicate that this illegal landfill lies directly in the line of the proposed A6 dual carriageway; and (iv) whether he wishes to revisit his advice to the Assembly that the line of the proposed A6 avoids the illegal landfilling.

**(AQW 33421/11-15)**

**Mr Kennedy (The Minister for Regional Development):** I would like to highlight that planning application A/2010/0569/F was a retrospective application to infill an area for the parking of lorries and empty skips. Planning history shows the infill was completed and lorry park was constructed before April 2009.

In respect of the specific issues you raised I would reply as follows:

- (i) The ground investigation for the new road, carried out in March 2010, did not reveal anything untoward in the vicinity of the lorry park.

On this basis, I am content that the infill and lorry park is not part of the illegal waste site referred to in the Mills Report.

- (ii) The lorry park remains in-situ.

- (iii) I confirm the lorry park lies directly in the line of the new road.

- (iv) I remain content that the discovery of illegal landfill at Mobuoy Road will not prejudice the construction of the A6 dual carriageway. At Mobuoy, the new road is aligned around the eastern periphery of the City Industrial Waste and Campsie Sand and Gravel sites, thus avoiding the illegal landfill.

### Parking Offences: Decriminalised

**Mr Weir** asked the Minister for Regional Development whether all parking offences have been decriminalised; and if not, to detail which ones remain.

**(AQW 33557/11-15)**

**Mr Kennedy:** As part of the processing of decriminalising parking offences, my Department and the PSNI are of the view that it is appropriate for certain offences to remain criminal offences enforceable by the police because of considerations of road safety or obstruction, but that provision should be made to enable my Department to take the powers to enforce these regulations. Such offences would include parking within 15 metres of a junction and parking within the limits of zebra or pelican crossings.

In these circumstances, any criminal prosecution by the PSNI would take precedence over any action by the Department, and therefore the two penalties/fines cannot be issued for the same contravention/offence.

Details of the parking offences which have not been decriminalised are provided in the table below:

Offence	Legislation
1 Parking a heavy commercial vehicle unlawfully (verge, footway, central reservation).	Article 30(1) Road Traffic (NI) Order 1995.
2 Misuse of a disabled persons badge.	
3 Parking so as to obstruct an access.	Article 4(5) RTRO in so far as it applies to Article 5(c), RRWO 1982.

### Car Parking Offences

**Mr Weir** asked the Minister for Regional Development whether there are any parking offences that can be subject to a fine from the PSNI and traffic wardens.

**(AQW 33558/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 33557/11-15.

### Hazelwood Development, Dromore Road

**Mr Flanagan** asked the Minister for Regional Development to detail the work required to allow the Hazelwood development on the Dromore Road, Irvinestown to be adopted by his Department.

**(AQW 33571/11-15)**

**Mr Kennedy:** The work required to allow the adoption of the Hazelwood development includes rectification of surface defects, the inclusion of traffic calming measures and jetting of gullies.

A notice was served on the developer under Article 11 of the Private Streets Order 1984 on the 11 November 2013. The outstanding work has been programmed for completion by my Department's contractors during the current financial year. Upon completion of the outstanding works, formal adoption will take place and the incurred costs will be recovered from the outstanding bond.

### Charging Points for Electric Cars: Unauthorised Parking

**Mr Dallat** asked the Minister for Regional Development what plans are in place to discourage unauthorised parking at charging points for electric cars.

**(AQW 33579/11-15)**

**Mr Kennedy:** My Department introduced subordinate legislation in the form of The Off-Street Parking (Amendment No. 3) Order (Northern Ireland) 2012 and The Parking Places on Roads (Electric Vehicles) Order (Northern Ireland) 2012 (as amended) when establishing parking bays at charge points for electric cars. This legislation makes it an offence for the driver of a vehicle, other than an electric vehicle, to use a parking bay designated for such a purpose either on the road or in the Department's car parks. This legislation is being enforced by Traffic Attendants with PCNs issued to offenders.

To further discourage unauthorised parking, my Department has introduced green surfacing, signage and branding of publicly owned electric vehicle bays and privately owned electric vehicle bays, where permission has been granted. This work is nearing completion and is providing a visible indication to other motorists that these parking bays are exclusively for the use by electric cars.

### Fixed Penalty Notices

**Mr Weir** asked the Minister for Regional Development whether an individual who has been issued with a Penalty Charge Notice from a traffic warden can be issued with a Fixed Penalty Notice by the PSNI for the same offence.

**(AQW 33584/11-15)**

**Mr Kennedy:** I would refer the Member to my answer to his Assembly Question AQW 33557/11-15.

### Taxis: Drive-offs from Belfast City Hall

**Lord Morrow** asked the Minister for Regional Development, pursuant to AQW 32608/11-15, why traffic wardens do not provide the Driver and Vehicle Agency with any information relating to taxi drive-offs from Belfast City Hall.

**(AQW 33644/11-15)**

**Mr Kennedy:** In the course of carrying out their enforcement duties, Traffic Attendants record particular details such as, vehicle registration, type, make, colour, infringement location etc. The nature of business that any particular vehicle may be involved in, including taxis, is not recorded. Presently, there is no demand for this information and therefore it is not recorded.

### Water Charges: Domestic

**Mr Flanagan** asked the Minister for Regional Development whether he will consider bringing a recommendation to the Executive that domestic water charging be implemented.

**(AQW 33673/11-15)**

**Mr Kennedy:** The Executive has given a commitment that for householders it will ensure no additional water charges during this Programme for Government.

As decisions on water funding are cross-cutting, because of their significant public expenditure implications, the Executive has remitted issues and risks associated with the governance and funding of water and sewerage services to the Budget Review Group for detailed consideration.



### Drinking Water: Quantity

**Mr Hussey** asked the Minister for Regional Development to detail the quantity of drinking water (i) abstracted; (ii) treated; and (iii) distributed on a daily basis.

(AQW 33682/11-15)

**Mr Kennedy:** On a daily basis Northern Ireland Water abstracts and treats approximately 570 million litres of water and distributes on average 562 million litres of drinking water.

### Water Mains

**Mr Hussey** asked the Minister for Regional Development to detail the total length of water mains.

(AQW 33683/11-15)

**Mr Kennedy:** The total length of water mains owned and maintained by Northern Ireland Water is 26,976 kilometres.

### Drinking Water: Quality

**Mr Hussey** asked the Minister for Regional Development to detail the approximate number of tests carried out annually to monitor the quality of drinking water.

(AQW 33684/11-15)

**Mr Kennedy:** During 2013 Northern Ireland Water carried out 386,477 tests to monitor the quality of drinking water. These included tests carried out for regulatory purposes under the Drinking Water Regulations and operational monitoring tests.

### One Plan: Integrated Transport

**Mr P Ramsey** asked the Minister for Regional Development for an update on his Department's work as part of the One Plan, particularly in relation to integrated transport.

(AQW 33707/11-15)

**Mr Kennedy:** My Department is a member of the One Plan Interdepartmental Coordinating Group and is committed to supporting implementation of the One Plan, particularly in matters relating to transport. This is reflected in the significant investment my Department is taking forward through Translink and Transport NI to deliver key transport projects which align with the One Plan.

Reflecting the key recommendations of the One Plan my Department set out plans to upgrade the railway track between Coleraine and Londonderry over three phases. You will be aware that the first phase has now been completed, with phase 2 estimated for completion in late 2016.

To further enhance regional connections to the North West, in July 2012 I announced my decision on the A5 Western Transport Corridor scheme. You will be aware of the successful legal challenge to the project which has impacted upon the proposed delivery timescale. I can advise, however, that the Executive remains committed to the delivery of this very significant infrastructure project.

The A6 Londonderry to Dungiven dualling scheme is well advanced in terms of development. It went through Public Inquiry in 2012 and the Department is currently considering its response to the Inspector's Report. Progression of the project would, subject to final approval of the business case, be reliant upon funding being made available.

To enhance connections within the city in line with the One Plan, my Department continues to take forward traffic and car parking management measures. These have included:

- Traffic calming schemes totalling approx £110,000 at Rossville Street/Lecky Road, Rosstown Road, Bards Hill Area, Hillfort Road and Springtown Road;
- Officials are currently drafting the necessary subordinate legislation for the provision of a Residents' Parking Scheme in the Bogside area of Londonderry, with the aim of introducing this scheme in 2014;
- Installation of a comprehensive Car Park Management System in the City by means of £300,000 of Department for Social Development (DSD) City of Culture funding;
- The Department has completed the extension of Drumahoe Park and Ride, at a cost of £290,000; and

You will also be aware, on 18 March 2014 I announced a new project to develop plans for an integrated transport hub on the site of the Old Waterside Station in Londonderry. Alongside these initiatives, officials within my Department continue to engage with ILEX and Derry City Council to examine further opportunities to support the delivery of the One Plan.

## Department for Social Development

### Foreign Nationals Resident in Northern Ireland: Benefits

**Mr McNarry** asked the Minister for Social Development how many foreign nationals resident in Northern Ireland are in receipt of state benefits, including child benefit.

(AQW 33213/11-15)

**Mr McCausland (The Minister for Social Development):** The payment of benefits in Northern Ireland is administered via IT systems which are owned and maintained by the Department for Work and Pensions. As these systems do not have the facility to record the nationality of claimants, the requested information is therefore not available.

In support of changes made to the Regulations introduced for European Economic Area nationals and for returning UK nationals claiming income based Jobseekers Allowance from January 2014, the Social Security Agency is currently gathering clerical information on the number of applications for income based Jobseekers Allowance from foreign nationals. Figures collected during January, February and March indicate that 667\* foreign nationals (from the European Economic Area (EEA)) made a claim for income based Jobseekers Allowance. Of these, 419 were awarded income based Jobseekers Allowance.

Child Benefit matters are dealt with by Her Majesty's Revenue and Customs and consequently my Department does not have access to the data in order to provide an answer to that element of the Member's question.

- \* The Department for Social Development's Analytical Services Unit is unable to provide the statistics that have been requested. The details provided have been taken from clerical data collected by Decision Makers during the dates stated. The management information provided is limited to standard reports with no facility to interrogate the system.

### Affordable Warmth Scheme

**Mr Eastwood** asked the Minister for Social Development what level of regulation will his Department build into the new proposed Affordable Warmth Scheme in order to ensure agencies providing high quality and value for money are used in the implementation of any works.

(AQW 33349/11-15)

**Mr McCausland:** Under the proposed Affordable Warmth Scheme, householders will be free to choose a provider to install approved measures. Householders may also contact their local Housing Executive Grants Office to obtain the name of an installer. However, the list held by the Housing Executive is not an approved or recommended list.

All measures provided under the proposed Affordable Warmth Scheme will be subject to inspection by Building Control officers. All gas installations must be carried out by Gas Safe registered engineers.

My officials are working with the Housing Executive regarding the accreditation of other installers to consider the advantages of them being members of trade bodies such as the Oil Firing Technical Association (OFTEC) or the National Insulation Association.

In addition, the Housing Executive will not make any payments in respect of approved measures installed until Building Control officers issue a formal approval. This will help to ensure that measures installed satisfy current Building Control regulations.

My officials are working closely with Housing Executive technical staff to determine the amount of the grant payable in respect of each approved measure delivered through the Affordable Warmth Scheme. There will be a grant maximum applied to each property. This is identical to the process used under the existing Warm Homes Scheme.

### Housing Need Assessment Areas

**Mr Humphrey** asked the Minister for Social Development to list the Housing Need Assessment Areas which lie wholly or partly within the North Belfast Constituency; and to detail the Common Landlord Areas within each Housing Need Assessment Area.

(AQW 33429/11-15)

**Mr McCausland:** The Housing Executive has listed the Housing Need Assessment Areas (HNA) and associated Common Landlord Areas (CLA) for the North Belfast Parliamentary Constituency as set out in the table attached at Annex A.

**Annex A**

NIHE District Office	Housing Need Assessment Area	Common Landlord Area
Shankill *	Ainsworth/Woodvale	Ainsworth; Cambria/Woodvale; Twadell/Upper Woodvale
	Mid Shankill	Agnes Street; Lawnbrook; Mid Shankill; Tudor; Upper Shankill
North Belfast	North Belfast 1	Ardoyne; Carlisle/New Lodge; Cavehill; Cliftonville; Duncairn Gardens; Glandore & Dunmore; Carlisle Flats; Newington/Limestone; Oldpark; Torrens; Unity Flats; Upper Ligoniel; Whitewell/Fairyknowe;
	North Belfast 2	Alliance; Ballysillan; Cliftondene; Fairhill; Gainsborough; Grove; Lower Ligoniel/Glenbank; Lower Oldpark; Mount Vernon Estate & Flats; Rosewood/Crumlin; Shore Road; Skegoniel/Fortwilliam; Somerton Road; Sunningdale; Upper & Lower Duncairn; Westland; Wheatfield; Whitewell/White City
Newtownabbey 1	Rathcoole	Rathcoole
	Rushpark	Rushpark
	Rathfern	Rathfern
	Bawnmore	Bawnmore/Old Mill
	Longlands	Longlands
	Abbeyville	Abbeyville
	Hightown	Hightown
Newtownabbey 2	Queens Park/Avenue	Queens Park/Avenue
	Glengormley/Glenvarna	Glenvarna

\* The North Belfast Constituency boundary bisects the Ainsworth and Twadell/ Upper Woodvale CLAs. In addition, the Lawnbrook and Upper Shankill CLAs fall outside the North Belfast Constituency boundary.

**District Council Area**

**Mr Flanagan** asked the Minister for Social Development, pursuant to AQW 33118/11-15 to clarify what District Council area he means by "the City Council of Londonderry".  
(AQW 33499/11-15)

**Mr McCausland:** The District Council referred to in AQW33118/11-15 is the Council area covered by the City Council of Londonderry.

**Social Housing: Grosvenor Barracks, Enniskillen**

**Mr Flanagan** asked the Minister for Social Development for an update on his plans to develop social housing on the site of the former Grosvenor Barracks in Enniskillen.  
(AQW 33567/11-15)

**Mr McCausland:** Grosvenor Barracks in Enniskillen is part of a former MoD site that is currently in the ownership of DSD.

Part of the site has already been developed by Clanmil Housing Association. The site was developed in two phases with 10 rehabilitation accommodation units completed in April 2012 and a further 14 new units completed in April 2014.

There are no proposals to provide additional social homes on this location at this time.

**Housing Executive: Pensioners' Bungalows at Drumawhey Gardens, Bangor**

**Mr Easton** asked the Minister for Social Development what plans the Housing Executive has to transfer pensioners bungalows at Drumawhey Gardens, Bangor to a Housing Association; and to outline the timescales involved.  
(AQW 33574/11-15)

**Mr McCausland:** There are 6 Housing Executive bungalows in Drumawhey Gardens, Bangor, which have been selected for inclusion in the Stock Transfer Programme.

I am committed to ensuring that tenants in the programme receive the much needed improvements their homes need. This programme, which is overseen by the Housing Executive, is complex and requires a strategic approach.

I have therefore asked officials from the Department and the Housing Executive to review a number of elements in the transfer process to determine whether the programme in its current form is the best way to effectively deliver the desired outcomes for tenants.

The expectation is that the review will be completed in the next few weeks at which stage any revised approach and recommendations will be presented for consideration.

The intention is to make the programme more readily deliverable overall. If it is decided that the Stock Transfer Programme should be reconfigured, the Housing Executive will write to all of the affected tenants to clarify the timescale for their properties.

In the meantime the Housing Executive will continue to undertake normal response maintenance works to the properties in the Stock Transfer Programme, where necessary.

**Housing Executive: Pensioners' Bungalows at Drumawhey Gardens, Bangor**

**Mr Easton** asked the Minister for Social Development what plans the Housing Executive has to replace the wooden eaves and fascia of the pensioners bungalows at Drumawhey Gardens, Kilcooley Estate, Bangor.  
(AQW 33575/11-15)

**Mr McCausland:** I would refer the Member to the answer I provided in AQW 33574/11-15. The Housing Executive will continue to undertake normal maintenance where necessary to properties in the Stock Transfer Programme but the replacement of eaves and fascia is not regarded as work of an urgent nature.

**Credit Unions**

**Mr Swann** asked the Minister for Social Development whether he will ask for the inclusion of support for rural credit unions in the next draft of the Department of Agriculture and Rural Development's Rural White Paper - Action Plan.  
(AQW 33577/11-15)

**Mr McCausland:** Recognising the important role Credit Unions play across Northern Ireland I have been working with representatives from the Ulster Federation of Credit Unions and the Irish League of Credit Unions to identify possible options to support their future development. As part of this work consideration is being given to those credit unions operating in both rural and urban areas.

As a future package of support for Credit Unions is unlikely to be the sole responsibility of my department, I have asked my officials to engage with other departments, including the Department for Agriculture and Rural Development, to identify how the Executive can best provide support to Credit Unions including the possible inclusion of future support in appropriate action plans.

**Community Care Grants**

**Lord Morrow** asked the Minister for Social Development how many Community Care Grants were (i) applied for; (ii) refused; (iii) granted, in full or part; and (iv) granted, in full or part after a review following refusal, in each of the last three years.  
(AQW 33600/11-15)

**Mr McCausland:** The information requested is set out in the Table below. It should be noted that any difference between the number of applications received and the number of refusals and awards is due to applications being carried forward from the previous year, applications being withdrawn or not decided at the time the count was made.

#### Community Care Grants

	2011/12	2012/13	2013/14
(i) Applications received	47,066	44,950	41,616
(ii) Refusals	23,802	23,902	21,452
(iii) Awards	23,822	21,341	20,121
(iv) Awarded after Review	4,412	4,462	4,393

#### Housing Executive Properties: Electricity Meters

**Mr Clarke** asked the Minister for Social Development to outline the policy for the removal of electricity meters in vacant Housing Executive properties; and who is responsible to reinstall the meters when the property is set for occupation.

**(AQW 33620/11-15)**

**Mr McCausland:** The Housing Executive has advised that the electrical metering and associated equipment is owned by Northern Ireland Electricity/Energy providers and that this equipment would normally remain in a property between periods of occupancy. The electricity supply is a relationship between the supplier and the tenant.

Housing Executive policy is only to seek to inform any new tenant, at tenancy sign up, that they are required to register with an energy provider of their own choice.

#### Housing Executive: Planned Maintenance Contractors

**Mr McGlone** asked the Minister for Social Development, pursuant to AQO 6191/11-15, for an update on the Housing Executive's negotiations with the Planned Maintenance contractors involved in the alleged overpayment of £18m.

**(AQW 33714/11-15)**

**Mr McCausland:** The Housing Executive has advised that the parties have reached a position where it is anticipated that this matter will be resolved by agreement. This is subject to relevant approvals from the Department and the Department of Finance and Personnel being obtained.

#### Repossessed Houses

**Dr McDonnell** asked the Minister for Social Development how many houses were repossessed in (i) 2013; and (ii) the first two quarters of 2014.

**(AQW 33717/11-15)**

**Mr McCausland:** My Department does not hold information on the number of houses possessed each year in Northern Ireland. However, the Department of Justice provides statistics on the number of writs and originating summonses issued, cases disposed and orders made in respect of mortgages in the Chancery Division of the Northern Ireland High Court. While these statistics are not a complete representation of possessions in Northern Ireland, they are informative as a proxy of people at risk of possession.

The provisional figures show that:

- (i) In 2013 3,694 mortgage cases were received and 2,741 cases were disposed. A total of 2,812 final orders were made in 2013, of which 1,811 were Possession Orders.
- (ii) In the first quarter of 2014 there were 886 cases received and 669 cases disposed. A total of 703 final orders were made between January and March, of which 432 were Possession Orders. Statistics for the second quarter of 2014 are not yet available.

It should be noted that not all writs and summonses lead to the eviction of the householder. Furthermore, lenders granted possession orders by the courts have up to 12 years in which to enforce the order. Therefore, the number of possession orders granted in any given year may not translate into the same number of enforcements or evictions.

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: Investigative Strategy Group

**Mr Allister** asked the Minister for Social Development to outline the function and work of the Investigative Strategy Group of the Northern Ireland Housing Executive and what it has produced since it was established.

**(AQW 33737/11-15)**

**Mr McCausland:** The Housing Executive has advised that the Investigation Strategy Group (ISG) was set up in February 2011 as a means of determining the appropriate way of investigating concerns, issues and/or complaints raised by third parties, which relate to potential misconduct on the part of employees or others.

The ISG comprises of relevant directors and representatives from the Housing Executive's Internal Audit, Corporate Assurance, Finance, Counter Fraud and Personnel departments. The role of the Group is to determine how investigations into issues raised should proceed and which department should take the lead role, dependent on the nature of the matter raised. The investigation is managed through the appropriate procedure, fraud or discipline, and the ISG maintains a watching brief until the case is closed. While the ISG does not conduct the actual investigation, details of active cases are forwarded on a quarterly basis to the Housing Executive's Audit and Risk Committee.

Any cases which fall within the remit of the Housing Executive's Whistleblowing Procedures and all cases involving suspected fraud are reported to my Department.





# 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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# Northern Ireland Assembly

## Revised Written Answers

### Department of Culture, Arts and Leisure

*In Bound Volume 94, page WA 214 please replace AQW 32699/11-15 with:*

#### Foras na Gaeilge: Overnight Accommodation

**Mr D Bradley** asked the Minister of Culture, Arts and Leisure how much Foras na Gaeilge paid for overnight accommodation during the last financial year; and how it is broken down.

**(AQW 32699/11-15)**

**Ms Ní Chuilín (The Minister of Culture, Arts and Leisure):** The Foras na Gaeilge (FnaG) costs for overnight accommodation for 2013 are shown in the table below:

	Cost for 2013	Reason(s) for overnight accommodation
Board	£6,786.79	Foras na Gaeilge Board attending meetings.
Staff	£36,588.73	Foras na Gaeilge staff attending meetings, conferences and events throughout Ireland
Others	£4,466.98	Non – Foras na Gaeilge staff engaged to provide a service
<b>Total</b>	<b>£48,483.40</b>	

### Department of Education

*In Bound Volume 79, page WA 24 please replace AQW 15882/11-15 with:*

#### Irish-medium Education

**Mrs Hale** asked the Minister of Education to detail the total departmental spend on Irish Medium Education in each of the last five years.

**(AQW 15882/11-15)**

**Mr O'Dowd (The Minister of Education):** In each of the last five years, my Department has spent the following on Irish Medium Education:

	2007/08 £'000	2008/09 £'000	2009/10 £'000	2010/11 £'000	2011/12 £'000
Recurrent	11,418	13,271	13,169	14,236	15,021
Capital	520	843	1,524	2,332	1,940

**Note:** Information in relation to Irish-medium Units, attached to English-medium host schools has not been provided as it is not possible to disaggregate the funding of the Unit from the host school.

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*In this Bound Volume, page WA 90 please replace AQW 33342/11-15 with:*

### **Nursery School Provision: Hollywood Area**

**Mr Dunne** asked the Minister of Education what action the South Eastern Education and Library Board are planning to take to increase nursery school provision in the Hollywood area.

**(AQW 33342/11-15)**

**Mr O'Dowd (The Minister of Education):** The South Eastern Education and Library Board (SEELB) has advised that, at the end of stage one of the pre-school admissions process, 16 pre-school places remained available in the Hollywood area. At that time, 17 children had not received the offer of a pre-school place; seven of whom had applied after the closing date for stage one.

The SEELB has also advised that it has engaged a new provider for stage two of the process which will provide between eight and twenty additional pre-school places, depending on demand. Hollywood Nursery School also applied for, and has been granted, temporary flexibility for an additional eight pre-school places for the 2014/15 academic year.

## **Department of Health, Social Services and Public Safety**

*In Bound Volume 91, page WA 30 please replace AQW 28948/11-15 with:*

### **Private Healthcare Providers**

**Mr Copeland** asked the Minister of Health, Social Services and Public Safety to detail the total spend on private health care providers within the UK and the Republic of Ireland, between January 2011 and January 2013.

**(AQW 28948/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The total spend on private health care providers within the UK and the Republic of Ireland amounted to £41.3m in 2011/12 and £64.5m in 2012/13.

*In Bound Volume 94, page WA 52 please replace AQW 32529/11-15 with:*

### **Northern Health and Social Care Trust**

**Mr McGlone** asked the Minister of Health, Social Services and Public Safety, in relation to the incidents in which responses by the Northern Health and Social Care Trust were found to be below standard and in which the patient subsequently died, whether the families or next of kin have been notified of the Trust's below standard response in all eleven cases.

**(AQW 32529/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Northern Health & Social Care Trust identified to my Department 20 separate incidents in which the response by the Trust was below standard. The Trust further advises that, where appropriate, in each of the cases involving a death, the families of those involved have been advised. This is a sensitive issue for families and requires careful interaction. It is also important to understand that families may choose to decline engagement with the Serious Adverse Incident process.

*In Bound Volume 94, page WA 270 please replace AQW 32775/11-15 with:*

### **Northern Health and Social Care Trust**

**Mr McKay** asked the Minister of Health, Social Services and Public Safety how many of the twenty patients, or their families, were contacted in advance of his written statement on the Northern Health and Social Care Trust on 28 March 2014.

**(AQW 32775/11-15)**

**Mr Poots (The Minister of Health, Social Services and Public Safety):** The Northern Health & Social Care Trust identified to my Department 20 separate incidents in which the response by the Trust was below standard. The Trust further advises that, where appropriate, the patients/families of those involved have been advised and that in one case this communication took place after 28 March.

This is a sensitive issue for families and requires careful interaction. It is also important to understand that families may choose to decline engagement with the Serious Adverse Incident process.

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# Journal of Proceedings





# Minutes of Proceedings



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# Northern Ireland Assembly

Tuesday 6 May 2014

*The Assembly met at 10.30am, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 New Member

The Speaker informed Members that he had been notified by the Chief Electoral Officer that Ms Claire Sugden had been returned as a Member of the Assembly for the East Londonderry constituency to fill the vacancy that resulted from the death of Mr David McClarty.

*Ms Claire Sugden signed the Roll of Members on 6 May 2014 in the presence of the Speaker. The Speaker confirmed that the Member had signed the Roll and had entered her designation of identity.*

## 3. Private Members' Business

### 3.1 Motion – Funding for Cancer Drugs

#### **Proposed:**

That this Assembly notes with concern the difficulties faced by patients obtaining funding for cancer drugs; further notes with concern the varying policy positions throughout the UK and Ireland regarding the accessibility of cancer drugs; and calls on the Minister of Health, Social Services and Public Safety to undertake a review into the practices in Northern Ireland to provide greater clarity for patients trying to obtain funding for cancer drugs.

*Mr D McIlveen  
Mr J Wells  
Mrs P Cameron  
Mr G Dunne*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

### 3.2 Motion – Underachievement of Protestant Working Class Boys

#### **Proposed:**

That this Assembly notes the issues raised in the report produced by the Community Relations Council regarding the underachievement at GCSE of Protestant working class boys in receipt of free school meals; notes with concern that this reinforces the conclusions of other similar reports over a number of years; further notes the positive action which the Minister of Education has taken to support other ethnic and minority groups who are underachieving; and calls on the Minister of Education to outline the specific steps his Department is taking to redress this situation and establish a meaningful sectoral body for the controlled sector to enable it to address this issue in the same manner as the Council for Catholic Maintained Schools which has been able to tackle underachievement in the maintained sector.

*Mr M Storey  
Mr J Craig  
Mr S Moutray  
Mr R Newton*



**3.3 Amendment****Proposed:**

Leave out all after 'Community Relations Council' and insert:

*'which once again sets out the close correlation between socio-economic background and exam success; further notes that the most significant divisions in education are based on gender and class and that it is the interplay between these which drives inequality; calls on the Minister of Education to work with all concerned to abolish the inequities in the education system designed to produce further inequality and to continue to take measures for all those who are underachieving regardless of class, creed or ethnic background; and further calls on the Minister of Education to set out the further steps his Department can take, including the establishment of a meaningful sectoral support body for the controlled sector as set out in the Education Bill, to support Protestant working class boys who are not achieving their full potential.'*

*Mr C Hazzard  
Mr P Sheehan  
Ms M McLaughlin*

*Debate ensued.*

*The sitting was suspended at 12.33pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) 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 Deputy Speaker (Mr Beggs) took the Chair.*

**5. Private Members' Business (Cont'd)****5.1 Motion – Underachievement of Protestant Working Class Boys**

*Debate resumed.*

The Question being put, the Amendment **fell** (Division).

The Question being put, the Motion was **carried** without division.

**6. Adjournment**

Mrs Judith Cochrane spoke to her topic regarding pre-school provision in East Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.25pm*

**Mr William Hay  
The Speaker**

6 May 2014

# Northern Ireland Assembly

6 May 2014

**Division****Motion - Underachievement of Protestant Working Class Boys – Amendment****Proposed:**

Leave out all after 'Community Relations Council' and insert:

*'which once again sets out the close correlation between socio-economic background and exam success; further notes that the most significant divisions in education are based on gender and class and that it is the interplay between these which drives inequality; calls on the Minister of Education to work with all concerned to abolish the inequities in the education system designed to produce further inequality and to continue to take measures for all those who are underachieving regardless of class, creed or ethnic background; and further calls on the Minister of Education to set out the further steps his Department can take, including the establishment of a meaningful sectoral support body for the controlled sector as set out in the Education Bill, to support Protestant working class boys who are not achieving their full potential.'*

*Mr C Hazzard  
Mr P Sheehan  
Ms M McLaughlin*

The Question was put and the Assembly divided.

**Ayes:** 40

**Noes:** 41

**AYES**

*Mr Agnew, Mr Boylan, Ms Boyle, Mr Brady, Mr Byrne, Mrs Cochrane, Mr Dallat, Mr Dickson, Mr Durkan, Dr Farry, Ms Fearon, Mr Flanagan, Mr Ford, Mr G Kelly, Ms Lo, Mr Lunn, Mr Lyttle, Mr McAleer, Mr F McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mrs McKevitt, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Mr Sheehan.*

*Tellers for the Ayes: Ms Maeve McLaughlin and Mr Sheehan.*

**NOES**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mrs Hale, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Moutray, Mr Nesbitt, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Ms Claire Sugden, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mr Douglas and Mr G Robinson.*

The Amendment **fell**.

# Northern Ireland Assembly

## Papers Presented to the Assembly on 30 April – 6 May 2014

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
  - Northern Ireland Law Commission Joint Report Regulation of Healthcare Professionals (DOJ)
  - The Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2014 (DOE)
  - Northern Ireland Audit Office Continuous Improvement Arrangements in Policing (NIAO)
5. Assembly Reports
6. Statutory Rules
  - S. R. 2014/124 The Westlink (Busways) (Amendment) Regulations (Northern Ireland) 2014 (DRD)
  - S. R. 2014/126 The Council of the Pharmaceutical Society of Northern Ireland (Indemnity Arrangements) Regulations (Northern Ireland) 2014 (DHSSPS)
  - S. R. 2014/127 The Planning (Fees) (Amendment) Regulations (Northern Ireland) 2014 (DOE)
  - S. R. 2014/ The Draft Sexual Offences Act 2003 (Notification Requirements) Regulations (Northern Ireland) 2014 (DOJ)
- For Information Only:
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
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 7 May 2014

### 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	17.09.13
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				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14					
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	05.06.14					
Work and Families Bill 34/11-15	28.04.14							

**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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

# Northern Ireland Assembly

**Monday 12 May 2014**

*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 Death of Oscar Knox

The Rt Hon Peter Robinson made a statement, under Standing Order 24, in relation to the death of Oscar Knox. Other Members were also called to speak on the matter.

## 3. Executive Committee Business

### 3.1 Statement – North South Ministerial Council Transport Sector Meeting (Roads and Transport)

The Minister for Regional Development, Mr Danny Kennedy, made a statement regarding the North South Ministerial Council Transport Sector Meeting (Roads and Transport) following which he replied to questions.

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

### 3.2 Statement – North South Ministerial Council Transport Sector Meeting (Road Safety)

The Minister of the Environment, Mr Mark H Durkan, made a statement regarding the North South Ministerial Council Transport Sector Meeting (Road Safety) following which he replied to questions.

## 4. Assembly Business

### 4.1 Motion – Committee Membership

**Proposed:**

That Ms Claire Sugden replace the late Mr David McClarty as a member of the Committee for Employment and Learning.

*Mr R Swann*

*Mrs S Overend*

The Question being put, the Motion was **carried** without division.

## 5. Executive Committee Business (Con't)

### 5.1 First Stage – Road Traffic (Amendment) Bill (NIA 35/11-15)

The Minister of the Environment, Mr Mark H Durkan, introduced a Bill to amend the law relating to the prescribed limit of alcohol for drink-driving offences; to make further provision for breath testing; to make provision relating to certain offences being specified as fixed penalty offences; to amend the law relating to disqualification on conviction of certain offences; to amend the law, as respects certain vehicles, relating to the age at which a provisional licence may be obtained, the requirements to be satisfied to take a test of competence to drive and the restrictions to which newly qualified drivers are subject for a period after passing such a test; to make provision relating to completion of an approved course as an alternative to licence revocation during a new driver's probationary period and extending requirements to wear protective headgear; and for connected purposes.

The Road Traffic (Amendment) Bill (NIA 35/11-15) passed First Stage and ordered to be printed.



**5.2 Second Stage – Work and Families Bill (NIA 34/11-15)**

The Minister for Employment and Learning, Dr Stephen Farry, moved the Second Stage of the Work and Families Bill (NIA 34/11-15).

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

**6. Question Time****6.1 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.

**6.2 Environment**

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H Durkan.

**7. Executive Committee Business (Con't)****7.1 Second Stage – Work and Families Bill (NIA 34/11-15)**

*Debate resumed on the Bill.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Work and Families Bill (NIA 34/11-15) passed Second Stage without division.

**8. Private Members' Business****8.1 Motion – Heavy Goods Vehicle Levy****Proposed:**

That this Assembly expresses concern at the implications of the Heavy Goods Vehicle Levy being introduced by the Department for Transport; notes with concern the deeply negative impact that this levy would have on hauliers based in border areas and on island-wide trade, which generates £2.3 billion for the island, with the larger return to the local economy; further notes that the additional levy would increase costs to local consumers; and calls on the Executive to exert maximum influence on the British government to ensure that the local road system is exempt from this levy.

*Mr P Flanagan  
Mr C Boylan  
Ms M Fearon  
Mr B McElduff*

*Debate ensued.*

The Question being put, the Motion was **negatived** (Division).

**9. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.30pm.*

**Mr William Hay  
The Speaker**

12 May 2014

# Northern Ireland Assembly

12 May 2014

**Division****Motion – Heavy Goods Vehicle Levy****Proposed:**

That this Assembly expresses concern at the implications of the Heavy Goods Vehicle Levy being introduced by the Department for Transport; notes with concern the deeply negative impact that this levy would have on hauliers based in border areas and on island-wide trade, which generates £2.3 billion for the island, with the larger return to the local economy; further notes that the additional levy would increase costs to local consumers; and calls on the Executive to exert maximum influence on the British government to ensure that the local road system is exempt from this levy.

*Mr P Flanagan  
Mr C Boylan  
Ms M Fearon  
Mr B McElduff*

The Question was put and the Assembly divided.

**Ayes:** 32

**Noes:** 39

**AYES**

*Mr Boylan, Ms Boyle, Mr Brady, 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 McElduff, Ms McGahan, Mr McKay, Mrs McKeivitt, Mr McKinney, Ms Maeve McLaughlin, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ni Chuilín, Mr O'Dowd, Mr P Ramsey, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Mr Boylan and Mr McElduff.*

**NOES**

*Mr Agnew, Mr Allister, Mr Beggs, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Elliott, Mrs Foster, Mr Gardiner, Mr Girvan, Mrs Hale, Mr Hamilton, Mr Humphrey, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Miss M McIlveen, Lord Morrow, Mr Newton, Mrs Overend, Mr P Robinson, Mr Ross, Mr Swann, Mr Weir.*

*Tellers for the Noes: Mrs Cameron and Mr Elliott.*

The Motion was **negatived**.

# Northern Ireland Assembly

Papers Presented to the Assembly on  
7 – 12 May 2014

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
  - Waterways Ireland Annual Report and Accounts 2012 (DCAL)
  - 17th Report of the Financial Reporting Advisory Board April 2013 to March 2014 (DFP)
  - Code of Practice for the Detention, Treatment and Questioning of Persons under Section 41 of, and Schedule 8 to, the Terrorism Act 2000 - Code C (DOJ)
  - Code of Practice for the Detention, Treatment and Questioning of Persons under Section 41 of, and Schedule 8 to, the Terrorism Act 2000 - Code H (DOJ)
5. Assembly Reports
6. Statutory Rules
  - S. R. 2014/134 The Police and Criminal Evidence (1989 Order) (Codes of Practice) (Revision of Codes C and H) Order (Northern Ireland) 2014 (DOJ)
  - S. R. 2014/133 The Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (DSD)

**For Information Only:**

  - S. R. 2014/125 (C.5) The Tobacco Retailers (2014 Act) (Commencement No.1) Order (Northern Ireland) 2014 (DHSSPS)
  - S. R. 2014/128 The Bus Lanes (Dublin Road, Antrim) Order (Northern Ireland) 2014 (DRD)
  - S. R. 2014/129 The Waiting Restrictions (Carrickfergus) (Amendment) Order (Northern Ireland) 2014 (DRD)
  - S. R. 2014/130 The Road Races (Spamont Hill Climb) Order (Northern Ireland) 2014 (DRD)
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly

Tuesday 13 May 2014

*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
  - 2.1 **Royal Assent**
    - The Speaker informed Members that Royal Assent had been signified on 12 May 2014 to the Local Government Act (Northern Ireland) 2014.
  - 2.2 **Royal Assent**
    - The Speaker informed Members that Royal Assent had been signified on 12 May 2014 to the Licensing of Pavement Cafés Act (Northern Ireland) 2014.
3. Executive Committee Business
  - 3.1 **Statement – North South Ministerial Council meeting held in Education Sectoral format**
    - The Minister of Education, Mr John O'Dowd, made a statement regarding the North South Ministerial Council meeting held in Education Sectoral format, following which he replied to questions.
4. Committee Business
  - 4.1 **Motion – The Northern Ireland Peace Monitoring Report Number Three**

**Proposed:**

    - That this Assembly notes the Northern Ireland Peace Monitoring Report Number Three produced by the Community Relations Council and supported by the Joseph Rowntree Foundation and the Joseph Rowntree Charitable Trust.

*Chairperson, Committee for the Office of the First Minister and deputy First Minister*

*Debate ensued.*

    - The Question being put, the Motion was **carried** without division.
  - 4.2 **Motion – Extension of Committee Stage: Legal Aid and Coroners' Courts Bill (NIA Bill 33/11-15)**

**Proposed:**

    - That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 20 June 2014, in relation to the Committee Stage of the Legal Aid and Coroners' Courts Bill (NIA Bill 33/11-15).

*Chairperson, Committee for Justice*

*Debate ensued.*

    - The Question being put, the Motion was **carried** without division.

**4.3 Motion – Amend Standing Order 56(1)****Proposed:**

Leave out Standing Order 56(1) and insert –

*‘There shall be a standing committee of the Assembly to be known as the Public Accounts Committee to consider –*

*(a) accounts laid before the Assembly;*

*(b) reports on accounts laid before the Assembly;*

*(c) reports to the Assembly under Article 11 of the Audit (Northern Ireland) Order 1987.’*

*Chairperson, Committee on Procedures*

*Debate ensued.*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

*The sitting was suspended at 12.21pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

**5. Question Time****5.1 Finance and Personnel**

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton.

**5.2 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.

*The Deputy Speaker (Mr Beggs) took the Chair.*

**6. Adjournment**

Mr William Humphrey spoke to his topic regarding social housing in North Belfast.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.32pm*

**Mr William Hay**  
**The Speaker**

13 May 2014

# Northern Ireland Assembly

**Papers Presented to the Assembly on  
13 May 2014**

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  
The Upper Age Limit for Jury Service in Northern Ireland: Final Regulatory Impact Assessment July 2012 (DOJ)
  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 14 May 2014

### 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	17.09.13
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				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14					
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	05.06.14					
Work and Families Bill 34/11-15	28.04.14	12.05.14						
Road Traffic (Amendment) Bill 35/11-15	12.05.14							

### 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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ 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 19 May 2014**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Assembly Business

### 2.1 Motion: Suspension of Standing Order 20(1)

#### **Proposed:**

That Standing Order 20(1) be suspended for 19 May 2014.

*Ms C Ruane*

*Mr P Weir*

*Mr S Dickson*

*Mr P Ramsey*

The Question being put, the Motion was **carried** with cross-community support *nemine contradicente*.

## 3. Executive Committee Business

### 3.1 Statement – North South Ministerial Council meeting in Agriculture Sectoral format

The Minister of Agriculture and Rural Development, Mrs Michelle O'Neill, made a statement regarding the North South Ministerial Council meeting in Agriculture Sectoral format following which she replied to questions.

### 3.2 Motion – The draft Renewables Obligation (Amendment) Order (Northern Ireland) 2014

#### **Proposed:**

That the draft Renewables Obligation (Amendment) Order (Northern Ireland) 2014 be approved.

*Minister of Enterprise, Trade and Investment*

The Question being put, the Motion was **carried** without division.

*The sitting was suspended at 12.47pm.*

*The sitting resumed at 1.00pm, with the Speaker in 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, the Rt Hon Peter Robinson. The junior Minister, Mr Jonathan Bell, also answered a number of questions.

### 4.2 Regional Development

Questions were put to, and answered by, the Minister for Regional Development, Mr Danny Kennedy.

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

**4.3 Justice**

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

**4.4 Agriculture and Rural Development**

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

**5. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 4.02pm.*

**Mr William Hay**  
**The Speaker**

19 May 2014

# Northern Ireland Assembly

**Papers Presented to the Assembly on**  
**14 - 19 May 2014**

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  
Belfast Education and Library Board Annual Report 2012-13 (DE)
5. Assembly Reports  
Report on the Legislative Consent Motion: UK Finance (No.2) Bill - Provisions Dealing with Air Passenger Duty (NIA 176/11-15) Committee for Finance and Personnel  
  
Report on Improving Pupil Attendance: Follow-Up Report (NIA 181/11-15) Public Accounts Committee
6. Statutory Rules  
S. R. 2014/131 The Attorney General's Human Rights Guidance (Public Prosecution Service for Northern Ireland) Order (Northern Ireland) 2014 (Attorney General)  
  
S. R. 2014/132 The Attorney General's Human Rights Guidance (Northern Ireland Prison Service - Conditions of Imprisonment) Order (Northern Ireland) 2014 (Attorney General)  
  
S. R. 2014/135 The Nicholsons Court, Newry (Abandonment) Order (Northern Ireland) 2014 (DRD)  
  
S. R. 2014/136 The Rowantree Road (C355), Dromore (Abandonment) Order (Northern Ireland) 2014 (DRD)  
  
S. R. 2014/139 The Land Registry (Fees) Order (Northern Ireland) 2014 (DFP)  
  
S. R. 2014/140 The Social Security (Maternity Allowance) (Miscellaneous Amendments) Regulations (Northern Ireland) 2014 (DSD)  
  
**For Information Only:**
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
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 20 May 2014

### 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	17.09.13
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				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14					
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14					
Work and Families Bill 34/11-15	28.04.14	12.05.14						
Road Traffic (Amendment) Bill 35/11-15	12.05.14							

### 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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ 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 27 May 2014**

*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 Second Stage – Road Traffic (Amendment) Bill (NIA 35/11-15)

The Minister of the Environment, Mr Mark H Durkan, moved the Second Stage of the Road Traffic (Amendment) Bill (NIA 35/11-15).

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

*The sitting was suspended at 12.30pm.*

*The sitting resumed at 2.00pm, with the Principal Deputy Speaker (Mr McLaughlin) in the Chair.*

## 3. Question Time

### 3.1 Social Development

Questions were put to, and answered by, the Minister of Finance and Personnel, Mr Simon Hamilton, on behalf of the Minister for Social Development, Mr Nelson McCausland.

### 3.2 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

## 4. Executive Committee Business (Cont'd)

### 4.1 Second Stage – Road Traffic (Amendment) Bill (NIA 35/11-15)

*Debate resumed on the Bill.*

*The Speaker took the Chair.*

The Road Traffic (Amendment) Bill (NIA 35/11-15) passed Second Stage without division.

### 4.2 Motion – The draft Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014

**Proposed:**

That the draft Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014 be approved.

*Minister of the Environment*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

**4.3 Motion – The draft Northern Ireland Local Government Code of Conduct for Councillors****Proposed:**

That the draft Northern Ireland Local Government Code of Conduct for Councillors be approved.

*Minister of the Environment*

*Debate ensued.*

*The Deputy Speaker (Mr Beggs) took the Chair.*

The Question being put, the Motion was **carried** without division.

**4.4 Legislative Consent Motion – Finance (No.2) Bill****Proposed:**

That this Assembly agrees that the provisions in the Finance (No. 2) Bill dealing with Air Passenger Duty should be considered by the UK Parliament.

*Minister of Finance and Personnel*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

**5. Committee Business****5.1 Motion – Review of the Current Organisation of the Business Week of the Northern Ireland Assembly****Proposed:**

That this Assembly approves the Committee on Procedures' report on its Review of the Current Organisation of the Business Week of the Northern Ireland Assembly.

*Chairperson, Committee on Procedures*

*Debate ensued.*

The Question being put, the Motion was **carried** without division.

**6. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.55pm*

**Mr William Hay**

**The Speaker**

27 May 2014

# Northern Ireland Assembly

**Papers Presented to the Assembly on**

**20 - 27 May 2014**

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

The Northern Ireland Local Government Code of Conduct for Councillors (DOE).

Pension Act (Northern Ireland) 2012 Report on the impact of socio-economic background (including health indicators) in relation to retirement pension (DSD).

**5. Assembly Reports****6. Statutory Rules**

2014/000 Draft S.R. The Local Government (Transitional, Supplementary, Incidental Provisions and Modifications) Regulations (Northern Ireland) 2014 (DOE).

2014/000 Draft S.R. The Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment No. 2) Order (Northern Ireland) 2014 (DOJ).

S.R. 2014/137 The Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2014 (DOE).

S.R. 2014/141 The B162 Disert Road, Draperstown (Abandonment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/145 The U232 Aghafad Road (Rubble Road), Newtownstewart (Abandonment) Order (Northern Ireland) 2014 (DRD).

S.R. 2014/147 The Sulphur Content of Liquid Fuels (Amendment) Regulations (Northern Ireland) 2014 (DOE).

**For Information Only:**

S.R. 2014/138 (C. 6) The Child Support, Pensions and Social Security (2000 Act) (Commencement No. 12) Order (Northern Ireland) 2014 (DSD).

S.R. 2014/142 (C. 7) The Local Government (2014 Act) (Commencement No. 1) Order (Northern Ireland) 2014 (DOE).

S.R. 2014/144 The Waiting Restrictions (Banbridge) Order (Northern Ireland) 2014 (DRD).

**7. Written Ministerial Statements**

Fish Kill at ESB Power Station on the River Erne at Ballyshannon (DCAL).

Consultation on Draft Mental Capacity Bill (DHSSPS & DOJ).

Publication of the Revised Service Framework for Cardiovascular Health and Wellbeing (DHSSPS).

**8. Consultation Documents**

Consultation Document on the Proposal to Amend the Waste Management Licensing Regulations (Northern Ireland) 2003 (DOE).

Proposals for New Mental Capacity Legislation - Public Consultation (DOJ and DHSSPS).



## 9. Departmental Publications

Legislative Consent Memorandum on Public Bodies (Abolition of Food From Britain) Order 2014 (DARD).

Report by the Industrial Injuries Advisory Council - Dupuytren's contracture due to hand-transmitted vibration (DSD).

Memorandum on the Nineteenth and Twentieth Reports from the Public Accounts Committee Mandate 2011-2015 (DFP).

The Waste Management Charging (Northern Ireland) Scheme 2014 (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 28 May 2014

### 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	17.09.13
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				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14					
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14					
Work and Families Bill 34/11-15	28.04.14	12.05.14	24.06.14					
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	02.09.14					

**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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.

# Northern Ireland Assembly

**Monday 2 June 2014**

*The Assembly met at noon, the Speaker in the Chair.*

## 1. Personal Prayer or Meditation

Members observed two minutes' silence.

## 2. Speaker's Business

The Speaker announced the death of Sir John Gorman, a former Member for the North Down constituency.

*Members paid tribute to Sir John Gorman on behalf of their parties.*

## 3. Executive Committee Business

### 3.1 Statement - North South Ministerial Council meeting in Health and Food Safety Sectoral format

The Minister of Health, Social Services and Public Safety, Mr Edwin Poots, made a statement regarding the North South Ministerial Council meeting in Health and Food Safety Sectoral format, following which he replied to questions.

## 4. Committee Business

### 4.1 Motion – Prayer of Annulment Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014

*A valid Petition of Concern was presented under Standing Order 28, on Friday 30 May 2014 in relation to the Motion (Appendix 1).*

#### Proposed:

That the Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133) be annulled.

*Chairperson, Committee for Social Development*

*Debate ensued.*

*The Deputy Speaker (Mr Dallat) took the Chair.*

The Question being put, the Motion was **negatived** on a cross-community vote (Division1).

## 5. Private Members' Business

### 5.1 Motion – Area Planning in the Education Sector

#### Proposed:

That this Assembly expresses serious concern regarding the ongoing area planning process in the education sector; notes the critical comments made in the Justice Treacy judgement on area planning and integrated education; further notes that the current process places no formal recognition or promotion of greater sharing between schools and sectors; believes that decisions made now will determine the shape of the education system for many years to come; and calls on the Minister of Education, in the absence of either an Education and Skills Authority or the reconstitution of Education and Library Boards, to suspend the current area planning process until there is clarity on the future strategic management of schools, and a long term vision for education in Northern Ireland is agreed.

*Mr D Kinahan  
Mrs J Dobson*

**5.2 Amendment****Proposed:**

Leave out all after 'Assembly' and insert:

*'recognises the need to rationalise the schools estate in a planned and managed way in the promotion of educational equality for all and that the ideal vehicle to manage Area Planning is the establishment of the Education and Skills Authority; further recognises that Area Planning can, and must, be progressed in the absence of the Education and Skills Authority for the educational well being of children; notes that the current process allows for the promotion of sharing between sectors; and calls on all sectors to redouble their efforts to bring forward proposals for greater sharing.'*

*Ms M Boyle  
Mr C Hazzard*

*Debate ensued.*

*The debate was suspended for Question Time.*

*The Speaker took the Chair.*

**6. Question Time****6.1 Education**

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

**6.2 Employment and Learning**

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

**7. Private Members' Business (Cont'd)****7.1 Motion – Area Planning in the Education Sector (Cont'd)**

*The Principal Deputy Speaker (Mr McLaughlin) took the Chair.*

*Debate resumed.*

The Question being put, the Amendment **fell** (Division 2).

The Question being put, the Motion was **carried** (Division 3).

**7.2 Motion – Commemorating the Centenary of the Great War****Proposed:**

*That this Assembly calls on the Minister of Culture, Arts and Leisure to provide funding for events and initiatives aimed at commemorating the centenary of the Great War.*

*Mr S Moutray  
Miss M McIlveen  
Mr S Anderson*

*Debate ensued.*

*The Speaker took the Chair.*

The Question being put, the Motion was **carried** without division.

**8. Adjournment****Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 6.35pm.*

**Mr William Hay  
The Speaker**

02 June 2014



## Appendix 1

Northern Ireland  
Assembly

The undersigned Members of the Northern Ireland Assembly presented a Petition of Concern, in accordance with Standing Order 28, on Friday 30 May 2014 in relation to the following motion:

**Prayer of Annulment Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133)**

That the Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133) be annulled.

- |                       |                          |
|-----------------------|--------------------------|
| ■ Mr Sydney Anderson  | ■ Mr William Irwin       |
| ■ Mr Jonathan Bell    | ■ Mr Nelson McCausland   |
| ■ Ms Paula Bradley    | ■ Mr Ian McCrea          |
| ■ Mr Thomas Buchanan  | ■ Mr David McIlveen      |
| ■ Mrs Pam Cameron     | ■ Miss Michelle McIlveen |
| ■ Mr Gregory Campbell | ■ The Lord Morrow        |
| ■ Mr Trevor Clarke    | ■ Mr Stephen Moutray     |
| ■ Mr Jonathan Craig   | ■ Mr Robin Newton        |
| ■ Mr Sammy Douglas    | ■ Mr George Robinson     |
| ■ Mr Gordon Dunne     | ■ Mr Peter Robinson      |
| ■ Mr Alex Easton      | ■ Mr Alastair Ross       |
| ■ Mr Paul Girvan      | ■ Mr Jimmy Spratt        |
| ■ Mr Paul Givan       | ■ Mr Mervyn Storey       |
| ■ Mrs Brenda Hale     | ■ Mr Peter Weir          |
| ■ Mr Simon Hamilton   | ■ Mr Jim Wells           |
| ■ Mr David Hilditch   | ■ Mr Sammy Wilson        |
| ■ Mr William Humphrey |                          |

Northern Ireland  
Assembly2 June 2014  
Division 1

**Motion – Prayer of Annulment Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133)**

**Proposed:**

That the Social Security (Habitual Residence) (Amendment) Regulations (Northern Ireland) 2014 (S. R. 2014/133) be annulled.

*Chairperson, Committee for Social Development*

The Question was put and the Assembly divided.

**Ayes:** 56

**Noes:** 37

**AYES**

**Nationalist**

*Mr Attwood, Mr Boylan, Ms Boyle, Mr D Bradley, Mr Brady, Mr Byrne, Mr Durkan, Ms Fearon, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Dr McDonnell, Mr McElduff, Ms McGahan, Mr McGlone, Mr M McGuinness, Mr McKay, Mrs McKeivitt, Mr McKinney, Mr Mitchel McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr P Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.*

**Unionist**

*Mr Beggs, Mr Copeland, Mr Cree, Mrs Dobson, Mr Elliott, Mr Hussey, Mr Kennedy, Mr Kinahan, Mr McGimpsey, Mr Nesbitt, Mrs Overend, Mr Swann.*

**Other**

*Mr Agnew, Mrs Cochrane, Mr Dickson, Ms Lo, Mr Lyttle, Mr McCarthy.*

*Tellers for the Ayes: Mr Brady and Mr F McCann.*

**NOES**

**Unionist**

*Mr Allister, Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr McCallister, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Lord Morrow, Mr Moutray, Mr Newton, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Mr Spratt, Mr Storey, Mr Weir, Mr Wells, Mr Wilson.*

*Tellers for the Noes: Ms P Bradley and Mr Clarke.*

Total votes	93	Total Ayes	56	[60.2%]
Nationalist Vote	38	Nationalist Ayes	38	[100.0%]
Unionist Votes	49	Unionist Ayes	12	[24.5%]
Other Votes	6	Other Ayes	6	[100.0%]

The Motion was **negatived** on a cross-community vote.

# Northern Ireland Assembly

2 June 2014  
Division 2

## Motion – Area Planning in the Education Sector - Amendment

### Proposed:

Leave out all after 'Assembly' and insert:

*'recognises the need to rationalise the schools estate in a planned and managed way in the promotion of educational equality for all and that the ideal vehicle to manage Area Planning is the establishment of the Education and Skills Authority; further recognises that Area Planning can, and must, be progressed in the absence of the Education and Skills Authority for the educational well being of children; notes that the current process allows for the promotion of sharing between sectors; and calls on all sectors to redouble their efforts to bring forward proposals for greater sharing.'*

*Ms M Boyle  
Mr C Hazzard*

The Question was put and the Assembly divided.

**Ayes:** 25

**Noes:** 62

### AYES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Hazzard, 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, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Ayes: Ms Fearon and Mr Hazzard.*

### NOES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Noes: Mrs Dobson and Mr Kinahan.*

The Amendment **fell**.

# Northern Ireland Assembly

2 June 2014  
Division 3

## Motion – Area Planning in the Education Sector

### Proposed:

That this Assembly expresses serious concern regarding the ongoing area planning process in the education sector; notes the critical comments made in the Justice Treacy judgement on area planning and integrated education; further notes that the current process places no formal recognition or promotion of greater sharing between schools and sectors; believes that decisions made now will determine the shape of the education system for many years to come; and calls on the Minister of Education, in the absence of either an Education and Skills Authority or the reconstitution of Education and Library Boards, to suspend the current area planning process until there is clarity on the future strategic management of schools, and a long term vision for education in Northern Ireland is agreed.

*Mr D Kinahan  
Mrs J Dobson*

The Question was put and the Assembly divided.

**Ayes:** 62

**Noes:** 25

### AYES

*Mr Agnew, Mr Allister, Mr Anderson, Mr Attwood, Mr Beggs, Mr Bell, Mr D Bradley, Ms P Bradley, Mr Byrne, Mrs Cameron, Mr Campbell, Mr Clarke, Mrs Cochrane, Mr Copeland, Mr Craig, Mr Cree, Mr Dickson, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Durkan, Mr Easton, Mr Elliott, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mrs Hale, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Kennedy, Mr Kinahan, Ms Lo, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Dr McDonnell, Mr D McIlveen, Miss M McIlveen, Mrs McKeivitt, Mr McKinney, Mr McQuillan, Mr A Maginness, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mr Poots, Mr P Ramsey, Mr G Robinson, Mr P Robinson, Mr Rogers, Mr Ross, Mr Spratt, Mr Storey, Mr Swann, Mr Weir, Mr Wilson.*

*Tellers for the Ayes: Mrs Dobson and Mr Kinahan.*

### NOES

*Mr Boylan, Ms Boyle, Mr Brady, Ms Fearon, Mr Hazzard, 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, Mr McMullan, Mr Maskey, Mr Milne, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.*

*Tellers for the Noes: Ms Fearon and Mr Hazzard.*

The Motion was **carried**.

# Northern Ireland Assembly

Papers Presented to the Assembly on  
28 May – 2 June 2014

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
  - Inspection Report on Community Restorative Justice Ireland - North Belfast and South and East Belfast schemes (DOJ).
  - Northern Ireland Estimates 2014-2015 (DFP).
  - Laying of the Annual Report from the Northern Ireland Lay Observer (DFP).
  - Retention and Disposal Schedule (DCAL).
  - Northern Ireland Audit Office Improving Social Housing Standards through Stock Transfer (NIAO)
5. Assembly Reports
  - Inquiry into the Education and Training Inspectorate and the School Improvement Process (NIA 132/11-15) Committee for Education.
6. Statutory Rules
  - S.R. 2014/143 The Business Improvement Districts (General) Regulations (Northern Ireland) 2014 (DSD).
  - S.R. 2014/150 The Jobseekers Allowance (Schemes for Assisting Persons to Obtain Employment) Regulations (Northern Ireland) 2014 (DSD).
  - S.R. 2014/XXX Draft - The Business Improvement Districts (Miscellaneous) Regulations (Northern Ireland) 2014 (DSD).

**For Information Only:**

  - S.R. 2014/149 The Road Races (Cairncastle Hill Climb) Order (Northern Ireland) 2014 (DRD).
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

# Northern Ireland Assembly

Tuesday 3 June 2014

*The Assembly met at 10.30am, the Principal Deputy Speaker in the Chair.*

1. Personal Prayer or Meditation
  - Members observed two minutes' silence.
2. Executive Committee Business
  - 2.1 **Statement – North South Ministerial Council Inland Waterways**
    - The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the North South Ministerial Council Inland Waterways, following which she replied to questions.
  - 2.2 **Statement – North South Ministerial Council Language Body Sectoral format**
    - The Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín, made a statement regarding the North South Ministerial Council Language Body Sectoral format, following which she replied to questions.
  - 2.3 **Motion – The Land Registry (Fees) Order (Northern Ireland) 2014**

**Proposed:**

That the Land Registry (Fees) Order (Northern Ireland) 2014 be affirmed.

*Minister of Finance and Personnel*

*Debate ensued.*

*The Question being put, the Motion was carried without division.*
3. Private Members' Business
  - 3.1 **Motion – Transforming Your Care Implementation**

**Proposed:**

That this Assembly recognises the considerable public concern at the pressures on Emergency Departments and GP waiting times which have arisen during the period of the Transforming Your Care change agenda; notes with concern that the implementation of Transforming Your Care has not been fully assessed; and calls on the Minister of Health, Social Services and Public Safety to review and measure the implementation of Transforming Your Care to assess its effect on patient outcomes.

*Mr F McKinney*  
*Mrs D Kelly*



**3.2 Amendment****Proposed:**

At end insert:

*'welcomes the progress made on patient waiting times, including the significant reduction in those waiting longer than twelve hours in Emergency Departments to be assessed, treated and admitted or discharged; pays tribute to the dedication of hardworking health and social care staff, including the 2,000 additional staff employed since 2011; and further calls on the Minister of Health, Social Services and Public Safety to reinforce across the health and social care system the necessity for transformational change to respond to the challenges of an ageing population, and to encourage and maximise involvement and leadership from health care professionals on the ground in delivering change from the bottom up at an accelerated pace.'*

*Mr J Wells  
Mrs P Cameron  
Mr G Dunne  
Mr D McIlveen*

*Debate ensued.*

*The sitting was suspended at 12.32pm.*

*The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.*

**4. Question Time****4.1 Enterprise, Trade and Investment**

Questions were put to, and answered by, the Minister of Enterprise, Trade and Investment, Mrs Arlene Foster.

**4.2 Environment**

Questions were put to, and answered by, the Minister of the Environment, Mr Mark H Durkan.

**5. Private Members' Business (Cont'd)****5.1 Motion – Transforming Your Care Implementation (Cont'd)**

The Principal Deputy Speaker (Mr McLaughlin) took the Chair.

*Debate resumed.*

*The Question being put, the Amendment was **made** without division.*

*The Question being put, the Motion, as amended, was **carried** without division.*

**5.2 Motion – Racial Attacks****Proposed:**

That this Assembly condemns the recent racial attacks and firmly opposes racism, discrimination and intolerance of any kind, wherever it occurs; embraces the growing diversity within our society; emphasises that there is no room for racism or stigmatisation; and calls on all political parties to provide leadership on this issue.

*Ms B McGahan  
Ms M Fearon  
Mr A Maskey*

**5.3 Amendment****Proposed:**

Insert after 'stigmatisation;':

*'notes with concern the delay in the delivery of the Racial Equality Strategy; affirms the urgency of addressing racial inequality; calls on the First Minister and deputy First Minister to ensure that the Racial Equality Strategy is robust and is brought forward as a matter of urgency;'*

*Mr C Lyttle  
Mr S Dickson  
Mrs J Cochrane  
Ms A Lo*

*Debate ensued.*

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

*The Deputy Speaker (Mr Beggs) took the Chair.*

**6. Adjournment**

Ms Michaela Boyle spoke to her topic regarding Invest NI's business park and job creation in the Strabane district.

**Proposed:**

That the Assembly do now adjourn.

*The Speaker*

*The Assembly adjourned at 5.57pm.*

**Mr William Hay**

**The Speaker**

3 June 2014

## Northern Ireland Assembly

### Papers Presented to the Assembly on 3 June 2014

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
7. Written Ministerial Statements
8. Consultation Documents  
Developer Contributions for Affordable Housing - Public Consultation June 2014 (DSD).
9. Departmental Publications
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 2014

#### 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	17.09.13
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				
Planning Bill 17/11-15	14.01.13	22.01.13	07.06.13	06.06.13	24.06.13 & 25.06.13			
Tobacco Retailers Bill 19/11-15	15.04.13	23.04.13	18.10.13	09.10.13	3.12.13	10.02.14	18.02.14	25.03.14
Carrier Bags Bill 20/11-15	03.06.13	11.06.13	30.11.13	26.11.13	28.01.14	25.02.14	10.03.14	28.04.14
Financial Provisions Bill 22/11-15	17.06.13	01.07.13	13.12.13	11.12.13	11.02.14	24.02.14	04.03.14	28.04.14
Public Service Pensions Bill 23/11-15	17.06.13	25.06.13	29.11.13	27.11.13	14.01.14	27.01.14	04.02.14	11.03.14
Licensing of Pavement Cafés Bill 24/11-15	17.06.13	25.06.13	13.12.13	05.12.13	04.03.14	25.03.14	07.04.14	12.05.14

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Health and Social Care (Amendment) Bill 27/11-15	16.09.13	24.09.13	11.12.13	04.12.13	20.01.14	28.01.14	11.02.14	11.04.14
Local Government Bill 28/11-15	23.09.13	01.10.13	20.02.14	20.02.14	18.03.14 & 19.03.14	01.04.14	08.04.14	12.05.14
Road Races (Amendment) Bill 29/11-15	18.11.13	26.11.13	/	/	2.12.13	9.12.13	10.12.13	17.01.14
Reservoirs Bill 31/11-15	20.01.14	04.02.14	04.07.14					
Budget Bill 32/11-15	10.02.14	11.02.14	/	/	17.02.14	18.02.14	24.02.14	19.03.14
Legal Aid and Coroners' Courts Bill 33/11-15	31.03.14	08.04.14	20.06.14					
Work and Families Bill 34/11-15	28.04.14	12.05.14	24.06.14					
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	02.09.14					
Budget (No.2) Bill	09.06.14	10.06.14						

**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
Road Traffic (Speed Limits) Bill 25/11-15	17.06.13 Bill fell. Re-introduced as Bill 30/11-15 (see below)							
Human Trafficking and Exploitation (Further Provisions and Support for Victims) Bill 26/11-15	24.06.13	23.09.13 & 24.09.13	11.04.14	11.04.14				
Road Traffic (Speed Limits) Bill 30/11-15		09.12.13						

/ Bill progressing by accelerated passage

\*\* Please note that any bills that received Royal Assent in the previous session have been removed from the table.



