



Northern Ireland
Assembly

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

Volume 108
(1 October 2015 to 31 October 2015)

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Minister of Enterprise, Trade and Investment.....	Mr Jonathan Bell (<i>until 1 October 2015</i>) (<i>from 6 October 2015 until 6 October 2015</i>) (<i>from 9 October 2015 until 14 October 2015</i>) (<i>from 20 October 2015</i>)
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Minister of Health, Social Services and Public Safety	Mr Simon Hamilton (<i>until 1 October 2015</i>) (<i>from 7 October 2015 until 8 October 2015</i>) (<i>from 14 October 2015 until 15 October 2015</i>) (<i>from 20 October 2015</i>)
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Office of the First Minister and deputy First Minister	Ms Jennifer McCann Mrs Emma Pengelly (<i>from 28 October 2015</i>)
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Official Report (Hansard)

Assembly Sittings

Northern Ireland Assembly

Monday 5 October 2015

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we proceed to today's business, I have some announcements to make.

Ministerial Appointments: Mr Bell, Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I advise the House that the Rt Hon Peter Robinson, as nominating officer for the DUP, nominated Mr Jonathan Bell MLA as Minister of Enterprise, Trade and Investment; Mr Simon Hamilton MLA as Minister of Health, Social Services and Public Safety; Miss Michelle McIlveen MLA as Minister for Regional Development; and Mr Mervyn Storey MLA as Minister for Social Development. Mr Bell, Mr Hamilton, Miss McIlveen and Mr Storey each accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive on Wednesday 30 September 2015.

Ministerial Resignations: Mr Bell, Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I advise the House that those four Ministers subsequently resigned their offices on Thursday 1 October 2015. Standing Order 44(3) provides for a seven-day period during which the party that held those offices can nominate Members of its party to replace them and take up office. That period expires at the end of Wednesday 7 October 2015. I am satisfied that the requirements of Standing Orders have been met. Let us move on.

Matter of the Day

Brian Friel

Mr Speaker: Ms Anna Lo has been given leave to make a statement on the death of Brian Friel, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should rise in their place and continue to do so. All Members called will have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until this item of business has finished.

Ms Lo: I am greatly saddened by the news of the passing of Brian Friel. As people mourn his death, not only across the island of Ireland but throughout the world, my thoughts are especially with the Friel family. I call on Members to join me in paying tribute to Brian Friel, who was arguably Ireland's most iconic playwright and was sometimes described as Ireland's Chekhov.

Fintan O'Toole wrote in 'The Irish Times':

"Brian Friel's great achievement was indeed to give the confused their own nobility."

His plays are poignant and funny and allow us a glimpse of Friel's searing insight into the identity and lives of people.

Brian Friel's plays received world acclaim and were staged from Belfast to Dublin to Broadway. 'Dancing at Lughnasa' was, of course, made into a film starring Meryl Streep. Despite his global success, he remained very grounded and, as a co-founder of the Field Day Theatre Company, he helped to bring plays to school halls and community centres, giving people who would not normally visit theatres the opportunity to enjoy professional productions of his plays.

I was introduced to his work when I was a young secretary in the BBC World Service in Belfast in the early 1980s. We produced a programme on 'Philadelphia, Here I Come!', which was aired to a worldwide audience. I became a fan and have remained one ever since. Most recently, I was lucky enough to see a production of 'Lovers' in Cork over the summer, and I totally enjoyed it. We lost a great talent last week, but Brian Friel's work will live on, and we are all the better for it.

Mr Speaker: Thank you. I remind Members who wish to speak that they need to rise in their places.

Mr M McGuinness: Go raibh maith agat, a Cheann Comhairle. When Seamus Heaney died two years ago, we

lost a Goliath of world literature, an incredible poet who is widely acclaimed as one of the greatest the world has ever seen. With the passing of his very good friend Brian Friel, we have lost another Goliath of literature, someone who was regarded as the best playwright in the English language in maybe a century. That is some accolade for someone who went from Killyclogher in County Tyrone to the city of Derry and then on to County Donegal.

I join others in the House in offering our deepest sympathy to his wife, Anne, his daughters Mary, Judy and Sally, and his son, David. He was part of a very special group of people who formed Field Day in the city of Derry, working with Seamus Heaney, Seamus Deane, Stephen Rea and Tom Paulin. Tom read Seamus's poem 'Sunlight' very evocatively yesterday at the graveside in Glenties, County Donegal. I was honoured to be there.

I will finish with a poem that Seamus Heaney wrote for Brian Friel, an account of a journey that he, Brian and their two wives took in the west coast of Ireland. It is called 'Postscript':

*"And some time make the time to drive out west
Into County Clare, along the Flaggly Shore,
In September or October, when the wind
And the light are working off each other
So that the ocean on one side is wild
With foam and glitter, and inland among stones
The surface of a slate-grey lake is lit
By the earthed lightning of a flock of swans,
Their feathers roughed and ruffling, white on white,
Their fully grown headstrong-looking heads
Tucked or cresting or busy underwater.
Useless to think you'll park and capture it
More thoroughly. You are neither here nor there,
A hurry through which known and strange things pass
As big soft buffetings come at the car sideways
And catch the heart off guard and blow it open."*

Good man, Brian; good man, Seamus.

Mr Eastwood: I am happy to join Members who have spoken in sending the House's condolences to Anne and Brian Friel's family. I was a pupil at St Columb's College, so it was hard to escape the influence and inspiration of people such as Brian Friel, Seamus Heaney, John Hume and others who adorned the walls and sometimes entered through the front door to inspire us young people. It was a tremendous way to grow up, having, as we did, those kinds of inspirations all around us.

It is very difficult to sum up the impact of Brian Friel in a couple of minutes. Others talked about how much of an influence he has been on the literary scene around the world. The simplicity of his burial and funeral probably indicates what kind of a man he was. He lacked pretension and was almost embarrassed by his achievements.

Brian Friel was somebody who was able to translate into literature that which was previously left unsaid. He was able to straddle the supposedly conflicting notions of tradition and modernity, and to do it very, very well. He gave us the humility to understand that it was OK to be confused about identity. He was a tremendous asset and someone of whom all from our part of the world are

very proud. I think that his influence will last for many's a generation to come. Thank you very much.

Mr Cree: Thank you, Mr Speaker. I wish to be associated with previous comments. I did not bring a poem, but it was good to hear the deputy First Minister reading that poem very well. The poem is interesting, as is much of Brian Friel's work. He really was a playwright extraordinaire. Whilst I do not think that I ever met him, his work is certainly highly respected and enjoyed at home and internationally. He was a remarkable man, and his passing leaves us all the shorter of that sort of people, such as Seamus Heaney, who has been mentioned. We are lucky to have had people like that, and I hope that we can still produce people like them in the future.

Brian had many interesting twists in his nature. I read in the paper that he was very into punctuality, and, apparently, his funeral yesterday was virtually timed to a T. Certainly, the world will be a worse place now that he has gone. I add my condolences to those sent to his wife and family circle.

Mr McNarry: One day, we will recognise greats when they are alive. I appreciate Ms Lo bringing this item to the House today. It is a timely accolade that we remember this great at a time when, I am sure, his family are in mourning for him but deeply appreciative of the response that there has been not only to him as a great person but to his great work. Of course, many do not become great or are not recognised as great until the time of their passing. That was not so in the case of this great, who is named Brian Friel. I hope that his work will be lasting — I am sure that it will be — and that it will go forward throughout our education system as something worthy of being taken on board. UKIP supports the arts and the extension of the arts throughout our nation, and I hope that Brian Friel's name will be synonymous with what we do in the future. Again, I thank Ms Lo for bringing this to our attention.

Mr McElduff: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom mo chomhbhrón a dhéanamh le muintir Friel agus tá sé tábhachtach an comhbhrón sin a chur in iúl ag an am seo. I thank Anna Lo for tabling this very important matter and the deputy First Minister for acknowledging Brian Friel's "Killyclogherness". Derry and Donegal have, perhaps, the strongest claim on him, but I think that it is important for somebody from the Omagh district to step up here and say that we are very proud of him as well, and we do not give up our characters too handily. Brian Friel joins major local literary figures, such as Alice Milligan and Benedict Kiely, who are no longer with us. They were major literary figures from the Omagh district, I suggest.

I think that it will be appropriate in time for the relevant local government authorities in Donegal, Derry and Omagh to look at ways and means of reflecting his legacy. As someone who regularly attends the Mid Ulster Drama Festival, I know that a Friel play was always the highlight of nine nights in a row of theatre in Carrickmore.

Ba mhaith liom mo chomhbhrón a dhéanamh lena mhuintir.

12.15 pm

Assembly Business

Committee Membership

Mr Speaker: The next item on the Order Paper is a motion regarding Committee membership. As with other similar motions, it will be treated as a business motion and there will be no debate.

Resolved:

That Mr Gordon Lyons be appointed as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Paul Frew replace Mrs Brenda Hale as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Ian McCrea replace Mr Tom Buchanan as a member of the Committee for Agriculture and Rural Development; that Mr Alex Easton replace Mr William Irwin as a member of the Committee for Employment and Learning; that Mr Paul Girvan replace Mr Paul Frew as a member of the Committee for Enterprise, Trade and Investment; that Mr William Irwin replace Mr Ian McCrea as a member of the Committee for the Environment; that Mr Gordon Lyons and Mrs Emma Pengelly replace Mr Paul Girvan and Mr Adrian McQuillan as members of the Committee for Finance and Personnel; that Mr Tom Buchanan replace Mr Paul Givan as a member of the Committee for Health, Social Services and Public Safety; that Mrs Brenda Hale replace Mr Alex Easton as a member of the Committee for Regional Development; that Mr Adrian McQuillan replace Mr Gordon Lyons as a member of the Committee for Social Development; that Mr Edwin Poots replace Mr Adrian McQuillan as a member of the Public Accounts Committee; and that Mr Gordon Dunne replace Mr Tom Buchanan as a member of the Committee on Standards and Privileges. — [Mr Weir.]

Private Members' Business

Coroners Service

Mr Speaker: The next item in the Order Paper is a motion on the Coroners Service. 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. All other Members will have five minutes.

Mr Lynch: I beg to move

That this Assembly notes the concerns raised publicly around the impending retirement of the senior coroner without a replacement in place; and calls on the Minister of Justice to provide the resources necessary to ensure that our coronial system works in an effective and timely manner.

Go raibh maith agat, a Cheann Comhairle. I am pleased to lead on this important motion regarding the Coroners Service, put forward by my party, Sinn Féin. First, I think that it is important to put into context the critical task facing the coronial court service at this time in the North of Ireland and the reason why it needs the resources that are necessary to ensure that the Coroners Service works in an effective and timely manner — something that it is not doing at present.

There has been major controversy and frustration around inquests for many years now, particularly those involving state forces and their agents. There are 55 legacy inquests outstanding relating to 86 deaths. Many families have been waiting decades to find out what happened to their loved ones. There exists a huge lack of confidence in the coronial system. Many families and their legal representatives believe that there is a deliberate strategy to delay and hamper progress. I welcome the Minister; I did not see him at the beginning of the debate. I welcome his presence in the Chamber to listen to the debate.

The manner in which families have been treated is nothing short of a disgrace. Even after decades, they have not given up hope for truth and justice. I want to take this opportunity to welcome those families who are in the Public Gallery to hear the debate.

Turning to the concerns about the impending retirement of the senior coroner without replacement, we in Sinn Féin have been raising the issue with the Minister since the summer recess. Only last Monday, my colleague Raymond McCartney asked the Minister to outline the steps that his Department had taken to ensure that the Coroners Service had the resources to effectively and efficiently fulfil its statutory obligation. In his response, the Minister outlined the additional capacity that will be provided. Those measures ought to be welcomed. However, I have serious doubts that they will resolve the immediate and major problems facing the inquest backlog. With the best will in the world, it is difficult to see how those individuals promised will be in place before the end of the year, with the recruitment process for the senior coroner having been initiated only on 10 September, I think. That post may not be filled until well into 2016.

It is almost 18 months since the current senior coroner, Mr Leckey, announced his plans to retire. He gave ample time for his replacement to be selected well in advance of his going. The Minister cannot argue that he did not have

adequate notice. It begs the question why it took more than 12 months for the recruitment process to begin.

Given the public concern, raised by families and the legal profession, and the difficulties flagged up around high-profile legacy cases, I would have thought that the Minister would have moved as quickly as possible to ensure that the necessary processes were in place to select a new coroner. This only adds to the perception that the delay to recruit is meant to further delay and frustrate inquests happening in the near future.

I remind the Minister that he has an obligation, under article 2 of the European Convention on Human Rights, to carry out timely investigations into controversial deaths here. It is the case that the Minister knew not only that the coroner was going but the problems that would arise as a result of his retirement.

Earlier this year, Mr Leckey himself said:

“At the minute there are two coroners. Myself, I am almost at the exit door, leaving one in post, and it is a matter for the Department of Justice (DoJ) to resolve.”

He continued:

“I am not in a position to hold”

— major inquests —

“because I will not be in office at the relevant time. There is no coroner able to take up these inquests”.

This is a situation where the senior coroner was crying out for action, yet the Minister sat on his hands. I ask the Minister why a new coroner is not in post, given that Mr Leckey gave 18 months' notice of his departure. Did he think that one coroner could deal with so many pending inquests?

I welcome the Minister's response to Raymond McCartney last week, in that he has asked the Lord Chief Justice to exercise his powers under section 6(2) to appoint coroners to hear inquests in cases where a coroner is ill. I ask the Minister whether he has any update on that. I also take this opportunity to ask him, regarding the allocation of more complex cases to High Court judges, what the criteria for complex cases are and how many High Court judges will be involved.

I mentioned earlier the huge problem of delays in the system, despite a number of rulings by the European Court of Human Rights, which has repeatedly found the British Government to be in violation of article 2. Families are still awaiting a satisfactory outcome. These are unacceptable delays, and, on the face of it, appear to be a deliberate tactic to frustrate the truth from emerging.

The senior coroner expressed his disappointment at the continual delays caused by the lack of resources and by the fact that there was not sufficient disclosure of files. The delays, in his view, were intolerable, and in spite of his best efforts to prompt, cajole and order progress, the commitment of the hearings of those inquests remains at an uncertain point in the future. Sufficient resources will need to be applied in critical areas in preparation for those inquests if future delays are not to occur.

The senior coroner explained that he had a duty to hold an inquest that was compliant with human rights legislation and that he would, potentially, be unable to

do so if there was not sufficient disclosure of files and adequate resources. The coroner clearly outlined that the two big problems are resources and disclosure. In my opinion, nobody was listening to him. I wonder whether his continual frustration was a factor in his announcing his retirement. The Minister and others argue that the only problem is the lack of funding due to budget pressures. However, those problems long predate such pressures.

I witnessed those frustrating tactics myself when I attended the inquest of Roseanne Mallon for a number of days with my colleague Bronwyn McGahan. Roseanne was a Tyrone pensioner who was shot dead by loyalists in 1994. Finally, after two decades of delay, her inquest began in the High Court in front of a High Court judge. We sat listening to part of the inquest proceedings in which it became clear that misleading and incorrect ballistics information was deliberately provided by the PSNI concerning the murder weapon, in that it falsely claimed that the weapon had no previous history. Had it not been for a former member of the Historical Enquiries Team (HET), following the events from England, that vital piece of information may never have come to light. In this case, a High Court judge, despite holding a senior position, had to continually exercise his authority to the point of almost daily frustration in getting any effective cooperation from the PSNI and the MOD. You had to be there to believe what was happening.

After six months, the MOD still had not handed over copies of some documents, forcing the judge to say:

“We are being fed little bits of information and have been on a repeated basis.”

Mr Speaker: I just want to give a caution here. The motion is very specific and is to do with the appointment of a new coroner. I am very aware, as I am sure Members are, of the huge sensitivities and the frustration around the backlog and the delays, but we have to confine ourselves to the motion in front of us today. There is a danger that you are moving into an issue which is, in my view, a matter of grave public concern. Today's motion deals with making the necessary appointment of a senior coroner as soon as possible.

Mr Lynch: I understand, a Cheann Comhairle, and I take your point. I was just giving an example of my own experience in a court.

The current senior coroner also agreed that we have wanted our own coroner's investigation and we would be able to undertake that task. It is preferable to have our own, rather than ask an agency such as the PSNI. I know that the Minister mentioned in his answer to Raymond McCartney last week that these arrangements have been processed to recruit two investigating officers for the Coroners Service. Again, Minister, this is to be welcomed. However, when will these officers be in place, will they be independent and will their appointment depend on current or future funding?

To conclude, a Cheann Comhairle, I understand that a judicial-led assessment is being done on the state of readiness of the outstanding legacy inquests and that a new legacy unit in the Coroners Service will be established in December. I ask the Minister for an update on this issue. Families and NGOs such as Relatives for Justice, which is supporting families in 21 of the 60 legacy inquests, tell me that they are being squeezed from both ends

with the inability of the system to fully function through a strategy of denying and starving it of resources. This is unacceptable and is a violation of article 2. The Minister has a major responsibility to ensure that Coroners' Courts are adequately resourced so that all relatives get access to the truth and justice that they deserve.

Mr A Maginness: Mr Speaker, I will try to obey your injunction in relation to the confines of this particular debate. We did in fact try to expand the motion to include the wider issues to which Mr Lynch referred. I agree with him that the appointment of a new senior coroner is a belated exercise. He is quite right to be critical of that, and we share his concerns in relation to this matter. It seems that there has been a serious and material delay in the appointment process. Let us hope that that process is expedited and that an appointment can be made quickly.

I also refer to the fact that the Coroners Service review made a number of recommendations. Those 13 recommendations are pertinent to this debate, narrow though it may well be. In particular, recommendation 8 is:

"to ask the NI Judicial Appointments Commission and the Minister to adjust Coroner complement to two full-time Coroners and a number of Deputy Coroners to create more flexibility and better align and integrate with additional resource at a higher judicial tier to deal with the most complex inquests."

Of course, in relation to the latter point, the Lord Chief Justice will soon assume the position of president of the Coroners' Court. The Lord Chief Justice, in the exercise of his office as president, will be able to allocate more complex legacy cases to a judge coroner at a higher judicial tier. That will include High Court judges, who could examine some of the outstanding legacy inquests that are still on the books.

I am told that, according to the latest assessment, there are 53 legacy inquests outstanding.

12.30 pm

That is a lot of work that needs to be addressed by the Coroners Service. It therefore requires the necessary resources — the necessary personnel — to deal with that work. I know that the Minister does not directly appoint coroners — it is up to the Northern Ireland Judicial Appointments Commission (NIJAC) to do that — but I would be interested to hear from the Minister about early appointments and how those appointments will address the backlog that everybody is concerned about.

Mr Lunn: I thank the Member for giving way. Mr Maginness said that the Lord Chief Justice is about to take over the presidency of the Coroners' Court. In fact, he has declined to take over the presidency in the meantime, because he is not satisfied that there is sufficient political will to move things forward.

Mr Speaker: The Member has an extra minute.

Mr A Maginness: Mr Lunn raises an interesting point. I was unaware that he had specifically declined the appointment. My understanding was that he would become president in November of this year. That date may well not be met. I hope that it will be met, because the Lord Chief Justice has expressed his concerns publicly on the matter

and he would be ably suited to dealing with the situation that has arisen over many years.

The legacy inquests that we have talked about arise from the decisions of the European Court in dealing with article 2 compliance. That is an important issue for all of us. Apart from that, we have the whole system of inquests. We perhaps overly concentrate on legacy inquests, but there is a whole system of inquests in Northern Ireland that needs proper addressing by the coronial service. Unfortunately, the resources are simply not there.

I will conclude on the following point. This is a timely debate, and I thank Mr Lynch for bringing the motion to the House. It has a wider political dimension, which is reflected in the talks that are ongoing today, and have been for some weeks, on the Stormont House Agreement. It involves us collectively putting our minds together to address the very difficult issues from the past that affect us in the present. Unless we deal with them now, they will haunt us forever.

Mr Somerville: The debate touches on a number of very important issues for our justice system. For some time, there have been concerns at delays in the system, including those relating to the Coroners Service. Just last week, the Justice Minister told the House that one of Northern Ireland's three full-time coroners, Mr Leckey, is due to retire at the end of this month and that a competition is already under way to replace him.

The Ulster Unionist Party does not want to see undue delay anywhere in the justice system. After all, a basic principle of justice is that it be swift. My party is clear that we cannot have a rewriting of history or allow certain cases to be seen to be given preferential treatment when there are many Troubles-related cases in the justice system that do not get a similar focus as some of those with the coroner.

We have long had concerns about the process relating to the Coroners' Court, and those arguments were well rehearsed during the Haass talks and in the run-up to the Stormont House Agreement. We have been consistent in our position that Coroners' Court legacy cases should be dealt with by whatever form of historical investigations unit (HIU) emerges from the various talks processes. Unfortunately, the SDLP and Sinn Féin objected, and, as a result, we are where we are. Indeed, one of the claims from nationalists and republicans was that doing so had to be compliant with article 2 of the European Convention on Human Rights. That is why they would not support the inclusion of the coroner's inquests in the HIU.

However, it has emerged that the HIU will, indeed, be article 2-compliant.

As far back as June 2012, we issued a paper entitled 'Dealing with the Past', which contained a section of proposals for Coroners' Courts. The very first line of that section warned that the backlog that was then facing Coroners' Courts was:

"A legacy silo with massive potential to re-write history".

In a subsequent paper from March 2014, we stated that:

"At present, truth and justice are administered through a series of instruments that add up to an incomplete, imperfect and imbalanced manner."

We said that:

"For many years, we understood the instruments to be:

- *Public Inquiries;*
- *Office of the Police Ombudsman for Northern Ireland (OPONI);*
- *Legacy Coroners Courts;*
- *The Historical Enquiries Team (HET)."*

We had concerns about each of them, and, in relation to the legacy Coroners' Courts, we are concerned about the tendency to focus on controversial killings rising from actions of the police or the army. In particular, we are concerned that the public tend to judge investigations against contemporary standards without due regard to near-impossible investigatory conditions of the time. In short, the four processes put an almost exclusive focus on the state and the security services, a perversion of the fact that the state was responsible for no more than 10% of all killings and that few of those are actually contested. The Ulster Unionist Party will not permit the rewriting of the history of the Troubles.

In terms of the resources needed, in that very document, we highlighted that:

"The 'elephant in the room' of the Haass and Party Leaders' processes is this: Who is going to pay if changes are agreed?"

We noted then that the coronial courts were badly under-resourced, with a question mark over the suitability of a Coroners' Court to deal with some of the cases on its list. In that document, we fully accepted that the best route to justice is the criminal justice system, and we identified the question as being of whether the organs of the system were properly resourced and also fair and equal to all.

(Mr Principal Deputy Speaker [Mr Newton] in the Chair)

In today's motion, Sinn Féin calls on the Minister of Justice to provide the resources necessary to ensure that our coronial system works in an effective and timely manner. This raises certain questions. Just where do they think that he will find the money? Have they forgotten about the phantom Budget, which they voted for? Do they not understand the black hole that is at the centre of the Executive's finances? Does Sinn Féin not recognise the devastating impact that its failure to stick to the Stormont House Agreement on welfare reform has had through the Treasury fines of £2 million a week? Sinn Féin needs to do more than demand that the Justice Minister acts. It cannot continue to deny the leading role that it has played in creating the economic mess that we now find ourselves in.

Mr Dickson: At the heart of this debate are families and people who are waiting for decisions. That is the most important aspect of delivery of the Coroners Service and dealing with the legacy issues of the past, and we should not set that to one side in this debate. At the heart of this is getting at the truth and delivering that truth to people who are grieving and people who are concerned. Nevertheless, it is ironic, at best, and downright shameful that those people who are blocking the reform of this are blocking it because they are not prepared to adequately fund the service. The Minister of Justice, just like the Minister of Finance or any other Executive Minister, does not have

a money-printing machine, let alone a money-laundering machine in the Assembly. It is entirely down to those who have failed and wshed on the agreements that they made at Stormont House that we are in the situation that we are in today.

There is one other player in this, and that is the United Kingdom Government. We should not let the Secretary of State and others away with this. For example, the United Nations Human Rights Committee report on compliance with the International Covenant on Civil and Political Rights clearly makes it plain that the UK Government should ensure that the Legacy Investigation Branch and Coroners' Court service in Northern Ireland are adequately resourced and well-positioned to effectively review outstanding legacy cases.

On top of parties here failing at Stormont House in their obligations to deliver a balanced Budget and the appropriate resources for the Coroners Service, there is an imperative on the United Kingdom Government to take cognisance of their responsibilities when it comes to funding the service. Of course, there are also the much wider issues of how adequate and appropriate cooperation is delivered when the Coroners Service is dealing with cases.

We cannot spend money that we do not have. I believe that the Minister of Justice has taken all the appropriate steps, particularly in discussions with the Lord Chief Justice. I believe that those steps are vital in ensuring public confidence in our Coroners Service, but in all of this lies the failure of others to reach appropriate agreements to ensure that there are sufficient funds to deliver the service.

We should never forget what is at the heart of a coroner's decision: bringing about the truth and describing the circumstances of a death. Those are important issues not only for, at the core of it, the relatives who are left behind but for this society in order for us to learn the lessons of the past and to ensure that we never go back there but move forward.

Ms McGahan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle, for allowing me the opportunity to address the House on the important issue of the impending retirement of the senior coroner without a replacement being in place and to call on the Minister of Justice to provide the resources necessary to ensure that our Coroners Service works in an effective and timely manner. My focus today will be mainly on our inquest system and the backlog of cases relating to controversial killings, often involving state actors due to our most recent conflict.

At a Policing Board meeting only last week, the PSNI Chief Constable described the current state of the inquest system as "chaotic". As we know, almost 60 conflict-related inquests are open. The under-resourcing of the Coroners Service is a critical matter regarding delays in holding inquests. Two of our three coroners are off on sick leave, and the senior coroner, John Leckey, is due to retire. Under article 2 procedural obligations, a key part of compliance with the law is to investigate killings involving the state thoroughly, independently, effectively and promptly. Inquests are a central element of the overall process.

Mark Thompson of Relatives for Justice was correct when he said recently:

“That many of the killings being examined enquire into the role of the British army, the SAS, and the RUC may help to shed some light as to why inquests have become ‘log-jammed’.”

Mr Thompson was also correct when he added:

“So too is the serious matter of collusion with RUC Special Branch and other intelligence agencies being scrutinized within inquests.

Up until quite recently inquests lacked the power to compel members of the RUC and British army that killed people. Inquests could not deliver verdicts or attribute blame, or examine the nature and circumstances of killings beyond basic facts already widely known. Families were also denied legal aid, relying on lawyers to represent them pro-bono. The main practice was to delay inquests into controversial and disputed killings. Oftentimes the average period before holding an inquest could be as long as a decade. Some of the most controversial are waiting over 20 years to be completed.”

My party colleague Seán Lynch referred to some of those — for example, Roseanne Mallon, who comes from my own parish of Killeeshil.

In March 2001, a landmark ruling by the European Court of Human Rights found that the investigative processes in place to examine killings involving the state, including collusion, were in breach of the legal obligation on the state to investigate such killings properly. This ruling meant that inquests needed to change: those within the British state security apparatus who killed people would need to appear and be questioned; disclosure of information and intelligence and documents relating to killings would be available; and the examination of killings beyond the facts would now take place.

The ruling meant that quite a number of inquests into controversial killings that had not yet been held would operate to the new rules, which is an unexpected problem now faced by the British Government.

12.45 pm

Families have painstakingly fought hard to ensure that inquests function properly. A relative for justice often says that it is a case of deny, deny, deny and then delay, delay, delay. Recently, Belfast solicitor Patrick Murray wrote to the Lord Chief Justice and the Coroners Service, asking that they intervene in nearly 30 delayed cases because of concerns that the lack of coroner availability was “hampering progress”. Mr Murray, speaking to ‘The Detail’, said that the absence of coroners had led to the adjournment of several inquests in recent months

He added:

“We still see systemic delays in the progress of many inquests. In fact it can be argued that the situation has been [made worse] by the failure to appoint a new senior coroner in a timely fashion and the absence of other coroners through illness.”

In the same news report, ‘The Detail’ also mentioned a previously unpublished Department of Justice document that says that it will take up to 12 years to deal with the

current backlog of legacy inquests linked to the recent conflict in the North of Ireland.

Several letters sent recently by Paddy Murray’s law firm ask for intervention from the Lord Chief Justice in relation to the various stages of inquests into deaths, including the killings carried out by state forces during the Ballymurphy massacre.

Now, looking to the future, the commitment in the Stormont House Agreement to sort out the inquest system is one that is long overdue. Under-resourcing and the deliberate —

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Ms McGahan: — non-disclosure and destruction of evidence have been deliberate and strategic British state tactics in the face of an accountable devolved inquest system.

Mrs D Kelly: I support the 13 recommendations in the Coroners Service review and ask whether the Minister can give us some rationale for the delay that has occurred. Mr Leckey gave notice of his resignation almost a year ago, yet it was only in September that the job was advertised. More recently, Mr Leckey expressed his concerns, saying that it might be Easter before someone was in post. I noted that, at some stage in Question Time last week — I am not sure whether it was in a written or oral answer — the Minister said that he would write to the Attorney General to look for temporary replacements for members of staff who, I understand, are currently on sick leave. Maybe the Minister can give us an update on that. As Mr Dickson and others said, at the heart of this are families who want closure.

I pay tribute to Mr Leckey and the leadership that he has shown over many difficult years. We have heard from a number of contributors to the debate thus far of the need for closure for many families, particularly on historical cases. Mr Leckey has been very critical of the failure of the PSNI in the disclosure process, and, often, he has had to come out publicly to criticise the police. As a member of the Policing Board, I take that very seriously. Recently, we asked the Minister of Justice to help to commission a Her Majesty’s Inspectorate of Constabulary (HMIC) inspection into that disclosure process so that we could get some understanding of the delays, given that the reasons given by the PSNI and those from the coroner’s perspective are contradictory.

Mr Somerville talked about Haass and the implementation of the Stormont House Agreement. Some try to blame the continued delay on republican and nationalist parties not signing up to, or at least delaying, its implementation. However, Eames/Bradley was on the table, and our party firmly believes that it was the better and more comprehensive template for having a better way to deal with the past.

I heard Ms McGahan, and I am sorry to say that she has dragged this down in some sense, as if there was a one-sided history. If I may say so, part of the fear that I have heard unionist parties express is that there would be a one-sided accounting for the past. Only recently, two families had the bodies of their sons — Mr McKee and Mr Wright — returned to them after they had been disappeared by the IRA for several years. If there had been a coroner, there was no body for him to examine so that he could give the reason.

I note that some members of Sinn Féin are not yet hanging their heads in shame, but perhaps they should at these junctures. When they make comments like that, they should expect some level of retaliation, in terms of how they have had a responsibility for families not getting closure. Whilst the state has a particular responsibility, and has, I think, a higher standard than terrorist organisations, it, too, should not be allowed to get away in the smoke because I think that there are some 2,000 deaths unaccounted for. That is why some of us are labouring over the issues around dealing with the past at the Stormont House talks, trying to get the best outcome for families, regardless of who created the victimhood and bereavement in their families.

I go back to the main script and to some of the recommendations in the report. The report also says that the legislation around the coroner's office needs to be looked at, and I want to hear from the Minister whether there are any plans to have a programme of work for a new coroner at an early stage, if and when one is appointed. An off-the-starting-block approach should be taken, given that this report is with the Minister's Department. I hope that any coroner appointed is fully au fait with the recommendations. It would be useful to hear from the Minister which of those recommendations he can initiate in the absence of a senior coroner at this stage. Thank you, Principal Deputy Speaker.

Mr Hussey: Like the Member who spoke previously, I will go off script before I start. During her speech, Ms McGahan said: "deny, deny, deny". I remind you of the murders of Jean McConville, Robert McCartney and Paul Quinn. "Deny, deny, deny". The IRA denied involvement, and your party leader denied the involvement of the IRA.

However, as has already been said, this is an important debate on a subject that affects many people. As my party colleague Neil Somerville highlighted, the Ulster Unionist Party has been concerned with delays in the justice system, including those relating to the Coroners Service. Many of the legacy cases currently in the queue to be dealt with by the coroner date back to the 1970s.

My party and I have long been concerned about the efforts of some to rewrite history, a process already referred to by Mrs Kelly. We have raised this issue consistently in both the Haass and Stormont House talks processes and will continue to do that for as long as it takes. We had concerns about each of them and, in relation to the legacy Coroners' Courts, we were concerned at the tendency to focus on controversial killings arising from the actions of the police and army. In particular, we are concerned that the public tends to judge investigations against contemporary standards, without due regard to the near impossible investigatory conditions of the time.

The Ulster Unionist Party will not permit a rewriting of the history of the Troubles. The state was responsible for no more than 10% of over 3,000 killings, and few of those were actually contested. Mistakes were made, but they were just that: mistakes, unlike the actions of terrorists of all shades who set out to deliberately commit murder.

Again, at this stage, I go slightly off speech. Many references have been made to the European Convention on Human Rights (ECHR). I remind every Member in the Chamber that the most basic human right is that to life, and that right was removed for over 3,000 people in Northern

Ireland. Let us remember that first: the most important right under the ECHR is the right to life.

One of the coroner's cases with which I have more than a passing acquaintance is the Kingsmills massacre; it is, indeed, one of the few cases not, allegedly, a state killing. My colleague Danny Kennedy has been working with the families of those murdered at Kingsmills who have seen many delays in the inquest. I apologise to the House for the absence of Mr Kennedy: he is unwell and I have been asked to represent him. Next year will mark the fortieth anniversary of the massacre, and for the sole survivor, Alan Black, and for the relatives and families involved, the case needs to be properly and fully addressed. Full access should be provided to the new coroner or High Court judge of the intelligence records North and South. Some concern has been expressed by the relatives about the quality of such information from the Republic of Ireland, despite the personal assurances of Enda Kenny, who has met the families on two occasions.

This was a brutal murder carried out by the IRA. It was a cold-blooded massacre of innocents for no reason other than that they were Protestant. Nobody from the other side of the Chamber on the Sinn Féin Benches can deny that. Nobody from the other side of the Chamber on the Sinn Féin Benches can actually justify that killing. It was a cold-blooded murder. So, there was no Ireland of equals for them.

Having lived through that era, I fully understand the circumstances in which the security forces were forced to operate throughout Northern Ireland, given the levels of threat posed by terrorists and the sheer scale of their activities. Certainly, in south Armagh in 1976 they were severely stretched. It is important that, from the safety of nearly 40 years thence, we do all that we can to establish what information was available to the security authorities that could have prevented this atrocity in any way.

Perhaps also those members of Sinn Féin who still have associations with the Provisional IRA, or know of those who served in the Provisional IRA, will ask those people to bring forward their evidence. Let the coroners hear what they did and when they did it. There are often calls for police officers and members of the security forces to come before courts. There is mention made of basic facts that are already known. Well, a lot of basic facts are already known about other cases involving republicans. Even names are in the ether. Why do these people not make themselves available to go before the Coroners' Court and say what they did; or, as Mrs Kelly has suggested, perhaps they are hanging their heads in shame.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Hussey: If the Members opposite are really concerned about the resources available to the Justice Minister, then they should take immediate action to end the disgraceful situation whereby, as a result of Sinn Féin's refusal to stick to the Stormont House Agreement and to the deal on welfare reform, we are losing £100 million a year in Treasury fines.

Mr Principal Deputy Speaker: I call the Minister of Justice, Mr David Ford. The Minister has up to 15 minutes to conclude on the debate.

Mr Ford (The Minister of Justice): Thank you, Mr Principal Deputy Speaker. I welcome this debate today: it not only addresses an extremely important issue regarding dealing with the past; but it also provides me with an opportunity to update Members of the House on the resources that are being provided to the Coroners Service, to ensure that it continues to fulfil its obligations after the retirement of the senior coroner.

It is also right that I should detail the progress made over recent months to improve the resilience of the service consistent with the Stormont House Agreement. My aim is to ensure that the legacy inquest process is better equipped to meet the needs of bereaved families and is capable of being conducted in compliance with European Convention on Human Rights article 2 requirements.

Members will be aware — and if any in the Chamber were not aware before others spoke, they are now — that Northern Ireland has a complement of three full-time coroners. As the senior coroner is retiring on 31 October 2015, a competition to appoint a successor was launched by the Judicial Appointments Commission on 10 September, with a closing date of today.

In the meantime, the Lord Chief Justice has assigned a County Court judge to the Coroners Service to provide additional capacity. To facilitate this deployment of a judge from another tier, I have agreed to an increase in the County Court judge complement. The funding for this is being found from within my Department pending the resolution of the impasse over the funding for the Stormont House Agreement.

Members will also be aware that a High Court judge has also recently been assigned by the Lord Chief Justice to deal with the new inquest to be held into the death of Pearse Jordan in accordance with the recent Court of Appeal judgement. This will also have additional costs for the DOJ for a replacement judge to take over other High Court functions.

Mrs D Kelly: Will the Minister give way?

Mr Ford: I will.

Mrs D Kelly: In particular in these cases, and, as your party colleague, Mr Dickson, referred to, there is an onus on the British Government, which were found guilty by a European court in relation to the delays of those inquests. So, should that not be additional money, over and above, and not be a burden on the DOJ? The British Government are very much in the dock in relation to both the delays and the cost implications of these inquests.

Mr Ford: I certainly thank Mrs Kelly for that intervention. I would like to have her with me when I meet DFP officials to communicate views to the Treasury. The unfortunate reality seems to be that for issues that are now our responsibility we do not obtain additional funding; though she correctly highlights that the UK Government, as the state party, is the responsible body that has to report on the undertakings given previously and deal with the previous findings of inadequate processes. Sadly, the funding does not seem to follow the responsibilities that have now been passed on to us.

1.00 pm

In addition to those references to an additional County Court judge and, in the first occasion, of a High Court

Judge undertaking the Jordan inquest, I have separately asked the Lord Chief Justice to exercise his statutory powers, which were highlighted by Mr Lynch, under section 6(2) of the Coroners Act (Northern Ireland) 1959 to appoint temporary additional coroners for the next few months to cover illness of existing coroners.

Arrangements are also under way to recruit two investigating officers to provide advice and guidance to the coroners on appropriate and effective investigative opportunities and to conduct inquiries and investigations as directed by the coroners. This important development will support preparation for the holding of inquests in a manner compliant with article 2 — a further cost. The coroners are also supported by independent legal counsel. The Northern Ireland Courts and Tribunals Service launched a scheme to refresh the panel of counsel on 11 September with a closing date of 16 October 2015. I expect successful candidates to be in post by 30 November, subject to security clearance.

Some Members are clearly well aware that the Courts and Tribunals Service recently reviewed the operation of the Coroners Service. The aim was to provide resilience in the service and to contribute to the development and implementation of arrangements for the processing of legacy inquests within the context of the Stormont House Agreement. A report with 13 recommendations has been agreed following consultation with the Lord Chief Justice and other key stakeholders. I believe that a number of the recommendations will have a positive impact on the Coroners Service and, in particular, the problem of inquest delay.

The most relevant recommendations include that the Coroners Service review listing procedures to ensure that inquests are held at the earliest possible date, agreeing time frames with interested parties for submission of statements and reducing the number of adjournments. It will also review performance targets with a view to including targets in relation to completing investigations and holding inquests, and to implementing a monitoring mechanism of charter standards to ensure compliance. The Coroners Service will produce an annual report to the president of the Coroners Court to drive standards, challenge delay and improve consistency of approach, and it will revise current case allocation and management arrangements to ensure that the workload is evenly spread amongst coroners and that a consistent service is delivered to bereaved families. The Northern Ireland Courts and Tribunals Service has also appointed a senior manager to support the coroners in managing the service.

Separately, discussions are taking place to confirm the timing by which the Lord Chief Justice will assume the presidency of the Coroners' Courts as legislated for by this Assembly under the Legal Aid and Coroners' Courts Act (Northern Ireland) 2014. The point was made that the Lord Chief Justice has concerns about assuming that presidency given the current difficulties, and those discussions are continuing, to ensure that we maximise the resilience of the Coroners Service in order to enable the Lord Chief Justice to take the lead. Such a move would then bring the Coroners' Courts into line with the other courts in Northern Ireland by confirming that statutory leadership role on the Lord Chief Justice. As president, he will have power to designate a presiding judge for the Coroners' Courts.

A judicial-led assessment of the state of readiness of the 55 outstanding legacy inquests is under way. Members will recall that many of those 55 outstanding inquests relate to inquests that the Attorney General has directed be reopened in recent years. Progress will be subject to the allocation of funding in the context of the implementation of the Stormont House Agreement.

I hope that Members will appreciate that much work has already been carried out towards the enhancement of the Coroners Service, although, clearly, more still needs to be done to put these plans into action. However, as I said before, progress in dealing with the past, including the further enhancement of the Coroners Service and legacy inquest process, can only be made in the context of the full implementation of the Stormont House Agreement and the associated funding for which it provides. I am committed to ensuring that we deal with those outstanding issues from the Stormont House Agreement, but there is clearly much work being done, including work that I left at Stormont House this morning in order to come to this debate.

I believe that the new historical investigations unit to be established by the agreement will create the opportunity to make a real difference in progressing those legacy cases. I make the point, because it has been made by others in this Chamber, that I personally believe there would have been a strong case for incorporating legacy inquests within a separate strand of the historical investigations unit. I do not believe that the current arrangements for inquests are very good at meeting the needs of bereaved families in those legacy inquests.

They are designed to meet the needs of relatively current cases — things such as hospital misadventure, road traffic collisions and accidents at work. The issue of addressing very significant and complex cases from many years ago is not one that is easily dealt with under the current arrangements. Although a similar point was made by the Lord Chief Justice last year, so far there has not been agreement. Therefore, we have to seek to manage the Coroners Service as best we can.

I make the point that, in discussing the case of the Jordan inquest last year, the Lord Chief Justice said:

“It is not the function of this court to determine how the United Kingdom should honour its Article 2 investigatory obligations ... There are models within this jurisdiction, such as the Historical Institutional Abuse Inquiry, which might provide the basis for an effective solution. It would be possible to have all of the legacy cases taken out of the inquest system and all of them considered in a time bound inquiry.”

I remind Members that that was the view of the Lord Chief Justice, whom we are seeking to assume the presidency of the Coroners' Court in the near future. He saw that there were differences.

Other points have been made. For example, I have corresponded with the Secretary of State and asked her to make the point to the Secretary of State for Defence about the need to ensure that military witnesses are forthcoming in those cases in which there is military involvement. It is not therefore simply a matter of sitting waiting; rather, it is a matter on which there has been strong action taken in DOJ.

Mr A Maginness: I am grateful to the Minister for giving way.

The Minister touches on a very important point about legacy inquests and other investigations into the deaths of people during the Troubles, and that is the level of disclosure made available by state agencies; for example, the Ministry of Defence and the PSNI. Is the Minister aware of the necessity for the state to cooperate fully and to give full disclosure so that those inquests can be effectively and properly investigated, resulting in, at the end of the day, a verdict or a conclusion that is satisfactory to the bereaved families?

Mr Ford: I thank the Mr Maginness for that point. He is, of course, well aware that there are issues of national security that are way beyond my pay scale in determination and that there will at times be issues, but I certainly believe that there is an obligation on all those state agencies that were involved — principally the Ministry of Defence in a number of the cases that require legacy inquests — to give as much information as possible and to do all that they can to ensure that individual military witnesses are made available. I made that point in correspondence with the Secretary of State, which she passed on to her colleague in the Ministry of Defence for me.

There are going to be issues outstanding that are not for the justice system in Northern Ireland simply about resourcing; rather, they are about the implementation of the Stormont House Agreement to its fullest extent. I certainly take the points that were made from my left by the two Ulster Unionist contributors that there are other bodies that have perhaps not always been fullest in the disclosure that they have given on the role that individuals may have performed in the past either.

I believe that we have put a number of changes in place. Even though it was not possible to get agreement on establishing a separate strand of the HIU, those changes will ensure that, by undertaking independent article 2-compliant investigations into all the outstanding Troubles-related deaths, the HIU can draw on solid investigations in any future legacy inquests. That should ease the burden on coroners in conducting complex inquiries.

I look forward to continuing our work together to ensure that the best operating model for the Coroners Service is created for the future so that we can provide the inquests to which bereaved families are entitled, whatever the circumstances of the death of their loved one.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank everyone who took part in today's debate. Mo mhíle buíochas daoibh go léir.

When we framed the motion, we tried to do so in a factual and straightforward way to give us a snapshot of the current situation.

It was not designed to be politically sensitive or to allow people to feel that in some way we were being pejorative around the issue. It is an issue that needs addressed. Alban Maginness acknowledged that when he spoke. I was a little bit disappointed when Mrs Kelly said that Sinn Féin should expect some measure of retaliation. I do not think that was the spirit of the debate. Everybody is entitled to frame their response in a particular way, but I think that Stewart Dickson was right when he said that at the core of it are families who are seeking the truth and seeking redress. I think that we all accept that the current system has failed them. In particular, there have been obstacles in relation to the Coroners' Courts, and now we see that

there is an issue around the resource. I think that, if the debate had been properly approached, perhaps we would have had a better outcome.

As I said, the retirement of John Leckey has, in some respects, brought it into the public domain recently. In his public commentary over a long number of years, he has certainly pointed out the failings and directed us towards where we should be going. At the core of it, we always have to remember that — it is part of the public concern — as, I think, Stewart Dickson, the Minister himself, and indeed Mrs Kelly accepted, since May 2001, the British Government have consistently failed in their obligations, and in particular were found to be in breach of article 2 in terms of procedural investigation obligations, which, in effect, were to have independent, effective and prompt investigations — particularly because of the responsibility of the British Government — into state killings.

Sometimes when people talk about attempts to rewrite history, I think what they are actually saying — perhaps they do not mean it — is that they are putting obstacles in the way of due process. I do not think that any of us should do that. Let us remind ourselves what actually happened and what the court findings were. Those investigations were deemed not to be independent. There was a failure by the RUC, which was the policing structure at that time, to properly investigate collusion between the RUC and unionist paramilitaries. Lest anybody thinks that that is an attempt to rewrite history or that republicans are the people who rewrite history when they state that, it has been stated by the British Prime Minister, David Cameron, because he has a recognition.

People talk about rewriting history. At a particular time in history, the records were falsified, so the families have found themselves left, sometimes on their own, to find all the avenues open to them. Sometimes many of them were closed down, but they have found a useful, practical and appropriate way, through the inquests, to ensure that the truth came out. So, in a sense, David Cameron would not have been put in the position where he had to accept that there was collusion between British state forces and unionist paramilitaries. He had to apologise on behalf of what he called his Government. That is not an attempt to rewrite history. What it was doing was putting history down as it should have been. It was falsified at a particular time.

One of the other failings was in the role of the DPP to actually prosecute where evidence was clearly present. The DPP failed at that time. All in all, there were serious and very deliberate flaws within the coroner system. That is where the responsibility lies. Again, Stewart Dickson, and, indeed, the Minister, talked about the role of the British Government, and we do not disagree with any of that; but, with the transfer of justice and policing to the Assembly, the Assembly has the capability to address the concerns of those families in the pursuit of truth and justice. Indeed, the Culture, Arts and Leisure Minister showed how it could be done in terms of the Public Record Office. There were attempts, particularly from the NIO, to prevent her from disclosing what were, in essence, public documents, redacted at various stages because of the processes that took place. There were those within the system who did not want the system to work. That is what we are out to try to address.

We are supportive. The Minister spoke today about the number of measures that he has taken to ensure that

there are proper resources, and he will find that we are supportive of him.

In the system at present, there are some 53 legacy inquests. In case there is any doubt — Ross Hussey mentioned it — that includes the Kingsmill killings, and an inquest has to take place on that. In that inquest, families will be seeking the truth, which is what the process should be about. However, some inquests stretch back over 40 years, so, at the core, there are a number of very damning indictments. If we are to take this forward, we have to do so in a way that addresses the concerns of those families.

1.15 pm

The Minister referred to an attempt by some, perhaps during the Stormont House talks or as far back as the Haass talks, to remove inquests as a vehicle for bringing about truth and justice. Our party opposed that, as did many of the families. Any analysis that tries not to allow the Coroners' Court to do this is flawed. We have to create the circumstances in which proper resources and mechanisms are in place.

I will address some of the issues that the Minister raised. Three full-time coroners are in place, but that has not addressed the problem. It is compounded by the fact that Mr Leckey announced that he is retiring, and this is where public concern comes in. Many people, including legal practitioners, families and observers, have said that the process should have started once he made his announcement. We would then have had a smoother transition from a retirement to a full-time appointment, which is what would happen in other situations. If it were a chief executive in a health trust or somewhere else, people do not like an absence or someone being in an acting position; they want continuity and for things to move on. Two of the full-time coroners are on sick leave, and that has an impact. One wishes them well and a speedy recovery, but none of us can predict when they will be back in post. Anybody who is trying to organise the system has to contend with that as they try to allocate resources and court time. A number of investigators are missing from the system, which, given the nature of some inquests, is accepted. That creates a delay and a backlog. It pushes families down the list, so they raise concerns, and that is what we need to address.

Last week in Committee, we had a document that was going to the Council of Ministers — the Council keeps an eye on article 2 considerations — saying that the Lord Chief Justice would be in place on 1 November, but he will not be in place. We were told that the document had to be rewritten and that a new document is being sent. That is where public concern comes in. Some say that the Lord Chief Justice has said that it is an issue about political will. Those of us in political life have to address that. Underlying that is a sense that the necessary resource to do this effectively and meaningfully is not there. It is the role of those of us in political life to ensure that the resources are there. If we are telling families that they have the right to the truth but that the system that we put in place does not have the resources, they, quite rightly, will make up their own minds.

In tabling the motion, it was our intention to bring into the public domain, through the Assembly, the concerns of families and those in the legal profession about the way in which the Coroners' Court is being resourced. We

welcome some of the measures that the Minister has put in place. He will know from the Committee that we are supportive of his attempts to bring in the proper resources. That was the intention of today's debate.

Question put and agreed to.

Resolved:

That this Assembly notes the concerns raised publicly around the impending retirement of the senior coroner without a replacement in place; and calls on the Minister of Justice to provide the resources necessary to ensure that our coronial system works in an effective and timely manner.

Cancer Services

Mr Principal Deputy 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.

Mrs Dobson: I beg to move

That this Assembly notes the absolute importance of timely diagnosis and treatment of cancer, as any unnecessary delays can result in a reduced likelihood of a successful outcome; accepts that cancer targets are set with established medical evidence; further notes that, whilst Northern Ireland has become a world leader in cancer research, local waiting times across a range of specialisms have deteriorated to unacceptable levels; and calls on the Minister of Health, Social Services and Public Safety to ensure that cancer services are adequately organised, funded and resourced to ensure patient safety is not further compromised.

I welcome the opportunity to open today's debate on this incredibly important issue. From the outset, I express my anger and deep sense of frustration that the Minister has again decided that the political desires of his party are more important than the health of our people. How dare he. How dare he treat with such contempt the Assembly and, more importantly, local people with cancer and everyone else who is facing delays. Aside from whatever games he and his party are playing, I have no doubt that they will come to regret that approach as the problems across our health service continue to deepen, and more and more innocent people come to harm as a result of their insolence. No matter how long Mr Hamilton's political career lasts, I suspect that these days and weeks will define it for many.

There are few issues as emotive or as much of a touchstone as how the health service responds to the needs of people who have been given a cancer diagnosis. Cancer is a vicious disease and its impact is indiscriminate: it affects the old, the young, the healthy and the vulnerable. No other word strikes fear into the hearts of families in the way that cancer does.

I dedicate my comments to Anna May Evans, a lady whom I never got to know, who died of cancer at the age of 41. I was two years old and my sister was a baby when our young mum of 21 was left with not only two young daughters but five brothers and sisters to look after. As a result of cancer, I was not able to know and love my grandmother. I know that I am not alone in the Chamber or outside the Building in being a member of a family ripped apart by cancer. However, there have been many wonderful medical advances since then, and being diagnosed with cancer need not be the death sentence that it was for my grandmother and those of her generation.

Until fairly recently, we were starting to look more optimistically at the future. Media reports of revolutionary advances in cancer diagnoses and treatments have become commonplace. Often at the centre of those were experts from our academic institutions: Queen's University, for instance, became a world leader in research, and, earlier this year, scientists from Randox revealed their major development of a blood test to check for bowel cancer, a disease that kills hundreds of local people every year. The future looked positive, with advances in cancer treatment

seemingly guaranteed and a service that was world leading, once you got through the door. I know that those experts are still in place and still trailblazing with their discoveries and work, but the outlook for people diagnosed with cancer now could be worse than it was only a couple of years ago. Saying that in 2015 is, I feel, absolutely shocking.

There is no starker signal of this than what is contained in the Department's 2015-16 commissioning plan, which is still in draft form for a year that we are well over halfway through. It contains a multitude of warnings. However, the one that strikes me most is that spiralling waiting times could lead to severely delayed diagnoses of life-threatening illnesses, with suspected bowel cancer patients particularly at risk. That is in addition to the higher-level warning that increased waiting times for assessment may result in a delayed diagnosis of a serious or life-threatening condition with a reduced likelihood of a successful outcome.

There, in black and white, we have the health service, civil servants and an on-off Minister who should be in charge of it effectively admitting that people will lose their lives as a result of the current crisis.

The publication of the 'Northern Ireland Cancer Waiting Times' on 24 September further confirmed the scale of the problem. Target after target is being widely missed. For instance, in the most recent month for which figures are available — June 2015 — 347 patients commenced treatment following an urgent referral for suspected cancer. Of those, 241, or 69%, commenced their first treatment within 62 days. The target is 95%. Every one of the five health and social care trusts failed to meet the target in each of the last three months. Belfast achieved only 57% and the South Eastern Trust 61%. At the other end of the scale, the Western Trust managed to treat 88% within 62 days, yet that was still well behind the target.

There is a variance also in speed of treatment for individual types of cancer. Although I am glad that the target was met in April 2015 for patients diagnosed with breast cancer, fewer than 65% of patients diagnosed with lower gastrointestinal (GI) cancer commenced treatment within 62 days during April to June 2015. Most horrifying, however, is the fact that, of the overall 106 patients in June 2015 who had waited longer than 62 days for treatment, 31 were later diagnosed with urological cancer; 18 with lower GI cancer; 13 with head and neck cancer; 11 with skin cancer; 11 with lung cancer; eight with upper GI cancer; six with gynae cancer; and five with breast cancer. My heart goes out to every one of those people and their families. As we stand here today, we should take a moment to think about them, the treatments that they are undergoing and the suffering that each, in their own way, will be going through.

Our cancer wards can be the scenes of some miraculous recoveries, but they can also be places of profound physical and emotional suffering. Simon Hamilton, the Health and Social Care Board and each of the health and social care trusts must not for one moment forget how each of those 106 people has been failed. While an apology is the very least that they deserve, unfortunately for some, as a result of these delays, they will already have come to harm. That is not to mention the increase in stress, anxiety and worry across families, especially among elderly relatives when younger family members are waiting. Of itself, 62 days — two months — is a long

time to wait not knowing and worrying and breeding other health concerns, which puts further pressure on an already pressurised health service. Fear of the unknown is often the worst fear of all.

One of the key benchmark targets is that all urgent breast cancer referrals should be seen within 14 days. In June, 1,336 patients were seen by a breast cancer specialist for a first assessment following an urgent referral. However, only 81% were seen within 14 days, a significant fall from 94% in January. While some other trusts are meeting their targets in full, in Belfast only 27% of breast cancer sufferers were seen within 14 days. Given that Belfast is home to some of the best breast cancer facilities and personnel in Northern Ireland, I find it inexplicable that such a large-scale failure is happening. Lest people assume that it is a case of Belfast not being able to cope with its larger number of patients, in June the Northern Trust encountered the same number of patients and yet was able to meet the target in full. Is it a case that the crisis in other cancer types is leading to a bottleneck of cancer treatments in the Belfast area?

As was highlighted only last week by Dr Miriam McCarthy, a consultant with the Public Health Agency (PHA), we have a 14-day target for red-flag referrals for cancer. The fact that one in five of those urgent cases is not being seen in time is disgraceful, especially when breast cancer has one of the better outlooks if it is caught in time. Of those seen in June and who had to wait for more than 31 days, 13 had urological cancer. Let us remember that behind every admittance number or percentage is an individual patient with family and friends who is going through what may be the most difficult time of their life.

1.30 pm

Again, as was the case in the recent Ulster Unionist Party debate that focused on outpatient waiting times, the purpose of this motion is not to apportion blame or to make political points. Instead, it is about focusing the minds and dealing with the problem at hand. I have spoken about the absolute necessity for adequate numbers of specialist cancer nurses, for instance, but that is still not happening. Another key aspect is workforce training for GPs. Indeed, we had a call last week from Pancreatic Cancer UK, Action Cancer and Cancer Focus —

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Mrs Dobson: It is crystal clear that we need to help those people to get diagnosed right now. I will end with this question: is there anyone more vulnerable than the cancer patient who is spending weeks worrying while not receiving the treatment that their life so depends on?

Mr McKinney: I welcome the opportunity to participate in today's debate. I rise as SDLP health spokesperson in support of today's motion. Northern Ireland has long held a record of having some of the most advanced cancer treatment and research in the world. Throughout the last 10 to 15 years, the calibre and range of treatment has constantly been expanding, from the vision of the Campbell report in 1996 to the establishment of the cancer network in 2004 and the cancer centre in 2006. I am looking forward to the opening of the new radiography unit in Altnagelvin, which demonstrates a proactive approach to cross-border cancer care.

At the weekend, I was delighted to get a presentation about some of the aspects of cancer care in Derry. Added to those important developments is the fact that our dedicated staff, including consultants and specialist nurses, consistently provide a service that is second to none. They must be recognised and commended in the Chamber for their tireless efforts under intolerable pressures.

Northern Ireland has had a proud history in providing world-class cancer treatment and research, but the reputation is in jeopardy due to emerging holes in cancer provision. Only two weeks ago, I addressed that issue to raise concerns over elective care waiting lists, an issue that has now made global headlines. My views were reinforced, last week, by testimony from Nigel Edwards from the Nuffield Trust, who said that excessive waiting times may cost patients' lives. His comments are a stark reminder of the current service that we find in health here. For me, the failure to meet cancer treatment targets is yet another layer of the same problem, and that is unacceptable. It is another damning indictment of the empty Benches opposite, and of the empty ministerial chair opposite.

Cancer patients' lives are being put at risk, with hospitals continually breaching targets that were put in place to ensure speedier diagnosis and treatment in order to maximise patients' chances of survival. From April to June this year, only slightly less than 70% of patients with an urgent referral for suspected cancer began treatment within 62 days. That is against an official ministerial target of 95%, but, of course, the Minister is not at his desk to focus on that statistic and the human stories behind it.

On top of this, breast cancer treatment targets are falling by the wayside. The percentage of women seen within the 14-day target after urgent referral has, worryingly, dropped from 94% to 81% in June this year alone.

Mrs D Kelly: Will the Member give way?

Mr McKinney: I will.

Mrs D Kelly: I thank the Member for highlighting some of the delays, but does he agree that the previous Minister Mr McGimpsey said in the House that the predicted rise in cancer across the island of Ireland for these years was somewhere around 27%, that the health service needed more money and that he was scoffed at by the DUP?

Mr McKinney: He was scoffed at.

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

Mr McKinney: Thank you, Mr Principal Deputy Speaker. Subsequent to that, we have had three Ministers, and not only the previous three Health Ministers but the Finance ministry have been with the DUP. So, it is not as if they have to argue with a party opposite or with someone they may have different views with. They only need to sit down with each other and attempt to deliver on some of this. I thank the Member for her intervention.

The reality of the situation that is facing these breast cancer patients is that, after urgent GP referral, women who warrant urgent diagnostic testing, such as a mammogram or needle biopsy, face delays in seeing a consultant, which could impact on survival rates. Where is the Minister on that issue?

Last week, we saw the Public Health Agency launch a campaign aimed at raising awareness of the signs and symptoms of breast cancer. This is a welcome move, but what action is being taken to increase capacity to facilitate an anticipated extra demand for services? It is against this backdrop that the Minister's absenteeism continues to be an issue of regional concern. His bleating in today's 'Belfast Telegraph' rings hollow given the extent to which this Chamber and the wider region is hearing concern among patients and the public over health service delivery.

Patients, the public and representative bodies, such as the Royal College of Nursing, all recognise the damage that this is causing. The Minister's only response has been to release £1.5 million of funding, dubbed by the media for NICE-approved cancer drugs. These are drugs that, under normal circumstances, would be routinely available here. What this decision does not address is the great inequality forced on cancer patients who are denied 40 life-extending cancer drugs. This is a huge gaping hole in the provision of cancer services here. There are also severe economic repercussions as a result. As the former Minister continues to stall the issue, Scotland, in comparison, has taken great strides in opening up access to cancer drugs through trialling and, in doing so, has bolstered its economy through incentivising its life science sector. It is now well on its way to doubling the value of the industry to £6.2 billion by 2020. In this context, a cancer centre of excellence would have a hugely positive economic impact here while, at the same time, developing cancer treatments.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McKinney: I will, Mr Principal Deputy Speaker. I will just reinforce the point that the Minister needs to be in his seat. Cancer patients and other patients are suffering, and the public is calling for action.

Mr McMullan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Members who brought this motion to the House today. I am coming at this from the perspective of the human side of cancer and the suffering that it brings to the individual, their family and their friends.

Cancer is one of the worst diseases to hit this community. It does not know any barriers at all. It affects the young and the old. It affects everybody, male and female. Whilst we should be doing more to try to stem the tide of this disease, we now have a Minister who is not only not at his desk but not even here. I hope that when he looks at this on television, he is sitting at his desk watching the debate and that, in a way, he feels happy with himself that, as he has already stated publicly, he is at his desk every day doing his job. Why is he not in here doing his job?

Mr McKinney: I thank the Member for giving way. Does he agree that perhaps there is a bit of a discrepancy here in that Mr Hamilton's public utterances suggest that he may be uncomfortable with what the DUP is doing and that he is at odds, in fact, with his leadership in that regard?

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

Mr McMullan: I thank the Member for his intervention. That may be so. It is something that I will come to in a moment.

I say to the Minister to take his ministerial car and go to the City Hospital any day of the week. Go into the waiting room, where people from all over the Six Counties are in for treatment. There are people from Fermanagh, Enniskillen and all round who have to stay in Belfast during the week from Monday to Friday and wait for their half-hour treatment every day. They have to stay in Belfast for the rest of the day and go home on a Friday. Those people are sitting up there every week, and their families are at home. Children of four or five years of age are being wheeled in in wheelchairs for treatment. The elderly are coming in in wheelchairs. It would break your heart to see some of the people there.

Whilst that suffering goes on day and daily, we have people here playing footsie with the whole thing because of their political aspirations. This is not what the public wants. The public wants you to be sitting here doing something. This is not a political issue: it is a human issue.

I state that as a cancer patient myself. I am going through a five-year programme of treatment for my cancer. I know from my first-hand experience of seeing people's suffering when I go into the waiting room that those people are looking for hope. Families are there of husbands, mothers, brothers and sisters who are all getting treated.

While we do not have a Minister at his desk to give direction, waiting lists are getting longer. In some cases, people are waiting up to a year and a half after getting a referral from their GP. Consultants then have to go through the list and prioritise people.

We had the case in the Causeway Hospital last year in which biopsy results were sitting in the hospital but there were no consultants to give them out to patients. The mental strain on, and suffering of, those patients went on as they waited to know. They asked, "Do I or do I not have cancer? If I do have cancer, what treatment am I going to get? Am I going to get radiotherapy or chemotherapy or have an operation?" All that suffering is going on.

What we see now is not only politically corrupt but morally corrupt. If those people have any sense of morals at all, and some of them tell us that they are deeply religious, where are those morals and where is that religion today, when people out there are suffering and dying? Families are being decimated by the disease, and there is no one there to give leadership. If you cannot give leadership, step aside and let somebody else take the seat. I believe that there are people in the DUP who do not believe in the hokey-cokey kind of politics that the party is pursuing today. It may be something that you can sit and smile about, but I hope to God that the disease never hits your door, because you will not smile then, and you will hope that you have somebody there who will give direction and cut the waiting lists.

I work day and daily with people in my constituency of East Antrim to try to get them in after being referred by their GP, yet they are still waiting after six months. I am working to try to get their test results out after they have had their referral. That is going on, and it would break your heart. However, we are still seeing this depraved kind of politics from the party opposite. It is playing politics with people's lives. Shame on you. Don't ever hold your head up in public again and say that you are working for the people if the one thing that you cannot stand to do is to come in here today and show leadership to the people who are

suffering from one of the worst diseases that they could have.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McMullan: Total shame on you. I support the motion.

Mr McCarthy: The Alliance Party fully supports the motion today and thanks its mover for bringing it to the Assembly. It really is disgusting that it has come to this. Many of our constituents are really at their wits' end because they have been diagnosed with cancer and are being denied early treatment. The Assembly, however, has in its power the ability to prevent all that suffering. I appeal to the absentee Health Minister to listen to the voice of the people and that of the Assembly and to get back to work and stop playing games with people's lives.

It is recognised that Northern Ireland is leading the way in cancer research and so on. We have the best brains and consultants, and real progress is being made. It is such a pity that patients suffering from breast cancer, lung cancer, prostate cancer, pancreatic cancer, ovarian cancer, oesophagus cancer and so on are being denied treatment at an early date. Despite not being able to provide the early treatment that is required, the Health and Social Care Board tells us over and over again that early detection is a priority.

Headlines such as the ones that we saw in the press last week are absolutely staggering and unacceptable, but still our Health Minister stays away from the Assembly and, more importantly, his desk, where important, if not vital, decisions should be taken.

Last week, the Assembly discussed excessive waiting lists in general. This week, we are discussing excessive waiting lists for our cancer patients. It is no wonder that experienced voices from across the water have stated that, if there were such long waiting times in England, heads would roll.

Perhaps that is what is wrong here in Northern Ireland: no one accepts responsibility. The Minister leaves his post, the NHS continues to go down the tubes and no one is held accountable. What a shame.

1.45 pm

As has been said, cancer is a huge scourge on our society. All of us will have family members and friends who have suffered immensely or who have, indeed, passed away because of this terrible disease. As people live longer for many reasons, the risk and prevalence of cancer will become even greater. It is worth stressing that many cancers, if caught early enough, can be successfully managed or even eliminated. The deterioration in waiting times in general and specifically for cancer, really matters. It is something that has a very real impact on the quality of life, the well-being and the life chances of so many of our people.

The problems regarding cancer services are only one example of the crisis around waiting lists and the wider problems afflicting our health service. The Alliance Party fully accepts that there have been, and continue to be, many structural problems in the health service. With rising demands for services and pressure on public expenditure, the status quo is simply not sustainable. The Department and a succession of Ministers were supposed to be sorting all this out.

It is a sad reflection on that same Department that it could not even give a simple answer to a recent request from the Health Committee for an update on the implementation of the 99 recommendations contained in the Transforming Your Care document. We do not know what progress, if any, is being made on Transforming Your Care. There has been a succession of reports. Indeed, at one stage, I said that there were reports and reviews coming out of our ears. Yet, we continue to have the ongoing problems.

While the present problems in the health service predate the welfare reform impasse, the current political deadlock is undermining the ability of the Executive to invest money in sorting out problems, even on a short-term basis. It is unfortunate that money is being handed back in welfare penalties that could be directed into the health service. There has not been any monitoring round recently; there was a request from the Department for £98 million from the June monitoring round, but not one penny has been redistributed, and we continue to have waiting lists and patients waiting for treatment.

Even if the money is found —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McCarthy: — the opportunities to spend it are, effectively, diminishing the longer that time goes on. I appeal to the Health Minister to get back to his work, sort out the problem and do what he is supposed to do, which is to look after the patients of Northern Ireland.

Mr Rogers: I welcome the opportunity to contribute to this debate on a very important issue. It is something that I feel very passionate about because, like Mr McMullan, I am a cancer survivor. I was diagnosed 10 years ago, and after surgery and intensive treatment, I made a good recovery. I would like to pay tribute to all those involved in developing cancer services here since 1990. Quite simply, I owe my life to the health professionals at a local level in Daisy Hill Hospital, Craigavon Area Hospital and the cancer centre.

Northern Ireland has gained a good reputation for treating cancer and developing the drugs and treatments that help to pioneer the fight against this age-old disease. The drugs research industry here, evidenced by the work of Queen's University and Almac, among others, provides hope and example for those who are suffering from cancer and for their families. The rapid development of cancer services that characterised the 1990s and the early 2000s here has stalled somewhat in recent years. If we look at cancer waiting times statistics and comparisons from this year, we see that the percentage of patients first treated for cancer within 62 days following an urgent GP referral for suspect cancer decreased from 77% to 69% in June 2015.

Many other people have quoted statistics, and there are lots out there. Three years ago, 100% of breast cancer patients were seen within two weeks of an urgent referral. By March 2015, this figure had fallen to 53%. That paints a picture of not just a momentary lapse in waiting times, perhaps caused by an immediate factor, but a gradual slippage over the previous few years that is extremely worrying.

We know, of course, that the problems with cancer waiting times are merely symptomatic of a wider and more severe crisis in waiting times across our health service. As my colleague Mr McKinney pointed out last week, Nigel

Edwards from the Nuffield Trust injected a dose of reality into the situation here on waiting times. It is one thing to meet a target for 60-something days; it is another thing entirely to put patients' lives at risk. Our health service is in disarray. I agree with Mr McKinney's assessment that the figures on cancer waiting times are but another layer of dysfunction in our health service.

It is most unfortunate that, during the most acute crisis in waiting times for quite a while, we do not have a Minister to lead and direct. In fact, we learned recently that the Health Minister resigned four times in the past three weeks. The Minister announced £1.5 million for NICE-approved cancer drugs when he was recently in office. That is further proof of the positive impact that he can have when he is in post. Unfortunately, that only highlighted the severity of the problem here for cancer drugs. The extra money allocated was for routine drugs. We should not need an announcement of extra money to solidify access to those drugs. We, among others, have been involved in the Equal Access campaign for Northern Ireland. Some 40 drugs that are proven to help to ease the suffering of those with cancer are available in the rest of the UK but not here. That is a fundamental inequality that remains unaddressed without a Minister. We have a strong tradition of evaluating and readjusting cancer services for the betterment of our people, and it is clear that much more is needed now. The Minister needs to get back in post. We need to do something urgently to address swelling waiting lists and to keep the quality of cancer services high and to keep them prompt.

Bear in mind the statistic that, every day, 25 people in Northern Ireland are told that they have cancer. Believe me, you feel your life disintegrating before you when you get that news. Cancer need not be a death sentence. I am a living testimony, as are others, that it can be treated, but you cannot have delays when it comes to treating cancer. Time is of the essence. Minister, cast aside the politics and think of your cancer patients.

Mr Beggs: I also support the motion. I want to highlight the importance of early diagnosis, which is vital in improving outcomes for cancer patients. When I researched the issue, I had a look at Cancer Research UK's website, where there is a great explanation that shows that, if cancer is diagnosed at an early stage before it has a chance of getting too big or spreading, it is more likely to be treated successfully. If the cancer has spread, treatment becomes more difficult, and, generally, a person's chances of survival are much lower.

The hard statistics on a variety of cancers make it very apparent that that is the case. Nine in 10 bowel cancer patients will survive the disease for more than five years if diagnosed at the earliest stage. If diagnosed at a very late stage, the percentage is around 15% for breast cancer compared with 90% for those who are diagnosed earlier. For ovarian cancer, 90% of women diagnosed at the earliest stage survive their disease for at least five years compared with 5% for those diagnosed at a more advanced stage. Similarly, 70% of lung cancer patients who are diagnosed early will survive for at least a year, whilst only 15% of those diagnosed at a later stage will. The statistics clearly show that early diagnosis is vital.

Why is there late diagnosis? It can be that patients are not aware, and we need to increase knowledge throughout the community. I thank CLIC Sargent and Mid and East Antrim Borough Council for their recent campaign of lighting up

in gold Smiley Buildings in Larne, Carrick Castle and the Braid Museum and Arts Centre in Ballymena to highlight to the community the importance of early awareness of childhood cancer.

Some people are diagnosed later because they are so worried about it that they do not seek help as soon as they should. What happens when they do go? Regrettably, there are unacceptable delays when GPs refer patients for tests and treatment and further delays when a hospital appointment is required. Look at the statistics for those treated within 62 days of urgent referral — that is when a GP suspects cancer or there is significant evidence pointing to the need for a referral to a cancer specialist. In June, we found that only 69.5% —

Mr McMullan: I thank the Member for giving way. Does he agree that east Antrim has the highest figures for prostate cancer and that Causeway Coast and Glens, the council area on the other side of the coast, has one of the highest figures for pancreatic cancer?

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

Mr Beggs: I thank the Member for highlighting that issue. It is important that people are aware of the risks that exist, and I accept what he is saying.

In June, we heard that only 69.5% of patients were referred within 62 days, and that was down from an earlier figure of 81.4%. It is vital that patients get an early diagnosis and start on the path to treatment and recovery and to improving their chances and outcomes.

Other Members referred to breast cancer, and it is particularly important that these patients are seen earlier. We have to remember that individual patients and families are suffering while waiting for a final diagnosis or treatment. There has been a poor outcome there, too: frankly, in such instances, we would expect all patients to be referred within the 14-day time frame.

I looked at some of the statistics in my area. In the Northern Trust, only about two thirds of patients see a consultant for treatment within 62 days of having been referred for urgent treatment by a GP. It is one of the areas where there is particular need for improvement. The Belfast Trust has poor figures, and there are also poor figures for the Southern Trust. Generally, Northern Ireland is at about 72.3% against a target of 95%. That is way below the target, and, unfortunately, the trend in that area has not been good. Whilst there are increasingly better results for treatments —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr Beggs: — and better outcomes, the long-term trend for cancer is upward.

Mr Principal Deputy Speaker: As Question Time begins at 2.00 pm, I suggest that the House take its ease until then. The debate will continue after Question Time, when the next Member to speak will be Ms Rosie McCorley.

The debate stood suspended.

(Mr Speaker in the Chair)

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Flags: Public Spaces

1. **Mr B McCrea** asked the First Minister and deputy First Minister to outline their departmental remit in relation to the flying of flags in public spaces. (AQO 8768/11-16)

Mr M McGuinness (The deputy First Minister):

The flags protocol was established in April 2005 by OFMDFM in partnership with the PSNI, the Department for Social Development, Roads Service in the Department for Regional Development, the Department of the Environment's Planning Service and the Housing Executive to establish clear working relationships and an agreed partnership approach between agencies with responsibilities related to the flying of flags.

A review of the flags protocol was due to commence in 2009 but was postponed pending the review of the good relations policy. A flags protocol working group was reconvened in December 2011 with a view to bringing forward recommendations on a revised approach to dealing with issues around flags and emblems. A draft discussion paper was produced and shared with the good relations strategy cross-party working group. However, that work did not progress any further whilst the all-party talks chaired by Richard Haass considered and made recommendations on matters including flags.

The Stormont House Agreement, published in December 2014, commits to establishing a commission that will examine a number of areas, including flags, identity, culture and tradition. The commission will produce a report after a period of 18 months. Together: Building a United Community commits to establishing a range of thematic subgroups under the auspices of the ministerial panel to support implementation and take forward actions on the strategic priorities arising from the strategy, one of which is to examine the issue of flags. We are considering options on the establishment of the flags thematic subgroup to ensure that there is no duplication between the work of the subgroup and the remit of the commission on flags, identity, culture and tradition.

Mr B McCrea: I thank the deputy First Minister for his answer. It has obviously been in the works for quite some time. Is he aware of the Northern Ireland life and times survey that showed that 27% of people are annoyed by republican murals and flags and 32% of the population are annoyed by loyalist flags? Would he consider the introduction of legislation to clarify the law on this matter? Would he perhaps consider some form of licensing to make sure that those who put up such emblems are known to society and take care to fly them properly?

Mr M McGuinness: First, I am not aware of the life and times survey in relation to flags, but none of that would surprise me. I always wonder about the accuracy of some

of these surveys, but the reality, as we know, is that this is a vexed issue going back many decades, and a resolution needs to be found. Thus far, collectively, we have failed to find a resolution. There is a huge responsibility now, particularly in the context of the ongoing discussions, to find a way forward that meets the approval of all the parties in the House.

Flaunting flags, whether British national flags or Irish national flags, in people's faces for provocative reasons is very unpalatable. It is not grown-up. We need to get to a situation where we recognise the need for maturity in how we deal with each other with dignity and respect in our community. The challenge for the commission that I referred to in my initial answer is to come up with ideas, proposals and suggestions that will, I hope, find favour among the political parties so that, at long last and after far too long, we find a solution. If we did find a solution, I think that it would have overwhelming support among all sensible people in our society who are clearly fed up with the antics of those who try to use national emblems for provocative purposes.

Mr Milne: Go raibh maith agat, a Cheann Comhairle. Mo bhúiochas don Aire as a fhreagraí go dtí seo. Can the Minister provide an even more in-depth update on where the Stormont House Agreement commitment to establish a commission on flags, identity, culture and tradition currently sits?

Mr M McGuinness: The form and constitution of the commission is being progressed and agreed, as I said, through the Stormont House Agreement implementation group. The membership of the group includes the main political party leaders. The remit of the commission focuses on flags and emblems and, as required, broader issues of identity, culture and tradition and seeks to identify maximum consensus on their application. In its work, it is guided by the principles of the existing agreements, including parity of esteem. As I said in my main answer, the commission will produce a report within 18 months of being established. It will consist of 15 members, seven of whom will be nominees appointed by the leaders of the parties in the Executive, and the remaining eight members will be drawn from outside of government. I know that this represents us getting agreement in the ongoing talks. That will be another delay of something like 18 months, but if that 18 months can be utilised to find a solution, it will be well worth the exercise.

In the meantime, there is a huge responsibility on everybody in society to recognise that they should not be involved in provocative behaviour of any description. That includes everybody. I do not single out any particular tradition. I think that we all have a duty and responsibility to ensure that there is peace on our streets and that we are contributing in a very mature fashion to face up to a vital discussion around the whole issue of flags, symbols and identity and about how the traditions of all sides can be respected.

Ms Hanna: Does the Minister agree that the flags protocol has been largely abandoned in some places, with flags proliferating, including paramilitary flags, especially on arterial routes in very integrated areas of south Belfast? Does he agree that the rule of law should prevail and that those flags should be removed?

Mr M McGuinness: I absolutely agree on both counts. At the same time, I think that we all know the challenges and difficulties that there have been in recent times, with people being unwilling to fulfil their responsibilities to keep law and order on the streets in relation to the flying of provocative symbols. I think that the best hope for a solution, in the absence of anybody taking up the challenge and grasping the nettle in relation to those provocative emblems, is to find a solution through the establishment of this commission. It is ridiculous that, in this day and age, we have a scenario where the emblems of paramilitary organisations are up on lamp posts alongside national emblems. Quite clearly, the people who do that are still living in the past and have some warped notion that the overwhelming majority of the people of the tradition that they come from support this. I do not believe that they do.

Mr Lunn: In relation to Mr McCrea's original question, I accept that the deputy First Minister may not recognise the figures that he quoted, but it is fair to point out that his Department uses the life and times survey for its good relations indicators.

Does he agree that all this leaves the police in an impossible situation in trying to enforce whatever regulation or law there is and that the early imposition of a regulatory regime might be the way forward rather than endless thematic discussions and commissions?

Mr M McGuinness: My understanding was that the Alliance Party signed up to the commission. So I hope that that contribution does not represent a divergence of opinion from party policy. This is a vexed issue, and it is difficult for individual Departments or even the police to deal with these issues in isolation. Although, I cannot understand for one minute why, when paramilitary emblems are being put up in a very provocative way in areas, the police do not enforce the powers and laws they have to take them down. At the same time, the greatest failure here rests with the politicians — all of us — because we have failed thus far to find a way forward. That is the challenge for us over the next while.

The outcome of the commission might not amount to a hill of beans, but we have to give citizens in society an opportunity to have a mature debate about where we are going and how we need to respect each other and each other's traditions, but to do so in a way that is not flagrantly provocative and is not breaking the law.

Pensioners' Parliament: OFMDFM Support

2. **Mr Lyttle** asked the First Minister and deputy First Minister to outline the support they provide to the Northern Ireland Pensioners' Parliament. (AQO 8769/11-16)

Mr M McGuinness: With your permission, Mr Speaker, I ask junior Minister McCann to answer that question.

Ms J McCann (Junior Minister, Office of the First Minister and deputy First Minister): We believe that it is vital that the voices, views and experiences of older people are heard and taken into account by government in the designing, delivering, monitoring and implementation of all strategies, policies, legislation and services which impact on the lives of older people. Engagement with the Pensioners' Parliament is a vital way in which Ministers and officials can discover older people's precise needs in

relation to the range of services provided by government and its arm's-length bodies.

Former junior Ministers Bell and McIlveen and I have regularly been involved in sessions of the Pensioners' Parliament since its launch in 2011. Former junior Minister McIlveen and I spoke at the Pensioners' Parliament in Belfast on 28 May this year and, in addition, I spoke at the Pensioners' Parliament in December of last year that was held in Parliament Buildings. The then junior Minister Bell and I launched the public consultation on the draft active ageing strategy at the Belfast Pensioners' Parliament earlier last year and we spoke at, and held a session at, the Pensioners' Parliament in 2013 to seek views on the proposed signature programmes contained in the draft active ageing strategy.

We are fully supportive of the work of the Pensioners' Parliament, as our engagement with it shows. In terms of financial support, the Department has received a proposal from the Age Sector Platform for the Department to joint-fund the Pensioners' Parliament with Atlantic Philanthropies for the next two years, and this proposal is currently under consideration.

Mr Lyttle: I thank the junior Minister for her answer and welcome the support that she has given to the Pensioners' Parliament. I think that it is an exemplary forum in Northern Ireland, and I credit everyone who is involved with it. I welcome the priority that she has given to the health and well-being of older people in our community. Can the junior Minister provide an update in relation to progress on the active ageing strategy and, indeed, age discrimination legislation?

Ms J McCann: The consultation on the active ageing strategy has taken place, as you know, and it is ready to go to the Executive for approval. We worked very closely with the advisory group on the strategy and the Commissioner for Older People. The responses to the consultation on the age goods, facilities and services (GFS) legislation are currently being processed. The consultation actually does not finish until 8 October, which is this week. Obviously, we will look very carefully at what people have said when the responses come back. Once the responses to the consultation have been assessed, we will look at how to take that forward and make our response.

Social Investment Fund: Applications

3. **Ms Maeve McLaughlin** asked the First Minister and deputy First Minister for an update on applications to the social investment fund. (AQO 8770/11-16)

Mr M McGuinness: During its area planning process, the social investment fund (SIF) focused on the development and prioritisation of projects to address local needs, through which nine SIF steering groups chose 55 projects to fit within the fund's affordability limit. Delivery is now well under way.

Currently, 42 projects with associated costs of around £58 million are progressing. They include the three capital refurbishment projects, worth £4.4 million, which we announced last week for Belfast north and Derry. One of these, the Derry pitches project, will refurbish community sports facilities at Brandywell, Leafair, and Corrody Road in the Foyle constituency.

Nine revenue projects are up and running in the Derry, Belfast south, Belfast west, Belfast north, south-eastern, southern and western SIF zones. Five are designed to provide training and work placements targeted at the long-term unemployed. All are recruiting their first participants. Derry's Foyle Community Work Programme has filled 34 of its 100 places. The four remaining projects are designed to support families and young people. A further revenue project, due to start in the northern zone in late October, will bring the total number of projects to 10.

SIF capital projects are also progressing. One, Coleraine's Causeway Rural and Urban Networks charity hub, opened in September and two others — the Bryson Street Surgery and the Best of the East, in the Belfast east zone — should also complete before the end of the year. A further 14 capital projects are either at the stage of design-team or construction-team procurement. We anticipate that they will begin work later this year or early next year.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I thank the Minister for his answer to that, and I welcome the good news for Derry in relation to this.

Can the deputy First Minister update us specifically on the pitches project for Derry, which will help redevelop the Brandywell Stadium?

2.15 pm

Mr M McGuinness: The £80 million social investment fund aims to improve social conditions and encourage economic growth in certain areas where there is poverty, unemployment and dereliction. The sum of £2.8 million has been awarded under the SIF to the Derry pitches project. That funding will support delivery of improvements at three sports venues in the north-west. It will contribute to phase 1 of the Brandywell Stadium redevelopment, which includes a new 3G pitch surface and the replacement of the existing stand. At Leafair pitch, a new pavilion comprising changing facilities and community rooms will be developed. A new full-size turf GAA playing pitch will be developed at Corrody Road.

I know that that is particularly good news for the Brandywell and for football in general in the Derry area, and certainly for Derry City Football Club. I remember going to the Brandywell as a six- or seven-year old to support Derry City. The side of the ground that is going to be transformed looks the same now as it did when I was six or seven years of age. Therefore, the demolition of the Glentoran Stand — called "Glentoran" because it was donated by Glentoran to Derry City — is a badly needed project. There has always been a very close relationship between officials at Glentoran and Derry City. That stand is now in the process of being demolished. We are going to see the Brandywell football pitch transformed over the next short while, and that is good news, not just for local sports and football fans in the area, but it is a good regeneration project for the Brandywell area.

Mrs Overend: Can the deputy First Minister provide a progress update on the projects from the social investment fund in Mid Ulster? Can he also tell us when he expects all the money to be spent from the fund, given that £79 million out of the £80 million is as yet unspent?

Mr M McGuinness: The projects are now clearly under way, in what is a very important step change in recent times. In the context of moving forward on all those issues,

we have seen a situation develop in which, because of the responsibility that Departments have and the responsibility that the steering groups have in particular zones, we had a duty and responsibility to make sure that money was being spent properly on projects that were going to enhance the lives of people in local communities.

I remember that, at the beginning of this process, one particular party in the Assembly described SIF as a “slush fund for paramilitary types”. That has now been proven to be total and absolute nonsense. The different steering groups in the individual zones, including those in Mid Ulster, are now focused on providing projects that improve the lives of citizens and enrich their lives in a very powerful way.

I will write to the Member about the individual progress that has been made. It would take me too long to go through the Mid Ulster projects. All of them are now effectively at a very advanced stage, and I think that great progress has been made generally throughout.

Mrs D Kelly: Like the previous questioner, Mrs Overend, I am very concerned about expenditure delays. Can the deputy First Minister give us some assurances around the evaluation of the projects, given the failures that have happened in establishing and delivering them? Will that evaluation include detail on the number of jobs created, the number of people lifted out of poverty, the additional community cohesion and, indeed, the amount of money spent on consultants?

Mr M McGuinness: As in all such situations — this was a new project that we embraced — there will have to be an evaluation of the progress made and also a very serious look taken at the downside to its implementation. It is very important to stress that, from the very beginning, the intention of the whole process was to ensure that we would not come along and dictate to local communities. What we were doing was empowering local communities to come up with projects that they believed would benefit them. Therefore, it was a bottom-up approach. Local communities had that sense of empowerment: they had the discussion; they had the debate; and they prioritised the issues that they wanted to see developed in their area.

That took a bit of time because it was new. There were obviously criticisms of how long it took, but from my report to the Assembly today, it is quite clear that a step change has now occurred; that we are now seeing projects coming to fruition and will continue to do so over the next while. However, I take on board what the Member said. I think that we always have to look at these processes to establish how we can do things better in the future, if the decision is made to continue with this sort of approach.

NSMC: First Minister’s Withdrawal

4. **Mr D Bradley** asked the First Minister and deputy First Minister to outline any work that has ceased or been delayed as a result of the First Minister’s decision to withdraw from the North/South Ministerial Council. (AQO 8771/11-16)

Mr D Bradley: Ceist uimhir a ceathair, a Cheann Comhairle, le do thoil.

Mr M McGuinness: Since the then First Minister’s statement on 7 September 2015, two meetings of the North/South Ministerial Council have been postponed. A meeting of the Special European Union Programmes

Body (SEUPB) sector, scheduled for 18 September, was postponed, and a meeting of the agricultural sector scheduled for 7 October was also postponed. A further North/South ministerial meeting in the north-west to consider the future strategic approach to the development of the region, which was scheduled for 1 October to fulfil commitments given in the North/South Ministerial Council and the Stormont House Agreement, has also been postponed.

However, the operations of the North/South bodies are continuing as normal. Officials in sponsor Departments are in regular contact with the North/South bodies to keep them abreast of the position and to ensure that they are taking the necessary steps for the continued effective operations of the bodies.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. Gabhaim buíochas leis an LeasChéad Aire as an fhreagra sin. That was question 4 for those who were not tuned in.

Will the fact that the First Minister has withdrawn from the North/South Ministerial Council have an impact on the Council’s ability to reach the joint target of €175 million cross-border collaborative drawdown under Horizon 2020?

Mr M McGuinness: I hope that it will not. I know that civil servants, officials and, I think, all parties in this Assembly are very keen to ensure that there is no financial loss as a result of the present situation. I am working on the basis that the work with Europe is continuing, and my hope is, as I believe is the hope of all Members in this House, that that money will be secured.

Mr Allister: So, the deputy First Minister tells us that the operations of the North/South bodies continue apace. Can I take it from that that the funding streams are continuing? If the deputy First Minister’s colleague the Acting First Minister and self-styled gatekeeper wanted to strike a real blow against the North/South bodies, of course she could turn off the funding tap, in that, for 2016, she as Finance Minister —

Mr Speaker: Question.

Mr Allister: — has to approve all the grants to the North/South bodies.

Mr Speaker: Will the Member resume his seat?

Mr Allister: Does the deputy First Minister agree that that would be an effective assault on the North/South bodies?

Mr Speaker: Will the Member resume his seat? The term “supplementary question” clearly implies that it is not up to you to offer advice to Executive Ministers. Ask a question. It is up to the Minister himself whether he wishes to respond.

Mr M McGuinness: I think that it is important that the work of the North/South bodies continues. I am happy to report that that work is continuing. Obviously, in terms of the meetings taking place that involve ministerial responsibility, there is a difficulty at this time. I hope that that will be overcome as a result of what, I hope, will be a successful outcome to the negotiations that we are involved in.

Apart from that, the Member’s vitriolic hatred of anything North/South, or indeed of anything Irish, is legendary, so, from our perspective, we will not rise to the bait.

Mr Speaker: Miss Claire Sugden is not in her place. I call Mr Seán Rogers.

Childcare

6. **Mr Rogers** asked the First Minister and deputy First Minister what considerations they have given to implementing 30-hours free weekly childcare for working parents. (AQO 8773/11-16)

10. **Mr McElduff** asked the First Minister and deputy First Minister for an update on the implementation, aims and resourcing of the Childcare Strategy. (AQO 8777/11-16)

Mr M McGuinness: Mr Speaker, with your permission, I will ask junior Minister McCann to answer.

Ms J McCann: With your permission, Mr Speaker, I will answer questions 6 and 10 together.

We are aware of the provisions of the Westminster Childcare Bill, which will increase the amount of free preschool childcare available to working parents in England. The Executive have committed to provide a year's funded preschool education to every family that wants it. A full-time preschool place is 22 and a half hours a week, while a part-time place provides 12 and a half hours a week. The primary purpose of the preschool education programme is educational and focused on the development of the child. A positive consequence is that parents can enter the workforce. While, currently, there are no plans to extend the number of hours provided under the preschool education programme, that does not preclude consideration of such provision in the future.

In the context of expanding on early care and childhood development initiatives, the Executive's draft childcare strategy is open for public consultation until 13 November. The draft childcare strategy has two high-level aims: to promote child development and to enable parents to join the workforce. Each of those will, in turn, contribute to enhanced levels of economic activity, greater equality and social inclusion and reduced child poverty, thereby delivering social change.

The draft strategy proposes 22 separate interventions or actions to give effect to the Executive's vision for childcare. Our proposals will be finalised only on the basis of the feedback that we get from a range of stakeholders, including parents, practitioners and policymakers. Once the strategy is agreed, we will take forward each intervention separately, supported by a detailed business case and implementation plan.

Mr Rogers: I thank the Minister for her answer. Has OFMDFM had any further discussions on Barnett consequentials from the implementation of the 30 hours of free childcare in England?

Ms J McCann: Officials are looking at the issue of childcare as a whole. I am not sure what you are talking about in relation to the Barnett consequentials, and I will come back to you with a definite answer on that. However, our officials are in close contact with officials in the Westminster Government to see how anything that happens there can be developed and brought forward here.

Mr Agnew: What is being done to ensure that childcare providers are properly trained in the area of special educational needs?

Ms J McCann: The Member will be aware that, as I have said before during Question Time, the 15 key first sections of the draft childcare strategy were to look especially at training for people who work with children with disabilities. In some of the conversations that I have had when I am out speaking to some of the childcare providers, that has been an issue. Therefore, provision is made there for some organisations that deliver that, particularly to children with disabilities, to avail themselves of money to train their staff to an adequate level so that they can work with children with disabilities.

Mr Lyttle: Given that, at times, the monthly cost of childcare for many families is bigger than their monthly mortgage payment, what is the Office of the First Minister and deputy First Minister doing to promote the existing financial assistance schemes, such as the childcare voucher scheme, to families and employers in Northern Ireland?

Ms J McCann: The Member will be aware that we had long consultations with people on the voucher scheme. We are also looking at the new scheme coming in with that. The childcare voucher scheme will still be available for people who have it at the moment. In terms of the overall childcare strategy, that is exactly what we are trying to do. We are trying to provide childcare in a way that targets the people who most need it. The key issue that will affect families with children is the cuts to tax credits that the Westminster Government are talking about bringing forward. That will impact on over 120,000 families here in the North. On average, each household will lose up to £1,000 a year. That is a big part of the household budget that will be taken away. We are trying to ensure provision for childcare, but there are other issues that will impact on all of that. We will try to do our best, in our childcare strategy, to mitigate the cost as much as possible.

2.30 pm

Mr Speaker: That brings us to the end of the period for listed questions. We will now move on to 15 minutes of topical questions.

NAMA Loan Book Sale

T1. **Mrs Dobson** asked the First Minister and deputy First Minister for the deputy First Minister's assessment of today's 'The Irish News' reports about the National Asset Management Agency (NAMA) loan book scheme. (AQT 2921/11-16)

Mr M McGuinness: I think that it provides for very interesting reading, particularly in the context of a previous statement that was issued, which denied any involvement in the issue of persons seeking funding for the work that they said that they had done. Now, new light has been thrown on that with the publication of the letter in today's 'The Irish News'.

The most that I want to say about it at this stage is that it is quite clear that what is happening around the sale of the Northern portfolio is now the subject of a criminal investigation into corruption by the National Crime Agency and the United States police, and, of course, an ongoing inquiry by the Committee attached to the Finance Department here in the North. It is also the subject of ongoing discussions in Dublin. These are very serious matters. I do not have any doubt whatsoever that new information is going to come to light over the course of

the investigation and that everybody associated with that project — it was principally in the domain and responsibility of the Irish Government's Finance Department and NAMA in Dublin — will be held accountable.

Mrs Dobson: Does the deputy First Minister agree with me that this entire saga has damaged public confidence in some politicians and business figures locally?

Mr M McGuinness: The public will watch all of this and be very interested in it. I think that the public, like me, are more interested in the police investigations and what they will throw up. I await with interest, as I know the public does, further developments in the case. The exposure today of the fact that a letter was in existence, on foot of someone saying last week that they had no connection, throws a whole new perspective on what was going on. I am not casting any reflections on anybody whatsoever within the political arena, except to say that I think that the investigation that is taking place is very important for the purposes of allaying people's concerns that things were happening that clearly should not have been happening.

Shackleton Site, Ballykelly: Update

T2. **Mr McCartney** asked the First Minister and deputy First Minister to provide an update on the sale of the Shackleton site in Ballykelly, given that they will be well aware of its strategic importance to the north-west. (AQT 2922/11-16)

Mr M McGuinness: We are very pleased to confirm that seven proposals for the Shackleton site were received as part of the open competitive sale process, which concluded on 2 October. Whilst the real measure of success will be how the purchaser of the site delivers employment and community and environmental benefits, receiving that number of proposals is a very welcome development. The size of the site for sale is approximately 621.5 acres, so anyone who has submitted a proposal to purchase and develop a site of that size has demonstrated a genuine commitment to making a significant economic impact on the north-west.

For commercial reasons, it would not be appropriate to discuss the detail of the proposals received until the assessment process has concluded. We will now undertake a detailed assessment of the proposals against the set criteria. We look forward to the process being completed in early 2016.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the deputy First Minister for his answer. I welcome that news, and I am conscious of the future development of the Brandywell site, which I also commend the Minister for. Will he provide some insight into other uses that are now being undertaken on the site?

Mr M McGuinness: It is in the public domain that the Department has agreed to license part of the Shackleton site to a local film and TV production company on an interim basis, pending the completion of the sale of the site. It was, of course, open to that company to submit proposals as part of the open competitive process for the sale of the site. Demolition work is now complete in preparation for the relocation of the Department of Agriculture and Rural Development's headquarters. The relocation of DARD is expected to bring hundreds of

high-quality public-sector jobs to the area. It will be a great boost for local businesses. In addition, NI Water has begun the process of purchasing part of the site for use as an integrated constructed wetlands. It is an environmentally friendly facility that will replace the waste water treatment works that currently deals with waste from Ballykelly village.

It is a very exciting site. The level of interest in it is tremendous. We have placed the emphasis and focus on the provision of much-needed jobs for the north-west. After the Ballykelly site was handed over from the MoD to us, many people did not think that it would be of much use. There was not an awful lot of interest in it; in fact, there was a lot of criticism of the funds that we were spending to maintain the site. However, our position has been vindicated. The First Minister and I have been to the site. We always understood its potential to provide much-needed jobs for the area. I am very excited by it. I know that the former First Minister is as excited as I am — I know that the Acting First Minister is definitely as excited as I am — about the prospects of the site being sold to people who will provide much-needed employment in the area.

Sustainable Development Strategy: Local Government Involvement

T3. **Mr B McCrea** asked the First Minister and deputy First Minister what steps are being taken to ensure that local government is fully involved in and implementing the Executive's sustainable development strategy, Everyone's Involved. (AQT 2923/11-16)

Mr M McGuinness: The Member touches on an important issue. With the changes in local government, including the reduction in the number of local government areas from 26 to 11, there is now a huge responsibility on councils to work in concert with central government to ensure that we are getting best advantage for local communities. Our officials are working with local government officials to ensure that that process is being taken forward in a way that delivers for society.

Mr B McCrea: The deputy First Minister will be aware that 42% of our citizens are living in fuel poverty and that it is concentrated in his constituency. What steps will he and the rest of the Department take to prioritise energy efficiency in the years to come?

Mr M McGuinness: That matter is being treated very seriously. Indeed, it is a pity that we did not get to the next question — Steven Agnew's — before time was up on the first batch of questions, because it would have allowed me to explain what is happening in recognising the challenges that we face in ensuring that we support families to conserve energy and to ensure that carbon emissions are kept as low as possible through new processes that are being advanced on an almost weekly or monthly basis. Quite clearly, there is a proposal to ensure that grants are made available to families so that they can take best advantage of them to heat their homes. Loans are also available.

A pilot scheme will begin in, I think, the early part of next year. I hope that that will pave the way for a much extended programme to ensure support for people who are living in fuel poverty.

Children and Young People: OFMDFM Leadership

T4. **Mr Agnew** asked the First Minister and deputy First Minister, given that the deputy First Minister and junior Minister McCann may be aware of the report commissioned by NICCY on best practice in joint departmental working for children and young people, with one of the recommendations to make that work being a requirement for leadership, for an assurance that that leadership will come from the Office of the First Minister and deputy First Minister. (AQT 2924/11-16)

Mr M McGuinness: Junior Minister McCann will take that question.

Ms J McCann: The Member will be aware that we have had discussions with him on his private Member's Bill. Through our Delivering Social Change framework, we are keen to have something that works better for children and young people. It does not help anyone when Departments are in different silos, particularly when we are dealing with children. We have a number of cross-departmental early intervention programmes. Education, Health and DSD are involved in some of those, and even the Department of Justice to a degree. None of the early intervention programmes that we have brought forward have sat in any particular Department; they are all very much cross-departmental. You are totally right that we need to have the type of structure and framework that all Departments can buy into. That will benefit children and young people the most in delivering services and dealing with issues and their needs.

Mr Agnew: I thank the junior Minister for her answer and the Office of the First Minister and deputy First Minister for its ongoing cooperation with me on my private Member's Bill. It has been beneficial and is appreciated.

One of the key elements of the Bill is the pooling of resources between Departments. What discussion has there been with the Department of Finance to ensure that this element can be progressed once the Bill, hopefully, passes through the Assembly?

Ms J McCann: As you will know, officials have had discussions about the Bill. Much of that discussion has centred on Departments with a responsibility for providing services for children, such Education, Health and DSD. It is also about budgets: while we need the framework of working through Delivering Social Change, we also need to get it resourced. There have been ongoing discussions. I can write to the Member to give him a detailed account of any that have taken place with DFP in particular, but when we look at any framework, provision or even strategy, it has to be resourced as well. Having the funding and resource in place is a very important element.

Syrian Refugees

T5. **Ms Ruane** asked the First Minister and deputy First Minister when the first Syrian refugees will arrive in the North of Ireland. (AQT 2925/11-16)

Mr M McGuinness: Under the Syrian vulnerable persons relocation scheme, we propose to welcome between 50 and 100 refugees by December, with the expectation that further groups will arrive on a phased basis. Welcoming a modest number initially will assist with learning and with the identification and resolution of difficulties.

We recognise that we have an existing population of refugees and asylum seekers from Syria and elsewhere. We will continue to work with NGOs and stakeholders to understand the experience of refugees and asylum seekers and provide our support throughout.

We believe that there is a strong case for a refugee integration strategy to ensure a smooth transition between being an asylum seeker and a refugee. We believe that this proposal would clearly demonstrate that, as a society, we have the capacity and maturity to react positively to a humanitarian crisis and extend the hand of friendship to those who are suffering. In doing so, we want to send a very powerful message about our support for Syrian refugees and our commitment to assist in this global issue. I am very comforted and pleased by the level of cross-party support in these institutions for that approach.

Mr Speaker: You may ask a very quick supplementary.

Ms Ruane: Gabhaim buíochas as an fhreagra sin. I thank you for the answer and absolutely support the work that needs to be done to integrate fully the refugees who are coming. We said in a debate in the Chamber that it needs to be underpinned by financial support. Will the Minister outline whether any assessment of the associated costs has taken place?

2.45 pm

Mr M McGuinness: A range of complex issues is to be addressed in taking forward this work, the coordination of which will be for the strategic and operational groups. We also acknowledge that, in some cases, there will be cost implications for Departments and agencies. The position is that the UK Government will meet the first-year costs for accommodation and orientation support; they would also provide a contribution towards education costs.

We are seeking clarification about any health and social care costs that may arise. Based on receiving 350 refugees each year, it is estimated that first-year costs could be in the region of £1 million, rising to £6 million in total over three years. The Executive need to consider how those costs could be met.

Enterprise, Trade and Investment

Mr Speaker: The next item of business is questions to the Minister of Enterprise, Trade and Investment. As there is a vacancy in that ministerial office, Question Time cannot proceed. We return to the debate on cancer services.

Private Members' Business

Cancer Services

Debate resumed on motion:

That this Assembly notes the absolute importance of timely diagnosis and treatment of cancer as any unnecessary delays can result in a reduced likelihood of a successful outcome; accepts that cancer targets are set with established medical evidence; further notes that, whilst Northern Ireland has become a world leader in cancer research, local waiting times across a range of specialisms have deteriorated to unacceptable levels; and calls on the Minister of Health, Social Services and Public Safety to ensure that cancer services are adequately organised, funded and resourced to ensure patient safety is not further compromised. — [Mrs Dobson.]

Mr B McCrea: I want to talk about pancreatic cancer. It is the fifth most common cause of cancer death in the United Kingdom, yet it has the lowest survival rate. Of 100 people diagnosed, only four will survive beyond five years. That is a really stark statistic, particularly so when it happens to a friend of yours. The survival issue is not just that only 4% will last for five years; it is that only 18% will last for one year. Many people diagnosed are at such an advanced stage of the disease that even chemotherapy is not a solution for them. The shock to people who were relatively healthy until that notice came in is profound. They know little about where to go for help and support or what to do about making financial arrangements. It is hugely traumatic, not just for the person who received the bad news but for their family and friends. They are frequently looking just for information and do not know where to turn.

I want to use the motion to draw to the attention of the Assembly that 2 November is Pancreatic Cancer Day here, and I know that Mrs Dobson, who spoke earlier, is much involved in that. I commend it to Members. We are going to try to light the place up purple. We want to draw attention to it. It is a particular issue for me, which is why I wanted to come into the debate and have a discussion on this. My friend — who has not yet shared her knowledge with all of her family — told me what her symptoms were, and that prompted me to go along to get checked out by the GP.

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

As a result — because I thought that I had been OK for a while — the doctor told me that I am not possibly but definitely suffering from diabetes. He went on to put the fear of God into me. He said, “You do realise that diabetes is going to take 17 years off your life if you do not exercise, if you do not take your medication and change your eating habits”. He talked me through all those issues, but the link is that he then said, “We are going to do checks to see if there is anything more profound, because there are strong linkages between diabetes and the pancreas and pancreatic cancer”.

The issue is that early diagnosis is key. Many of us ignore symptoms and think to ourselves, “Oh, I am just tired because I have got a lot of work on”; or, “Oh, I’ve got itchy skin, but, sure, it’s not that bad”. Or we may have other symptoms that are not tackled. So, for what it is worth, I have to say to the Assembly that when you get a diagnosis of any serious illness you immediately want information:

“What should I do next?”, “How should I inform people?”. More than that, you have issues to do with anger and anger management: “Why am I singled out?”, “Why am I short-tempered?”. Those issues require support services as well.

I do not intend to make a huge contribution, given that we are not exactly talking to a packed House, but I want to put it on record that many people will face the trauma of a late diagnosis. The key issue in how we run our health service — I put this out without being a specialist on health — is that GPs will see, perhaps, one person with pancreatic cancer every five years, so there needs to be some way of refreshing their knowledge of the issue and bringing it to their attention. To be honest, they are general gatekeepers, and they get all sorts of ailments across their doorstep. Early diagnosis is key. Perhaps, we need to look at a different way of getting interventions. Perhaps, we should follow the Danish model of going directly to specialists. That concludes my contribution on the matter, but please remember Pancreatic Cancer Day on 2 November in this place.

Mr McGimpsey: I rise to make a winding-up speech on this important debate. I thank all Members who have taken part in it and have added valuable contributions to this debate on cancer services, particularly Oliver McMullan and Seán Rogers for their personal contributions, indicating and illustrating exactly the situation for patients of our cancer services.

First, let me say that our cancer services have very good staff. We have very good doctors, oncologists, health professionals and nurses dealing with cancer in Northern Ireland. We must pay tribute to them for the tremendous work they do and for the huge number of successes they are responsible for. They literally give people back their life in countless situations. It is not fair on them, any more than it is on the patients, that they are under such stress and pressure and are not provided with the resource and support that they need to deliver for the patients in the manner they want to. I will not go through all the statistics that we have heard today from successive Members — statistics on waiting time targets not being met, whether they are for breast cancer, urgent GP referrals or moves to inpatient or outpatient treatment. Throughout cancer services, we are slipping.

It is clear that we all understand that, if you are waiting for cancer services, the likelihood is that you can come to harm. Early diagnosis and early intervention are, of course, the key. If there is any delay in the diagnosis of a serious or life-threatening condition such as cancer, there is a reduced likelihood of a successful outcome. That is a fact. We are talking about a life-and-death situation. We have an absolute responsibility and duty to deal with this. That is the problem, and it has to be addressed. It has to be fixed, and it can be fixed. This is not the way that it has always been. Normally, in the past, our cancer services were on target because they got the support and resource from the House and the Executive that they required. This has not been the case for a number of years, and I will go into that in a few moments.

The reality is, of course, that we could equally be talking about cardiology, neurology, trauma and orthopaedics, ophthalmology, general surgery, ENT or gynaecology. We could be talking about all of those areas, because they are all areas in which waiting times far exceed anything

we have seen in the recent past. Indeed, we are now estimated to be at the worst waiting times in the health service for 15 years. Our health service is in crisis. We need an emergency response; we need a crisis response; and we need immediate action because our patients are in extremis. How do we get that? We get that by the Minister taking an emergency action plan to the Executive and getting that support. Sammy Wilson promised at the last Budget in 2011 that, if there were any financial shortfall, he would go to the Executive and simply top-slice all Departments to get that money — a promise, of course, that has not been kept. That is the situation that we are in. That is why we need the Minister to be at his desk.

Mr McKinney: I thank the Member for giving way. He is just touching on the bit about not being at his desk. Notwithstanding the political connotations that he is trying to foist, if you like, on that position, does the Member agree that, by not being in his position here or at his desk in the Health Ministry, the Minister does not recognise the crisis that the Member has so eloquently reflected?

Mr McGimpsey: I thank Mr McKinney for that intervention. I read Simon Hamilton's article in today's 'Belfast Telegraph'. It illustrates perfectly the point that he makes: the Minister does not understand the role that he has in addressing such a crisis. He should, because, on Thursday night, he was on 'The View' and Janice Smyth of the RCN told him clearly what he was there to do: to give leadership and strategic direction. That is what we are asking for now. Without that strategic direction and leadership, the situation will continue to drift. I have no doubt that it is liable to get worse. That is a matter of life and death. That is absolutely irresponsible. I think that no one really understands the situation that Simon Hamilton has allowed himself to drift into, a position where he has such a life-and-death situation to deal with and is not at his desk and is not here today. He can talk to the 'Belfast Telegraph', but he cannot come here and talk to us. It illustrates the situation perfectly.

The health service has been underfunded for the last four years. We know that from the 2011 Budget. I take no firmer evidence than the example of Edwin Poots, who went into the health service in spring 2011 and said that he did not need another penny and had all the money he needed. There would be no more money, but he would do it because, as he said, productivity in our hospitals was low and he would fix it through productivity and efficiency. Within three months, he was telling the Committee that he needed £300 million fast because the health service was in such a challenging situation. Of course, while he got some money through in-year monitoring — something that was not available to me — it was never quite enough. We are now in a situation where we are without the resource that we require. Ironically, Jim Wells gave exactly the same message when he was the Minister: we are short of the resource, and we cannot do this on the money that we have.

Indeed, one day, I stopped Sammy Wilson in the car park and said to him, "Look, Edwin Poots cannot do this on the money that he has been allocated". Sammy's response was to laugh and say, "Oh, I was far too generous as the Finance Minister". Well, Poots says that he was not. Wells says that he was not. Then we come to Simon Hamilton, who, as the Finance Minister, publicly and inexplicably criticised Edwin Poots and accused his own party member of being financially incompetent in managing the health

service budget. Now Simon is telling us through the 'Belfast Telegraph' — not here and not at the Committee — that there is not enough resource and he needs more money etc.

We need this action plan, and we need it right now. That is the reality. This is an emergency situation that, I believe, is superior to all other crises. He has to get in there. We have lives at risk. Those lives at risk give him a moral imperative that he cannot ignore. I actually anticipate his return to his desk sooner rather than later. The political embarrassment that the DUP finds itself in, where only Tom Buchanan — yes, Tom Buchanan; I nearly forgot your name — is allowed in to listen to us and all the rest are kept out. We remember that, in debates like this when I was the Minister, mass hysteria broke out in the DUP ranks. Massed ranks of the DUP went into forms of hysteria in this type of situation. Here we have one individual, and he is not allowed to speak. That is disgraceful. That casts serious aspersions on the judgement of the DUP leadership and its willingness to shoulder responsibility.

I am quite sure that Tom would like to get to his feet and say what he would like to say. I know, as we all do, that many Members of that party want to take part in this debate and feel exactly like the rest of us: that this situation cannot be ignored and that they have a clear moral responsibility to get in there in the middle of it but that is not happening for a political reason. It is wrong to mix politics with health. Health should be above politics. I think that you only have to listen to what the BMA, the RCN, staff side and the unions are telling us. All of us are saying the same thing: this crisis is fixable, but we need an emergency plan.

3.00 pm

We talked about Transforming Your Care, Donaldson and the review of commissioning. To start with, all those situations need to be front-loaded. They cannot be simply done by the stroke of a pen or the press of a button. They all need investment. All of them provide the answers on things such as consolidating acute services on fewer sites. We need to have those sorts of discussions in the future, but, right now, lives are at risk and being put in jeopardy. We need action, and we need it now — today. We need to hear from the Minister, whose job it is to provide leadership and strategic direction. Sadly, that leadership is lacking.

Question put and agreed to.

Resolved:

That this Assembly notes the absolute importance of timely diagnosis and treatment of cancer, as any unnecessary delays can result in a reduced likelihood of a successful outcome; accepts that cancer targets are set with established medical evidence; further notes that, whilst Northern Ireland has become a world leader in cancer research, local waiting times across a range of specialisms have deteriorated to unacceptable levels; and calls on the Minister of Health, Social Services and Public Safety to ensure that cancer services are adequately organised, funded and resourced to ensure patient safety is not further compromised.

Adjourned at 3.01 pm.

Northern Ireland Assembly

Tuesday 6 October 2015

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we proceed to today's business, I have an announcement to make.

Ministerial Appointment: Mr Bell

Mr Speaker: I have to advise the House that the Rt Hon Peter Robinson, as nominating officer for the DUP, nominated Mr Jonathan Bell MLA as Minister of Enterprise, Trade and Investment. Mr Bell accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the director of clerking and reporting on Tuesday 6 October 2015. I am satisfied that the requirements of Standing Orders have been met. Let us move on.

Executive Committee Business

Credit Unions and Co-operative and Community Benefit Societies Bill: Second Stage

Mr Bell (The Minister of Enterprise, Trade and Investment): I beg to move

That the Second Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill [NIA Bill 56/11-16] be agreed.

The Credit Unions and Co-operative and Community Benefit Societies Bill will update and modernise the law relating to credit unions and industrial and provident societies (IPSs) and represents the latest step in the ongoing reforms of these sectors. Mutuals make a very significant contribution to the Northern Ireland economy, playing a crucial role in many sectors, for example, financial services and agriculture. I am, therefore, pleased to have introduced this Bill, which will give greater operational flexibility and help to ensure that they can continue to grow and thrive.

To ensure that this legislation is meaningful and effective, my Department has undertaken a period of thorough consultation with those who would be most affected by legislative change. Following initial discussions with key stakeholders, public consultation on proposed changes took place in 2013. I am pleased to say there has been considerable interest and engagement from the mutuals sector, with significant input from representative organisations, individual societies and trade bodies. Policy proposals were further refined following the helpful input from my colleagues in the Committee for Enterprise, Trade and Investment, who clearly appreciate the role played by mutuals and have given the contents of the Bill a great deal of thought.

I would like to turn first to credit unions. Since they were first established in Northern Ireland in the 1960s, they have grown significantly and have come to play a key role in offering financial services to their local communities. To ensure that credit unions operate within the most appropriate regulatory and legislative framework, my Department has taken forward a considerable programme of reform in recent years. In March 2012, regulation of credit unions successfully passed from my Department to the Prudential Regulation Authority (PRA) and the Financial Conduct Authority (FCA). That allowed credit unions to expand the range and type of services that they can offer, and it better protected members' savings. At that time, my Department provided financial support to the Irish

League of Credit Unions (ILCU) and the Ulster Federation of Credit Unions (UFCU) so that they could help individual credit unions adjust to the new regulatory environment. The Bill builds on and complements those earlier changes.

A key objective at the outset of this exercise was to examine what services credit unions were permitted to offer in Great Britain and consider whether they should apply in Northern Ireland. However, what is suitable for the credit union movement elsewhere in the UK may not be appropriate for Northern Ireland. There are therefore a number of measures that were consulted upon that are not being taken forward at this time. The resulting policy decisions in the Bill have the aim of giving Northern Ireland credit unions greater operational freedom without moving away from their mutual, socially beneficial and community-based roots.

There are seven clauses in the Bill that concern credit unions. I will touch on what each is intended to achieve. Clause 1 will allow credit unions, for the first time, to extend membership beyond individuals. Corporate bodies and organisations such as local businesses, community groups and sports clubs will be allowed to save with their local credit union. I should add that the Bill contains safeguards and restrictions that apply to corporate members, and those should ensure that the unique credit union ethos is unaffected.

Clause 2 concerns the common bond, which is the qualification for membership of a credit union. The clause specifically concerns members who no longer meet their credit union's common bond; for example, when someone moves to a different area or takes up a new occupation. Those non-qualifying members are currently subject to a limit and can make up no more than 10% of a credit union's membership. Where that limit is breached, a person could be obliged to change their financial services provider or repay any outstanding loans simply because they have moved house or have changed their job. The clause removes this limit, allowing individual credit unions to decide themselves how many non-qualifying members is appropriate.

Clause 3 will allow credit unions to offer a new product: shares that entitle the holder to interest rather than a dividend. This will offer consumers greater choice and allow credit unions to reach a broader customer base. As with corporate membership, there will be safeguards attached to interest-bearing shares, with the aim of ensuring that credit unions are equipped to offer them.

Clause 4 concerns members with an outstanding loan and their shareholdings. At present, in certain circumstances, a member with a loan may not make a savings withdrawal until they have applied for and obtained permission from their credit union's board of directors. This stands in contrast with most other financial providers. This clause will, in essence, bring the decision on withdrawal forward in time, ensuring that a member taking out a loan knows from the outset whether or not they can withdraw their savings. This removes a degree of uncertainty for members and credit unions.

Clause 5 makes a minor change to how much a credit union can charge when it provides a copy of its rules to someone.

Clause 6 is another deregulatory measure and applies when a credit union uses surplus funds for social, cultural or charitable purposes. At present, a credit union can

do this only when a dividend of at least 3% is paid. Credit unions stand at the heart of their communities, and it is clear that they place great importance on local development. That 3% restriction, however, can serve to prevent a credit union from making even a very modest contribution. This clause will, therefore, remove that restriction, giving credit unions greater latitude to support their local communities.

Clause 7 is a technical measure that will address a lacuna in existing law, ensuring that the directors disqualification regime applies to all Northern Ireland credit unions. The changes that I have outlined will ensure that our credit unions in Northern Ireland will be able to compete more effectively with other providers of financial services.

I have talked about credit unions, but this Bill will also update the legislation applying to industrial and provident societies. These societies comprise an important part of Northern Ireland's commercial landscape and represent some of our largest and most successful businesses. Public consultation in 2013 sought comments on six proposed measures, and instructive views were received from a range of stakeholders, who, in general, welcomed the suggested changes. The measures included in the Bill are intended to be deregulatory, giving societies greater operational flexibility, with one measure in particular seeking to clarify societies' status. That clarification measure is the first clause in the Bill applying to these societies, clause 8. The term "industrial and provident society" is generic and covers two types of organisation, cooperative societies and community-benefit societies. Although administratively useful, the expression is not truly descriptive of either type of society and may not be helpful to those who are unfamiliar with the sector. Therefore, clause 8 will require new societies to be registered as one or the other as appropriate and will rename industrial and provident societies legislation.

Clause 9 gives societies greater freedom in how they engage with younger people. At present, only those over 16 years of age can be members of a society.

The Bill will remove that restriction, allowing societies to set their own membership age limit. The Bill will also reduce from 18 to 16 the minimum age at which persons can hold office. The clause also gives societies the freedom to maintain the existing age restrictions if it suits their circumstances.

10.45 am

Clause 10 removes a restriction on shareholding and will allow members to hold an unlimited number of shares that can be transferred to other members. It also raises the limit on withdrawable shares that an individual can hold in a society from £20,000 to £100,000. That amount has not been increased since 1991, and it should facilitate greater investment in the sector. Clauses 11 and 12 are also deregulatory. Clause 11 allows societies to choose their own year of account, and clause 12 removes a requirement to audit interim accounts. Both clauses remove unnecessary regulation and make it easier for societies to carry out their day-to-day business. Clause 13 is the final substantive clause, and it will make it easier for dormant societies to dissolve, removing administrative burdens from remaining societies and from government.

The Bill is broad-ranging, and its provisions follow a thorough and productive process of engagement with stakeholders in the sector and further afield. It will help to modernise the environment in which credit unions, cooperatives and community benefit societies operate and help them to adapt to a rapidly changing financial and economic environment.

I look forward to Members' contributions. I ask that they make their contributions now — their time is unlimited because it is legislation — and I will seek to respond to them during my closing statement as opposed to being interrupted. I will try to cover as many as possible.

Mr McGlone (The Chairperson of the Committee for Enterprise, Trade and Investment): Go raibh maith agat, a Cheann Comhairle. Mo bhuiochas leis an Aire as an Bille seo a chur faoi bhráid an Tionóil. I thank the Minister for moving the Bill's Second Stage. The Committee welcomes the introduction of the Credit Unions and Co-operative and Community Benefit Societies Bill and thanks the Minister and, indeed, his predecessor for their work and for bringing the Bill to the Assembly today.

The Bill is of particular interest to the Committee because it has arisen as a result of an inquiry by the Committee for Enterprise, Trade and Investment during the previous mandate. That inquiry's recommendations sought support to help to broaden the range of services that credit unions can offer to their members, thereby bringing credit unions more into line with what their counterparts in GB and the rest of Ireland can offer. Many of the Committee's recommendations have been accepted and enacted through Westminster legislation, and the Bill seeks to enact more of the Committee's recommendations.

The Committee recognises the vital role played by credit unions here, with around 34% of the adult population of the North being members of a credit union compared with around just 2% in GB. Credit unions were originally established to address the needs of vulnerable people who were being exploited for profit, a situation that is replicated today through high-rate lenders, payday loans and loan sharks. The community standing of credit unions is to be commended. Evidence demonstrates that, in contrast to other financial services providers, trust in the credit union sector remains consistently high.

Credit unions and cooperative and community benefit societies exist for the benefit of their members and are owned by the communities in which they operate. They do not speculate with members' money. The Irish League of Credit Unions alone has almost 100 credit unions with almost £1 billion in savings, almost half a billion pounds in loans and total assets of well over £1 billion, making them a significant player in the financial services sector.

It is time to recognise that credit unions are not second-class providers. As a sector, it is a well-established, trusted mainstream player in the financial services field. One of the reasons for undertaking the inquiry was to ensure that this fact was recognised and credited. The provisions in the Bill will help to further establish the rightful place of credit unions as that trusted, reliable mainstream provider. The provisions will also provide credit unions with greater flexibility and further enhance the contribution that they make to the community that they serve.

The Committee's stamp is already firmly on the Bill. As the policy was developed, the Department kept the Committee

informed of progress. As a result, the Committee was able to undertake considerable pre-legislative scrutiny, including the taking of oral evidence on a number of occasions from the Department, the Irish League of Credit Unions and the Ulster Federation of Credit Unions. Consequently, the Committee was able to advise the Department and make a number of recommendations that were accepted. These were either included in the Bill as drafted or removed from the original policy proposals at the request of the Committee. This resulted in a Bill that contains legislative proposals that have already undergone thorough Committee scrutiny.

I would like to take this opportunity to thank the Minister and, in particular, his officials, who proved to be well informed, across their brief and receptive to sensible ideas that emanated from the results of our inquiry and the evidence that we took. They had continuing engagement with the Committee and provided invaluable support during the pre-legislative scrutiny of the policy proposals. That thorough approach, in advance of drafting the Bill, has resulted in a Bill that, by and large, meets the needs of the Committee, the Department and, most importantly, the credit union sector and its members. The Committee will continue to engage with the sector and other stakeholders throughout Committee Stage and will thoroughly scrutinise any further issues as they arise.

Two key clauses are of particular interest to the Committee because of the considerable benefits they can bring to credit unions and communities. Clause 6 will relax restrictions and provide more flexibility to enable credit unions to apply up to 10% of surplus funds for social, cultural or charitable purposes. That was a key recommendation in the credit union inquiry, and clause 6 is very much welcomed by the Committee as a means of helping credit unions to fulfil their ethos and give back to communities.

Clause 1 also arises as a result of a key recommendation in the Committee inquiry. The clause makes provision to allow credit unions to admit corporate members. The Committee very much welcomes the inclusion of provisions for corporate membership of credit unions. However, concerns remain that, for unincorporated bodies, it is proposed that membership will be in the name of an individual rather than in the name of an organisation. The Committee took considerable written and oral evidence on that single issue and has continued detailed engagement with the Department on the matter. The Irish League of Credit Unions and the Ulster Federation of Credit Unions have significant reservations about that aspect of the proposal. Both organisations informed the Committee that they would accept the proposal on the basis that the matter can be revisited at a later stage. The Department has assured the Committee that it will continue to work with the ILCU and the UFCU to discuss further changes to the legislation with Treasury, the Financial Conduct Authority, the Prudential Regulation Authority and the financial services compensation scheme after the Bill comes into force.

It is evident that the current proposal for membership of credit unions by unincorporated bodies is unsatisfactory. However, the Committee and the Department must balance the need to pass legislation within the permitted time frame with the prospect of having the legislation amended at a later date. The Committee is engaged

with the Department in exploring the possibility of an amendment to include a clause requiring the Minister to review the provisions in clause 1 and report to the Committee after the legislation is passed. The Department has shown some reluctance on the matter. However, the Committee — we discussed it this morning just before the debate — considers it a suitable compromise and is keen to see it enacted.

Time is becoming critical if this legislation is to pass through the House. The Committee will therefore engage further with the Department on this matter at the earliest opportunity. If the Department is willing to bring an amendment at Consideration Stage, rather than rely on the Committee to do so during Committee Stage, it would very much expedite the matter.

The Financial Conduct Authority and the Prudential Regulation Authority have recently undertaken a consultation on the reform of the legacy credit unions sourcebook. It includes a proposal to restrict the amount of money that any one member can have with a credit union to £75,000. Here is the important bit: this provision may be in conflict with clause 10, as that clause removes the limit on the holding of non-withdrawable shares in credit unions and increases the limit for withdrawable shares to £100,000. That is something that the Department, and perhaps the Minister, might like to look at to ensure that those provisions are compatible, as, at first glance, it seems that they are not.

The Committee has written to the PRA and FCA to urge them to fully consider the provisions in the Credit Unions and Co-operative and Community Benefit Societies Bill to ensure that any revised arrangements do not conflict with either the Bill proposals or the spirit of the proposed legislation. The Committee has also asked the PRA and the FCA to engage fully with the Irish League of Credit Unions and the Ulster Federation of Credit Unions to consider their objectives and requirements fully prior to the development of final proposals. A copy of that correspondence has been forwarded to the Department.

As I said earlier, the Committee has given considerable time to the consideration of the policy proposals during pre-legislative scrutiny and, subject to the Committee's consideration of any further submissions to the call for evidence, is broadly satisfied at this stage with the remaining provisions in the Bill relating to credit unions.

In addition to the clauses relating to credit unions, there are a number of clauses pertaining to cooperative and community benefit societies. In its deliberations to date, the Committee has considered these to be reasonable and appropriate but will, of course, give all aspects of the Bill full consideration during Committee Stage.

The Committee very much welcomes the introduction of the Bill and looks forward to further constructive and productive engagement with the Department — let me emphasise again that we have had such engagement — during other aspects of Committee Stage. Go raibh maith agat, a Cheann Comhairle.

Mr Ó Muilleoir: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom tréaslú agus aontú le cuid mhór dar dhúirt an Cathaoirleach agus fáilte a chur roimh an Aire arais inniu. I want of course to echo the comments of the Committee Chair and also welcome back the Minister. He shows good judgement in coming back today to move the

credit union Bill. Credit unions are vital to the success of our society, and the credit union movement, right across this jurisdiction, will be delighted that we are getting our act together. It has been very patient and has waited for some years now. We have debated this and it is important legislation.

It is my view that a strong community has a strong credit union at its heart. When we look at the strong communities that we have across the state, we often see that, right at their heart, is a strong credit union giving leadership, getting involved in the community and building for the future.

I notice that the credit union movement in the South of Ireland is talking about becoming a “third force” to back the two pillar banks. I will not use that particular term, but, certainly, in economic and community development, credit unions are a force and a power for good.

I want to finish because my colleague late of this parish, Phil Flanagan, will speak at greater length about the legislation. However, I want to single out and praise a credit union. It is not in my constituency — my debt resides in the Divis View Credit Union in west Belfast, and I am very proud of that credit union. Newington Credit Union in north Belfast is cross-community, deeply involved in the local housing association, involved in giving bursaries to students to ensure that they can get to third-level education and involved in a project in Zambia in the developing world as well. If we take leadership and inspiration and follow the lead of credit unions, we will be doing well.

I welcome the work that is going on today and I look forward to studying this legislation further at Committee Stage. There are, perhaps, some tweaks that need to be made, but I think that this is a good day for the Assembly and for credit unions. Anything that makes credit unions stronger in the time ahead will make our community stronger.

11.00 am

Mr Cochrane-Watson: As I rise to address this important legislation, I feel very privileged and honoured that the Minister is giving us his time to move the motion before he resigns at lunchtime. It is life-or-death legislation that we are talking about: the Credit Unions and Co-operative and Community Benefit Societies Bill. I am very excited to stand and address it. I am not sure whether the 373,000 people on the waiting lists for our hospitals would be as excited by the performance of the Assembly today. I am not sure if it would be well received that, when we brought the crisis in our hospitals and in our health sector to this Chamber for debate to try and address the waiting lists for cancer patients —

Mr Bell: On a point of order, Mr Speaker. My understanding is that, when we are speaking on legislation, we have to speak on the legislation and the topic of it. I am happy to respond to the need to respond to the murder of Kevin McGuigan from the Member's party, whose Minister has already resigned and left us in the lurch in DRD and left the Department in a mess. I will respond to those things, if I am allowed to do so, but I think it is unfair for Members to make allegations, while the rules that apply to me are that I must speak to the legislation.

Mr Speaker: On that point, I have given a certain amount of latitude, and I actually anticipated that some Members would be unable to resist the temptation to make some

cross-references. I really am looking forward to hearing why you were so excited to speak about this particular Bill, and I am sure that you are about to tell us.

Mr Cochrane-Watson: It is such a life-or-death Bill. It makes such a difference to the wider community. I am sure it will go down as a memorable day for the Assembly in delivering, unlike many other days of late when we have not been able to effectively debate important measures brought to the Chamber.

Moving to the matter in hand, I thank the Chairman of the Committee. This is the first piece of legislation for which I have listened to the scrutiny activity, and I am delighted to see it brought to the Chamber. It does make a lot of difference, and I am very committed. As has already been said, a strong community needs a strong credit union.

I would just like to mention clause 1 in particular. One area of concern felt by the Ulster Federation of Credit Unions and the Irish League of Credit Unions is the suggestion that all accounts should be registered in the name of an individual and not in that of a corporate body. I believe that this is misguided. I believe that, as the Chairman has said, it needs further work. It would appear that guidance on this has been sought through Her Majesty's Treasury. It has committed that it has taken up responses from the credit union sector. However, no one from the Irish League of Credit Unions or the Ulster Federation of Credit Unions seemed to be aware of that.

In summarising the many concerns around this clause, we would identify the following flaws in the approach to corporate accounts, as detailed in the Bill. A limited company is a legal entity in its own right and, therefore, accounts must be opened in the name of that limited company. Unincorporated accounts from bodies trading within the SME sector, and from clubs and societies, should be opened in the name of the business or club/society, as takes place in the banks throughout Northern Ireland. These accounts are opened in the name of that business or organisation and are operated by authorised signatories. Obviously, there is no reason why similar arrangements should not prevail for credit unions. I know that, as something of note, the Chairman has already highlighted that it needs further work. My party would support that; it is our main concern. I hope that the Minister will take these concerns on board before he decides to hokey-cokey his way out of office at lunchtime.

Mr Lunn: I rise, not as a member of this Committee as usual, so it is with one hand tied behind my back; not for the first time, but it does not matter. I am a considerable admirer of the credit union movement. I always have been. It has stayed true to its roots down the years. I think that it is 55 years now since it was established up here.

There has never been a failure. They have operated a simple model of investment and lending that has been sound and, while financial institutions have collapsed all around them, they have steered a steady course through the whole thing and are much to be admired.

I remember saying a couple of years ago, when the Financial Services Authority (FSA) took over control of regulation of credit unions, that they should be careful what they wish for because they might find that the FSA operates with a very heavy hand. I think that that has been the case in some ways, but I do not see much in this

particular legislation that needs to concern the movement or us.

The Minister said in his introduction that this was the latest step in updating the regulations. That is fine. He also said that it would give credit unions more operational flexibility without moving away from their mutual and community-bound roots: I think that that was the wording that he used. That is absolutely correct, and that is how it should be. I think that, at all times, the movement needs to remember where it came from and not turn into any kind of risk-taking organisation. If you want an example of what can go horribly wrong, even in this country, just think of the Presbyterian Mutual Society (PMS) and what happened there.

I have the same reservations about clause 1 as those mentioned by the Chairman of the Committee, in that an unincorporated association had to be represented as a member of the credit union by an individual member of that association. I do not follow the rationale for that. That is not the case, as I think Mr Cochrane-Watson said, with a bank account, so why impose it on a credit union? There is a possibility that it could introduce an element of risk to the association involved, having to rely on the judgement of one member in its dealings with the credit union. I think that you said that there is not much tinkering required here, but maybe there is a need for a small tinker there. However, we will see.

I like the look of clause 3, which deals with interest-bearing shares. Well, why not? It is a good, forward-looking step. Clause 6, as I read it, means that the figure of 3% that the dividend previously had to reach before surplus funds could be offered for community purposes is being done away with. That is fine, as far as it goes. Clause 9 deals with members who are under the age of 18. Well, society is moving that way, is it not? It will not be long before 16-year-olds can vote for us — or not, according to their leanings. I see no reason why your average 16-year-old should not now be allowed to be an investor in a registered society, or even an office-bearer. I think that that is a forward step.

Clause 10 amends the £20,000 limit on withdrawable shares and replaces it with a new maximum of £100,000. I think that the Minister said that this limit dates from 1991, which is 24 years ago. I do not know what inflation has been over those 24 years, but I imagine that the £100,000 now proposed is not a lot different to what £20,000 was then. It will certainly improve the scope and the range of what the credit union can offer. By way of a caveat, it also means that there could be a considerable withdrawal of money in unexpected situations; there are always two sides.

That is really all that I wanted to say about the Bill, but I will repeat what I have said previously about credit unions: the more they imitate banks, the more they will become like banks and they will be susceptible to the risks that banks have fallen foul of over the years. I really hope that they can operate within this new regime and within the increasing regulations that they have now from the Financial Conduct Authority, and that they continue to do the excellent work that they have done for over 50 years in Northern Ireland. Beyond that, we have no problems. I have spoken to the Irish League of Credit Unions, which does not appear to have any problem with the legislation. So it is quite a good day, and everybody agrees.

Mr Flanagan: Cuirim fáilte roimh an bhille seo. I welcome the progress on the Bill, which has been under consideration for a number of years by the House, even during a previous mandate. It is strange for me to say this in the week that the Services, Industrial, Professional and Technical Union (SIPTU) is holding its biennial conference in Cork, but it is good to see that the Minister has crossed the picket line and come back to perform his ministerial duties. I know that there is a genuine willingness among some members of the DUP to continue with the legislative process that is in train here, and this is the second opportunity that the House has had to debate the Bill's Second Stage. It is good that there has not been a false start today and that we are seeing progress being made with the legislation, because, for too long, credit unions have been campaigning for this change but have been given much false hope. Hopefully, the passage of the legislation, which seems to have support right around the House today, will improve the operations of credit unions across the North.

For many years, the credit unions and their members, of which I am one, have been crying out for the chance to expand their range of services. This is the first substantive piece of legislation that DETI has brought forward since 2011, and, in this instance, the manner in which the Department engaged with the Committee in pre-legislative scrutiny really worked well. It allowed Committee members to get an in-depth understanding of the issues facing the credit union movement and of the proposals being brought forward by the Department. This is a highly complex issue. We are not only dealing with legislation in the House but with the historic transfer of regulatory powers away from here to the FSA in London. That adds additional complexities, so pre-legislative scrutiny gave Committee members a good understanding of the issues involved and a chance to engage with the credit union movement and departmental officials, as well as a chance to engage with those in London who are involved in regulating the credit union movement in order that we might grasp the changes that need to take place here to allow us to make sure that the legislation is all-encompassing and deals with all the issues on the table. The pre-legislative scrutiny approach worked well, and that is something that Departments need to do with future legislation, instead of amendments being thrown in at Consideration Stage and Further Consideration Stage that have not been considered by MLAs, the relevant Committee or wider society. I commend the Department, the Minister and his predecessor for taking that approach.

As has been said, the Bill makes provision for updates to the key legislation that governs the operation of credit unions, as well as industrial and provident societies, but most of my comments will deal with the issues facing credit unions. The Bill and recent changes have all been about bringing credit unions on to a par with banks, and one of the reasons for that has been the complete lack of trust that very many people in our society have with large multinational financial institutions. People are turning away from banks in significant numbers and towards credit unions, largely because credit unions are owned by local people — their members — and run in the interests of their membership. Credit unions have a unique reach into local communities and, for that reason, are very highly trusted by people from those communities. That is very well reflected when you compare the proportion of people

here who are active members of a credit union with that in Britain, which has a completely different system and where the numbers of people who are engaged in credit unions and have active accounts is much lower than they are here.

The credit union sector on this island plays a critical role in economic development. Locally, that was probably best recognised in 2009 through the report on the Committee's inquiry into the role and potential of credit unions, in which the Enterprise, Trade and Investment Committee made a number of key recommendations on the future of the sector. It has been accepted for a considerable time that legislative changes will be required to allow those recommendations to proceed. Therefore, here we are, six years later, with those legislative changes being proposed. Six years is a long time, but, between 2009 and 2015, considerable work was done by the Department and others to bring us to the stage at which we could bring in primary legislation to update existing legislation covering credit unions.

11.15 am

In my opinion, the credit union movement has the potential to ease the pressure on the local economy. Given the current state of the banking sector and its low approval rate for loans and mortgages, as well as a complete reluctance to offer people short-term overdrafts to meet unexpected pressures, the removal of existing barriers to credit unions and allowing them to offer those services is a very welcome step. It is something that will make a real and significant difference to the way that local communities bank and that will ease the financial burden on many.

In an age when it is becoming more and more difficult to make day-to-day financial transactions without the use of a bank account, I believe that restrictions on credit unions offering a wider range of financial services, including mortgages and electronic banking, to meet the changing needs of their customers should be removed. Those barriers need to be done away with, and that is one of the key purposes of the legislation. In the present financial climate, it is imperative that people have access to the most competitive rates that are available for saving and borrowing.

As I have said, credit unions are community-based, and the added income from the expanded services they should be able to offer could be invested in the local or social economy for the benefit of the community to which the credit union belongs. That is the fundamental difference between the credit union movement and banks. The banks want to take as much profit as they can from people and siphon it off for their shareholders. The credit union movement is owned by people who do not financially benefit more than any other members in it. Any profit or surplus that the credit union movement makes is either returned back to its membership or returned and invested into the local economy.

The credit union movement, as has been said, was introduced to Ireland in the 1960s by community activists across the island concerned at the disadvantage experienced by working-class people in accessing credit. The credit union movement emerged because many working-class communities were in the grip of moneylenders and did not have the financial collateral required by banks as security against borrowings. That same situation still prevails today. Credit unions can offer

a cost-effective solution to the scandalous offerings of payday lenders and loan sharks. The same motivation that was used to establish the credit union movement should now be applied to inject momentum into the local economy and to help people who are in financial distress but also to offer a lifeline to SMEs, the social economy and community and voluntary organisations, which, once the legislation is passed, will be able to use credit unions for the first time.

Since the early 1960s, credit unions have provided accessible finance for families and individuals and would, if properly empowered through the legislation, be able to provide a lifeline to SMEs and local economies in the present context. They could also provide much-needed investment in social economy projects that would help impoverished communities. In the present economic downturn, government focus seems to be on protecting the interests of the large financial institutions, with little regard for those who are involved in community projects. Until now, little attention has been given to assisting those most directly affected by the historic financial situation that we are facing. Those are SMEs and the workers whose labour makes a direct contribution to the economic prosperity that was squandered by developers, speculators and banks over recent years. It is clear that credit unions can plug the gap in the difficulty in accessing finance that exists, as there are fewer constraints for members seeking to borrow money against their own savings or shares.

This legislative opportunity is also being used to implement legislative changes for industrial and provident societies. The Bill updates two pieces of legislation that govern the operation of credit unions and IPS respectively. Furthermore, the Bill will give credit unions and IPS greater operational flexibility while seeking to ensure that that flexibility does not put at risk the prudential running of such organisations.

The big plus side of the Bill, which the Irish League of Credit Unions and the Ulster Federation of Credit Unions warmly welcome, is that for the first time it will allow credit unions to offer membership to corporate bodies, partnerships and community and voluntary organisations. That is a significant opportunity for all those bodies, as well as for credit unions, to expand their customer base. As someone who previously ran a business and is now heavily involved in a number of community and voluntary organisations, I know that there is certainly a demand among those organisations to avail themselves of the services of a credit union, which is owned and operated in the interests of its members.

As some other Members have said, I have some concerns about the implications of clause 1 and the fact that an account cannot be held in the name of an organisation but must be held in the name of an individual. I think that Trevor, despite not having access to the papers coming through the Committee, is largely across those issues when he talks about the potential for fraud within organisations, given that accounts are going to be held in the name of a single individual, as opposed to the safeguards that would be in place if it was done through the name of an organisation.

That issue is the one remaining bone of contention for both credit union organisations. They want to see change. In the interests of getting the legislation passed and into statute, they are content for it to proceed as it is, but they really want to see a solution where corporate bodies,

community and voluntary organisations and sporting clubs can open accounts in the name of those organisations as opposed to the name of an individual. That is something that we need to continue to explore. We are at only the Second Stage of the Bill; there is still a Committee Stage and a Consideration Stage to go through yet. With some creative and imaginative thinking, we can come up with a solution whereby accounts could be held in the names of organisations as opposed to individuals.

If we do not find a solution to that problem, organisations will be reluctant to move their accounts from banks to credit unions. An account held in the name of an organisation in a bank holds much greater weight than an account held in a credit union in the name of an individual. When a business, particularly a small business, is paying bills and is using a cheque with the name of an individual on the account, as opposed to a bank cheque account with the name of the business, there may well be some questions about the sincerity or status of that business. In terms of how we support our local business community and credit unions, I encourage members of the Committee, the Department and the Minister to find a solution that allows accounts to be held in the name of the organisation instead of just the name of an individual. At the end of the day, if that service can be offered by banks, and the whole purpose of this legislation is to put credit unions on a par with the banks, that is a solution that we need to find.

Mr Lunn: I thank the Member for giving way. Did the Committee or the Member have the same reservations about the reference to partnerships and the fact that the account would have to be held in the name of one partner? It is really the same thing.

Mr Flanagan: You are right, Trevor: it is the same issue. It is now open to partnerships, but the account has to be in the name of one individual, which does not really make sense. It does not make it a partnership, because it seems that one person has more access to the account than others. These are the types of issues that need to be sorted out. The Committee has engaged with people in England who provide advice to the Department on this. It is clear that there are no legislative barriers to making that change. If the Assembly wanted to introduce a change around offering or allowing membership bodies or corporate bodies or partnerships to hold accounts in their name, that is within the legislative competence of the House.

Mr Lunn: Will the Member give way again?

Mr Flanagan: I will.

Mr Lunn: Maybe the Member can advise me of the situation in the Republic. Do they have a different approach?

Mr Flanagan: I do not know off the top of my head, Trevor. Perhaps the Minister will address the difference in credit union organisations, North and South, when he makes his closing remarks. Maybe somebody will get him the answer if I keep going for longer, but I assure you, Trevor, that I am nearly finished.

One of the issues that has been presented to us is the outworkings of the financial services compensation scheme. There is a claim that, if a credit union fails, compensation will not be paid to an unincorporated body because such a body does not exist in law. It is claimed that, if an organisation wanted to get a payment, that could happen only if the account is held in the name of an

individual. One of the issues that needs to be sorted out at Committee Stage is whether that is actually the case and how we can find a creative solution to that problem. Whilst we are all in favour of an amendment to clause 1 to allow membership bodies, partnerships or corporate organisations to hold accounts in the name of their company, nobody wants a situation where, if a credit union fails, they will not be entitled to get their savings back, like other bodies would.

There exists a problem. A solution is not going to be straightforward, but, if a bit of work were done, we could find something. It is something that I want to see teased out a bit further. I encourage the Committee to explore it. I do not know whether a review in two years is sufficient, but, at this stage, if that is the best that the Committee and Assembly can do to make sure that the Bill passes and that there is some future way of trying to solve the problem, it is something that I fully support.

I commend the Bill to the House. I thank the Minister for bringing it forward and wish it well as it passes through its later stages.

Mr McKinney: Well, well. Here we go again. We are in a perilous economic state, our economy is broken, and that is reflected in our economically inactive population. The Enterprise Minister needs to be doing a raft of things, but he has not been doing them. Instead, he has vacated his seat, just like his ministerial colleagues, and abandoned the people of Northern Ireland. He should be embarrassed, and I am embarrassed for him.

Mr Bell: On a point of order, Mr Speaker. When political points are made that are outside the context of this debate, do I have your permission to respond to them in addition to replying to the debate?

Mr Speaker: I assure you and everybody in the House that you will all receive equal treatment from the Speaker.

Mr McKinney: Thank you, Mr Speaker. During the latter part of this comment, I was going to invite the Minister to intervene to try to justify his inaction, if he could, but I suspect that would have been in vain. He should be embarrassed, and I am embarrassed for him. If any ministerial position needs to reflect to the world that we are open for business, it is the economic brief. How can you do business when the chief executive officer is not in the boardroom?

I welcome the opportunity to contribute to this very important Second Stage debate on the Credit Unions and Co-operative and Community Benefit Societies Bill, and I do so as a member of the Committee for Enterprise, Trade and Investment. As has been reflected in contributions from the Floor, we have an exceptionally strong credit union movement here, with over 400,000 members. Of course, the aims of the credit union movement are close to the hearts of our society, and the credit unions exist only to serve their members and not to profit from their needs. That practice is as necessary now, potentially even more so, as it was when Ireland's greatest, John Hume, assisted in founding the Irish credit union movement and the Northern Irish credit unions.

We all know the value that the credit union movement, North and South, has brought to many tens of thousands of people. It is a trusted service that is embedded in and serves the community. That is in sharp contrast to some of

the organisations that prey on those who find themselves in need with extortionate interest rates. That has been reflected by my colleague the Committee Chair, Patsy McGlone.

Credit unions can also play a part in filling the gap that has been caused by the closure of bank branches across much of the North. In an area close to my office in my constituency of South Belfast, three banks have closed. If you go through any area now, you will not be far from a bank closure. Lots of my constituents have come to the office, including many who are older and do not have access to computers and online banking. They now find themselves potentially considerable distances from the banks that served them for years, and that is in an urban environment. Clearly —

Mr McGlone: I thank the Member for giving way. There has been considerable investment by the Government in England and Wales to update and upgrade some of the facilities of the credit union movements there. I am sure that we would support the Assembly facilitating or helping with that change for our local credit unions.

Mr McKinney: I understand that the credit unions would be keen to see that type of investment. When a bank has fled the scene, we need to facilitate those that would take up the strain. Credit unions are ably placed to do that.

The credit union brand is integral to Northern Irish and Irish society, but times change, and it is imperative that this important work is able to continue to allow credit unions to compete in today's market. As we have heard, the Bill seeks to amend two pieces of existing legislation. Perhaps the biggest change is in relation to clause 1, which my colleague on the Committee, Phil Flanagan —

Mr Flanagan: Former colleague.

Mr McKinney: Sorry, Phil; you have just left the Committee. He is my former colleague. We have heard recommendations from the Irish League of Credit Unions and the Ulster Federation of Credit Unions to amend that clause to allow for parity of treatment. In essence, they feel that, if banks are allowed to open accounts in the names of organisations, so should the credit unions. The SDLP backs that approach.

11.30 am

As we heard, Mr Speaker, there are 13 clauses in total. Some of the issues have been rehearsed. You can hear that there is not much dissent, but we need some further scrutiny. Further improvements can be made as the Bill progresses through the next stages in Committee and in the Assembly. I look forward to participating earnestly in those discussions with colleagues so that we can shape the best legislative and financial platform for credit unions to work productively for society, as they have been doing for so many years.

Mr Dallat: I am pleased to take part in the debate. We have heard a little of the history of credit unions. Before I address the clauses, I remind Members that the credit union movement was founded in Germany in 1850 by two clergymen of the Reformed faith. The movement spread to Newfoundland, where fishermen adopted its principles so that they could buy their own boats. It gravitated to the United States, and, to correct Mr Flanagan, it came to Ireland in 1959.

Mr Flanagan: I was rounding up.

Mr Dallat: We need to be precise in all these things, and the Member is maybe justifying why he said the 1960s.

It is true that I first came into contact with the credit union movement in the 1960s when I met John Hume, not as a politician but as someone who was working to encourage the setting up of credit unions. My own credit union, of which I was the director and treasurer for 35 years, began in a suitcase and gravitated to a modern office fit for the president of Ireland to visit some years ago. My faith and confidence is in the credit union movement. I see the Bill as being an opportunity to bring the movement to a new stage in its development.

It would be remiss of me not to acknowledge the work of the Department of Enterprise, Trade and Investment and its various names down through the years. Those people worked quietly, without a lot of public attention, to develop the credit unions that are so successful today. I acknowledge the work of the current Department and the Committee, which have taken the issue seriously. I hope against hope that the Bill will become law before the end of this mandate, because it is absolutely critical to a new set of challenges and circumstances that confront ordinary people.

When I joined the credit union, banks would not lend money to ordinary people. You had to live in a big house, have a farm, have collateral, have title deeds and all sorts of things. Ironically, banks will give money to virtually anybody today without any security checks at all, which is why we have this awful problem of people being in terrible debt to loan sharks, payday lenders and all sorts of people.

I now come to the clauses. I immediately identify the move to reduce the age at which people can become directors from 18 to 16. The credit union movement's strength is its young people. It has gone into schools and has, with the cooperation of teachers and others, encouraged children, through their parents, to open accounts and, as they grow older, transfer those to adult accounts. That is important.

Increasing savings from £20,000 to £75,000 or £100,000 — I do not think that the figure is a big deal — is important. For many people today, £20,000 is not a lot of money. It is perhaps money that people have set aside for their funeral, for their partners after they depart this world and so on. I want that increase to happen.

Allowing clubs and societies to become corporate members may not seem important, but it is, because, for a lifetime, the credit union movement has worked alongside clubs and societies and partnered them in an unofficial way in many projects. My goodness, what a change it could make if, for example, clause 6 were to become law and allow credit unions to make surplus money available not only for charitable groups but for social, cultural and, perhaps, social enterprise projects.

I can foresee the availability of that money from the credit unions perhaps providing an opportunity to unlock other moneys from the Government and so on. Clause 6 acknowledges the very close relationship between the credit union movement and other organisations that, equally, sustain communities and help them to survive.

Someone referred to how government could help credit unions to develop by making available grants for improving their premises. I say to the Minister that there is another way in which government can help — it was done

successfully in Britain a few years ago — and it is to make available grants to appoint field officers, because one of the big problems that we have is the lack of knowledge of and education on borrowing money. People simply do not know their consumer law. They respond to very enticing offers of loans, not realising that the interest rate could be as high as 3,000% or 4,000%. I believe that officers dedicated to going out into communities, working-class housing estates and rural communities in order to encourage people to come together to embrace the credit movement would be a very powerful weapon in diverting people from other means of borrowing, which, in fact, are simply plunging them further and further into debt. I plead with the Minister to consider that seriously and to acknowledge that it was done in Britain, many years ago, to some effect.

In conclusion, there was a reference to our current difficulties. The credit union movement is a unifying force. While there may be two organisations representing the credit union movement in Northern Ireland — the Irish League of Credit Unions and the Ulster Federation of Credit Unions — I can say with pride, as someone who was associated with the Irish League, that it gave the Ulster Federation a lot of help, in its infancy, to establish itself. At the end of the day, the principles enshrined in both organisations are exactly the same. They both identify the cooperative movement as an organisation that has been extremely powerful down through the years, from the days of the gombeen men, who, I suppose, held people to ransom in many, many ways. It would be remiss of me not to mention Pat "The Cope" Gallagher — that wonderful man in west Donegal who inspired the cooperative movement and, I think, in many ways became a foundation stone for encouraging people throughout Ireland to look seriously at the credit union as simply an extension of that.

Today is a modern, new place, and things have to change. I am aware that many credit unions have substantially more money in savings than in loans. Certainly, in bygone days, as treasurer, I struggled to find enough money to make loans available. That seems to have changed. We need to find out why so many credit unions have up to 50% more in savings than they have out in loans. That is where the field officers and education officers could play a vital role. It seems wrong that the credit unions have invested in banks, when, in fact, that money could be doing wonderful work out in the community, helping ordinary people, not simply to make ends meet but, as clause 6 indicates, by allowing them to become more involved in the wider community.

I think that, despite the background that we are in at the moment, this a good day for the Assembly. What we need to do now is ensure that the Bill becomes law before the end of this mandate so that the renaissance of one of the most wonderful organisations in this world, whether it be in Germany, where it began, Newfoundland, the United States, or here in Ireland, can carry forward to the next stage and that people are given the law and the tools to bring it forward.

Mr Agnew: At the outset, I declare an interest as a member of Bangor Credit Union.

I think that it is understandable that political points have been made in the context that we are in — indeed, it would almost seem strange to address today's debate without mentioning something of the political context. However,

this is the second time that the Bill has been scheduled, and perhaps I would have prepared more for it had I been sure that it would be moved today, so there has been a degree of disrespect to the Assembly, yet what I would not do, and what I find regrettable, is the belittling somehow of this piece of legislation and, perhaps as a consequence, the perceived belittling of credit unions. They play a vital role in our communities. Whilst individually a credit union will not change the face of the Northern Ireland economy, I would argue that the many credit unions that we have are a bedrock for many local communities and their economies and serve them very well.

This is an important piece of legislation, and I welcome the fact that the Minister is here to move the Second Stage, as it gives hope that, should the talks be successful in bringing back a degree of normality to these institutions, this piece of legislation should be able to make it through its various stages in the course of this mandate.

I would like to put on record my praise of the work of credit unions, their staff and their volunteers. Credit unions are created by the community for the community. I believe that the Bill is the next step in the evolution of credit unions to ensure that they can modernise, adapt and indeed step in. The greater the success of credit unions, the harder it will be for loan sharks and payday lenders to prey on the poorest and most vulnerable in our communities. Strong credit unions and a strong credit union movement will be to the benefit of our society.

The role of credit unions very much contrasts with that of the banks. They have remained stable while banks were playing fast and loose with our money and were engaged in casino-style investment practices. Banks required a bailout while, at the top end, they were receiving inordinate salaries and bonuses. Credit unions were there, humble but sustainable, providing an alternative form of credit; one based on need, not greed and, as I say, for the community, not for the wealth of individuals.

As a member of the Committee for Enterprise, Trade and Investment, I look forward to the line-by-line scrutiny of the Bill. We have already started that process and taken briefings from the Irish League of Credit Unions and the Ulster Federation of Credit Unions. It is an important piece of work and, as will be apparent to the Minister, there is still a degree of concern about the legislation on corporate membership. I think that, with collaborative work between the two credit union bodies, the Committee and the Department, hopefully we can get consensus and get that part of the legislation right.

By and large, I support what is in front of us, I support the spirit and intent of it, and I look forward to its swift passage through the Assembly.

11.45 am

Mr McCallister: I begin by congratulating the Minister and welcoming him to his office. I think he is vastly superior to his predecessor, and, hopefully, his term of office will be slightly longer.

I was keen to contribute to the debate because I recognise the huge value of our credit unions throughout Northern Ireland, which colleagues have spoken about. Mr Dallat highlighted some of the history of the credit union movement. I think that its contribution has been immeasurable in getting people — who would not have

had access in any other format — in and connected with saving, borrowing and managing money.

Mr Agnew was very critical of our banking sector, which, even from a business perspective, has looked very much like a fair-weather friend at times over the last number of years.

I just want to briefly comment on some bits. I welcome clause 9 on reducing the age from 18 to 16. I think that any engagement that gets people to think, register, and be involved in managing money, and face up to their responsibilities at a younger age, is a good thing. I am a huge believer in the need for people, even at a young age, to think about retirement, even though that seems to be many years off. We are at a stage now where we have to start thinking about these things at a much younger age.

I also welcome the fact that the share capital will rise from £20,000 to £100,000. That is welcome, given that, as I think Mr Lunn pointed out, it has been in place for 24 years. For, in particular, capital-intensive sectors like agriculture, which is my background, this is very welcome, although, right enough, the price of milk is still stuck at 1980s prices. Perhaps we could see what we could do about that. It is welcome, and it can make a difference. When we look at some of the facts and figures around this, we see that when farmers pool significant sums of money in cooperatives they can reap benefits, maybe as much as £9 for every £1 contributed. That is a huge add-on value, and it has to be welcomed.

So, I am pleased to see the Bill. It will be interesting to listen to the Minister's response, particularly to the points raised by Mr Flanagan and others around the names; whether we use a corporate name or the names of individuals. As someone who was farming in a business partnership with two, or maybe three, names on an account, I ask why we could not do the same with credit unions. I hope that the Minister, in his response, will signal a willingness — he may well have a very good reason — to debate this issue and look at any possible amendments that he, the Committee or, indeed, individual Members of the House might bring forward.

This is a very real issue, and I do not want to see anything that in any way hamstring our credit unions. I want to see them being involved. I also want to see the need for people to very much face the sharp end of the market when having to go and borrow money being very much reduced. Mr Dallat talked about having more savings than borrowings. I want to see that changed round and us maximising the huge potential of credit unions. I want to see the asset base that they are sitting on being maximised for the good of our economy, whether it is in small businesses, individual social enterprises or whatever it happens to be for communities. Let us free up and unleash the potential of our credit unions.

The Bill is a good step along that way, and I look forward to its passage through the Assembly. I am very pleased to support it at its Second Reading.

Mr Bell: I thank all the Members who contributed to the debate. It is an important debate, and it is wider than the credit unions. I join with all the praise that has been given to the people who — often very selflessly and unselfishly — give of their time, energy and talents to their local communities. I had the privilege of growing up in a working-class community, and I know just how much

the credit unions mean. When I started my first job in health and social services I went to my local credit union, because I needed a car and could not afford the loans that were on offer. I turned to my local credit union at the Orange hall in Ballymacarrett, and it gave me a loan for my first car, which allowed me to undertake my professional duties in health and social services.

I know that my story is only one of thousands of stories where credit unions have been a lifeline in supporting communities, local businesses and individuals and in helping people into work and in keeping jobs when money was needed. Mr Dallat gave us a distinguished history of the credit unions. We want to pay tribute to all those individuals who brought us to the place where we are. The work that we have done in the House today and will do in future on the Bill will build on and improve the legacy that we were given and that we benefited from.

I want to pick up on a number of issues that were raised. I thank the Committee for Enterprise, Trade and Investment — the Chair, Deputy Chair and members past and present who were part of this. We got involved in areas of confidentiality and trust and we shared a lot of information with the Committee, which was mutually respected. As a result of that, we have a Committee that has actively done its job in being a critical friend and has helped us get to the stage that we are at with this piece of legislation.

We raised the issue of why unincorporated associations, for example, sports clubs, could not hold an account in the name of the organisation. Members are right in their understanding that these accounts will have to be held in the name of an individual. That is because unincorporated associations — unlike companies, which are corporate — do not have a legal personality. This means that they cannot sue or, in turn, be sued. It could result in a potential risk to credit unions if these organisations were to default on their loans. It is for that key reason that the Bill provides that these accounts should be held in the name of an individual or individuals. It offers a level of protection for the credit union, as there is a direct connection with the borrower.

The Committee Chair also raised the issue of the changes that have been made to the running of credit unions. The majority of the proposals are voluntary, so individual credit unions are free to decide whether to undertake the changes. The FCA and the Prudential Regulation Authority have indicated that a revision of the credit unions new sourcebook (CREDS) manual for credit unions across the UK is likely in the near future. I understand that that will include a reference to credit unions in Northern Ireland. Many of the changes are similar to those that are currently operating in GB and the regulatory authority is, therefore, well-versed in these areas of change and will provide the regulatory advice when it is approached.

I want to clarify something around clause 10 of the Bill, which Mr McGlone raised in terms of CREDS reform.

CREDS refers only to credit unions, and clause 10 refers only to IPSs. CREDS is not a transferred matter and is outside the scope of my Department and the Assembly.

Mr Lunn: Will the Minister give way?

Mr Bell: I said to Members that the Bill will now go forward. I want to talk about the points that Members have raised, so I will not get into an interaction at this time.

A number of Members mentioned the political situation in Northern Ireland. I join those Members who are hoping for a successful outcome to the talks, but I will spend a minute responding to the many minutes of criticism. Shamefully, nobody mentioned the murder of Kevin McGuigan when those criticisms were made. Those who think that citizens can be murdered on the streets and that, with the PSNI assessment, we can carry on with business as usual are deluding themselves and not serving the interests of jobs and employment in Northern Ireland.

Mr McKinney: Will the Minister give way?

Mr Bell: We cannot allow business as usual in any situation. There were responses to how we would respond to that. The Member who seeks to speak now, but who will not, originally raised the question. We discussed it with your party leader, who was on the same page as us before he took it to your party membership. That is the embarrassment of the situation.

Mr McKinney: Will the Minister give way?

Mr Bell: We spoke to the Ulster Unionist Party about there being business as usual, and it chose to do business as usual with Sinn Féin and not respond, and that is why we took our decision not to do business as usual.

As part of the talks team, I can assure Members that we are working extremely hard to resolve those matters. Northern Ireland is potentially in a very good place. I am looking at unemployment figures of 6.5%. Unemployment in Ireland is 9.9%. The European Union average is 9.6%. When we benchmark, our figure is almost a third lower. I am dealing with companies and, in the weeks to come, hope that announcements will be made about literally hundreds of new jobs for Northern Ireland. I believe that, if we can, during the talks process, resolve the outstanding issues of welfare reform and set a date and rate for corporation tax, Northern Ireland is in for a significantly positive future. I wish the talks every success.

Mr Flanagan raised the issue of corporate bodies in clause 1, and I have answered his question. He also talked about the Republic of Ireland. I have no responsibility for the Republic of Ireland and perhaps do not intend ever to have, but I understand that its legislation creates a legal personality for unincorporated associations. There is still an administrative process to establish legal recourse, and it is not clear to me that that would be more advantageous than the current drafting before us. It was considered by DETI and deemed inappropriate. If members want to raise it with my officials at Committee Stage, they are welcome to do so, and we will take things forward.

Every Member has made a very helpful contribution to the Bill. As has been said, it is a good piece of work. I think that it will help us deliver for the most disadvantaged in our society, and delivering something of value to those who need it most is what should motivate everybody in the House. That is what devolution should be all about.

Mr McCallister raised a point about milk prices. We are acutely aware of that. I have hosted a number of dinners with potential buyers from our dairy sector from right across the world, including the Middle East, and we have been exploring new markets with them. Without breaching the confidences of those individual businesses, I understand that, as a result of that work, new orders worth

hundreds of thousands of pounds have come into the dairy sector. We will continue with that work.

I recognise the importance of having a growing and thriving mutuals sector. The Bill will give greater operational freedom to credit unions and to the industrial and provident societies. It will remove barriers and help them reach out to new customers and embrace new markets. Therefore, I commend this legislation to the House.

12.00 noon

Question put and agreed to.

Resolved:

That the Second Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill [NIA Bill 56/11-16] be agreed.

Mr Speaker: That concludes the Second Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill. The Bill stands referred to the Committee for Enterprise, Trade and Investment.

Insolvency (Amendment) Bill: Further Consideration Stage

Mr Speaker: I call the Minister of Enterprise, Trade and Investment to move the Further Consideration Stage of the Insolvency (Amendment) Bill.

Moved. — [Mr Bell (The Minister of Enterprise, Trade and Investment).]

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

Private Members' Business

Private Rental Sector

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 to make a winding-up speech. All other Members will have five minutes.

Mr F McCann: I beg to move

That this Assembly notes its concerns at the continued growth of the unregulated private rented sector, which is the biggest provider of socially rented accommodation, a sector that receives tens of millions of pounds in housing benefit but still has little legislation or regulation; calls on the Minister for Social Development to review the role of the private rented sector in the provision of social rented accommodation to ensure it is fit for purpose; and further calls on the Minister for Social Development to introduce measures to regulate this sector.

Go raibh maith agat, a Cheann Comhairle. I ask Members to support the motion, which highlights the serious problems that exist in the private rented sector across the North. The motion speaks of concerns at the continued growth in the private rented sector to the position of being the biggest supplier of socially rented accommodation in the North. It also highlights the fact that this unregulated sector receives upwards of £300 million in housing benefit annually. It also calls on the Minister to move ahead with the promised review of the private rented sector that he announced on 6 November 2014.

This is too important an issue not to have the Minister's full input into its outworkings. In his statement, he spoke of the need to deal with this growing sector. He spoke of regulation being required, but where has this gone in the past year? I just noticed this morning that a briefing is scheduled for 10 December. Again, that puts this whole issue on the long finger. It would have been much better if the Minister had come here this morning and taken part in the debate to bring us up to date and tell us where he is going with this important issue. We need action to give confidence to a growing number of people who are being directed towards this sector. In 2006, there were 65,300 houses in the private rented sector. This has increased to over 130,000 in 2014. I tabled a motion back in 2007 calling on the then Minister to implement the registration scheme, which was supported by the Assembly. In fact, it was the first of two motions on the subject. The second was defeated by those who believed that the market should control this sector. Look where that got us.

Sinn Féin has always argued for robust legislative change to bring the private rented sector into line with other housing providers. Other parties opted for a light-touch approach to the sector. The introduction of the landlord registration scheme, which had the final date of February 2015 to register, still has a way to go for full registration. It would be interesting to find out what action has been taken to penalise landlords who have ignored the deadline. It is my understanding that, by 20 March, 39,000 landlords had registered. They provided details of 85,000 private tenancies; a shortfall of thousands, given that there are an estimated 130,000 tenancies, or over 17% of all households. A similar approach has been adopted to the

protection of tenancy deposits. I understand that many thousands of landlords have joined the scheme, depositing millions of pounds, but, again, many thousands have ignored the scheme. We need to be told what action is being taken to deal with the landlords who ignore these pieces of legislation. How many have been brought to court, and what has been the outcome of those actions?

We still have people coming to our advice centres who had paid deposits on properties but had them withheld on leaving.

A chairde, there are many in the private rented sector who provide high-quality, decent houses for their tenants. Without them, the housing crisis would be much worse. I recently met people from the private rented sector to talk about problems in my West Belfast constituency and was impressed by the measures that they have taken to deal with antisocial behaviour. They informed me that they have over 5,000 homes on their books, both as landlord in their own right and as an agent, which is more than most housing associations. In fact, I will be meeting a representative from the Landlords Association tomorrow to discuss some of the serious problems faced by my constituents including conditions, misuse and sale of drugs, all-night parties, attacks and intimidation from their neighbours. I also wish to speak about how —

Mr Speaker: Fra, I ask you to move the microphone forward so that you are speaking into it. Hansard is struggling to keep up with your delivery.

Mr F McCann: OK; sorry about that, Mr Speaker.

I also wish to speak about how they can ensure that their members liaise with local elected representatives and community representatives to make their communities a better place to live.

The very good landlords who provide good accommodation and have invested in their stock need encouragement and help to deal with the problems and difficulties that they face. There are many who would welcome dialogue to deal with these issues. However, there are also many who provide poor housing and have little concern for their tenants' safety and welfare. In fact, many of the tenants who I have spoken to over the years only tolerate the conditions and abuse because, otherwise, they would be on the street with nowhere to go.

The payment of hundreds of millions of pounds to any other sector, Department or statutory body would not be tolerated. The fact that this sector is unregulated makes matters worse. We have all heard how community and voluntary sector organisations are hounded over small grants that they receive. They are heavily audited for amounts of several thousand pounds. Yet, here we have a sector that has only recently been compelled to register its properties and had to be forced into protecting tenants' deposits, which had been badly abused by many landlords and housing agents.

This is an issue that I have raised in the Chamber before. It is an issue that I have said needs to be reviewed. I believe that the Minister was serious about moving on a root-and-branch review of this sector, but time is rolling on, and still nothing has come to the Committee. That gives me no hope that this issue will be sorted out anytime soon. It sends out all the wrong messages to those who live in this sector. More than 130,000 units of accommodation

are socially rented in this sector, which is more than the Housing Executive and housing associations combined.

From 2011, local councils carried out more than 15,000 inspections of private rental properties across the North. About two fifths of these inspections resulted in notices being issued, with nuisance abatement or public health notices making up the majority — more than 5,400. These notices were issued because disrepair was deemed to be causing conditions that are bad for health, such as damp and dry rot. Under the law, private rental properties must meet the basic minimum fitness standards such as ensuring that a property is structurally stable, has adequate lighting, heating and ventilation, and is free from damp that could damage health. Many socially rented houses cannot even reach these low standards.

It is a fact that the sector remains, by and large, unregulated. There are those in the sector who just see the house that they provide as a moneymaker and have little concern for the person who lives in poor conditions. There are still those who do not provide rent books or tenancy agreements. There are still those who provide poor accommodation and threaten the tenant with eviction for asking for repairs to be carried out. There are still those who ignore all requests by their tenants for help, and there are still those who will intimidate and evict a person without any fear of consequences.

Some in the disability sector have said that they would like the option to go into the private rented sector because the accommodation would be conveniently close to family or carers, but the vast majority of private rented accommodation is not disabled friendly. In fact, this sector has an atrocious record of provision of housing suitable for people with disabilities. We had the opportunity to deal with this in some of the previous legislation but failed to do so. We need to grasp the nettle now and deal with this sector as soon as possible.

Mrs D Kelly: The SDLP is supportive of the motion and better regulation of landlords. I declare an interest as a landlord, although not in the social rented sector at the moment. Mr McCann outlined very real problems facing his constituents, and I suggest that there are difficulties facing constituents right across the North. Each of our constituency offices has had to enlist the support of the local authority to enforce what limited legislation is available to ensure that houses are fit for purpose. I have had to get environmental health or, indeed, building control out more than once, but he is right in saying that there is very limited regulation.

Many young people are returning to university, and students in particular are having to rent houses that are quite often lacking in fitness for habitation and many of the resources that they would find in a family home. Therefore, the need for regulation has been on the table for a very long time and, as Mr McCann said, it is most regrettable that, again, the Minister is not in his place because not only is there increasing concern about growth in the unregulated private sector but there is a dearth of proper accommodation for families and, in particular, people with disabilities. The list for disabled persons' facilities and the delay in the provision of grants is ever increasing.

I heard the Minister of Enterprise, Trade and Investment refer to how the DUP was holding out for better deals and right government, but I think their in-out, hokey-cokey

position on ministerial positions has backfired on them. That is certainly the mood of the public, and many of that party's own members feel very uneasy about it. So, yet again, I prevail upon the DUP to get its Ministers back in post. People are angry and fed up, and much work is required to be done.

In his contribution, Mr McCann also referred to the many good landlords. It is fair to say that there is an association of private landlords that highlights for the rest of us and for themselves some of the glaring deficits in the lack of regulation of the sector. For example, the regulation of the deposit scheme has not gone far enough. There are concerns around some letting agents and what they say and do to potential tenants. Mr McCann tried to suggest that other parties were not as keen on regulation and wanted a light touch. I do not think that is the case. I think that our previous Ministers had introduced better regulation around the landlord scheme and better conditions, and indeed were the most successful Ministers in tackling the social sector and the need for families and individuals requiring proper and good affordable housing.

One of the concerns that I would like to raise during my contribution is the issue of the affordable warmth scheme. The landlord, through the tenant, if it is in the social rented sector, can apply to the warm homes scheme, but they do not have the level of surety that, once the home is upgraded, their tenancy is secure. We would like to see better regulation and guarantees around that to protect tenants when there is an investment out of the public purse on the property. I think that that should be reflected in some security of tenancy for the occupants.

This is something that we have said time and time again. We all know many of the difficulties facing people in the community. It crosses our constituency desks, yet we have an almost empty Chamber and at least a third of our ministerial team is not at work today. That is something that the public are, quite rightly, angry about, and we should prevail upon the DUP in particular to get back to work right away.

12.15 pm

Mr Beggs: Let me first declare an interest: I have a son and a daughter who are students and rent property. My eldest son, who has started employment, is also renting, and my dad lets a property.

The motion calls for a review of the private rented social housing sector. I find it strange that it calls for a review, when, I understand, one is already under way. The Minister announced it almost a year ago. I agree, however, that the review needs to come to a conclusion. Surveys and documents have been produced, but no decisions have been taken as yet on how to move forward. Those rest with the Minister, whose seat is vacant. However, I generally support the motion.

The landlord registration scheme has started the process of identifying landlords. All landlords must register, and I agree that it is important that we take the community with us and minimise legislation and cost. We must regulate only when necessary and when it can make a difference.

I support the informative process that has commenced for landlords, which should benefit tenants. Landlords need to be aware of their responsibilities. It is better that tenants' needs are looked after by landlords than their

having to resort to the law when there is failure and lack of understanding. It is good that good practice advice is passed out through news-sheets to the landlords who have registered, but many landlords still need to register. A basic tenancy statement is needed. The tenancy deposit scheme must run smoothly to make sure that tenants' deposits are protected. Given the danger of carbon monoxide poisoning, annual gas safety checks are needed.

Mr F McCann: Will the Member give way?

Mr Beggs: Yes, I will.

Mr F McCann: I appreciate what you are saying. However, if you cast your mind back to last week's meeting, when the issue of private landlords arose, it was one of the issues that gelled everybody. Stewart questioned the witnesses at length. Any time that the issue has come up, people have talked about minimal legislation. Rather than grasping the nettle and bringing in strong legislation to bring us into line with other housing providers, we are missing a beat and putting the issue on the long finger.

Mr Speaker: The Member has an extra minute, although Fra nearly used it up on you.

Mr Beggs: The Member should allow me to develop my thinking.

It is also right that we recognise the constructive role of the Housing Rights Service, which plays an essential role for tenants who have difficulty with their landlord. It is a vital service. Moving house is traumatic for all of us at the best of times, but, for people who have the roof over their head threatened, it is vital that they have good help and advice. I commend the Housing Rights Service for its knowledge and the advice that it has given to me and my constituents.

I recognise that the private rental sector provides an important option for many. For some, the private rental sector prevents homelessness due to the long Northern Ireland Housing Executive waiting list. We need to be careful what we do. As an Assembly, we do not have the funds to build sufficient public housing, so we must work with the private sector. There are a huge number of rentals out there; some 17% of homes are now in the private rental sector. There must be a balance between the rights of landlords and those of tenants. As others said, we have some very good landlords, who are to be commended, but we also have some very bad ones, who may fail to carry out necessary repairs. In my constituency, I can think of one person who had difficulty in getting a leaky roof fixed and someone else who had difficulty getting the landlord to prevent birds from entering the roof space, which was annoying the tenants and could have health implications.

I support the decision to move forward the legislation on houses in multiple occupation. I agree that there are higher risks, and it is right that we do that. It is also interesting that about 60% of private landlords are paid from public funds, so there is clearly a public interest in ensuring that they deliver. Some 8% of tenants are dissatisfied with the services provided by their landlord, and 14% are dissatisfied with repairs. Improvement is needed. We also need to ensure that everyone has a tenancy agreement — only two thirds have one at present — and that an energy performance certificate is provided when a tenancy changes. Improvement in the system is clearly needed.

The survey also revealed that many landlords were temporary landlords. Perhaps they had wanted to sell their

houses but were unable to do so following the property crash and became reluctant landlords. It is important that we move forward carefully. We do not want them simply to take those rental properties off the market and create even greater stress. Clearly, there needs to be movement going forward to address those who are failing tenants.

Landlords should complete repairs in a timely fashion and meet the needs of tenants. Assessments of whether they do so and some sort of accreditation for landlords would be appropriate. We should also consider other areas for regulation. Perhaps there is a need to have electrical surveys every so often. I believe that this is an area in which regulation is needed, but we must go forward carefully.

Mr Dickson: It would be remiss of me not to refer, as others have, to the party-before-people absent Minister — the lack of a Minister in the House today. Once again, an important debate is taking place. We are talking about people's homes, where people live and raise their children and where people with disabilities live, yet we have a Minister who is not prepared to join in that debate with us. I find that as shameful as the absence of the Health Minister during the crisis that people face in hospitals today.

I particularly thank those who brought the debate to the Chamber, because this is, as others have said, an important issue facing many of our constituents, including mine, and yet it does not receive a great deal of public attention. We are experiencing a crisis in housing provision, and hardly a day goes by when my office does not assist people who are desperate to access social housing. Every day, we see that there is a critical shortage of the right kind of homes for people, and, quite sadly, often the only solution is to point them towards the unregulated or virtually unregulated private rented sector. I do that with a heavy heart because I know the other side of that coin. I know what it is like to visit, with an environmental health officer, some of the most difficult properties that I have ever seen families forced to live in.

On a brighter note, I also commend the work of the Housing Rights Service, particularly the advice and guidance that they give to tenants in the private rented sector on issues of rent and rent control in particular. I can cite examples from my constituency of people clearly benefiting from advice given to them by the Housing Rights Service.

We have regulation in social rented accommodation, but we need to move to a much higher standard of regulation in the private rented sector. The key to solving the problem is, of course, building more social housing. Things are very different from the 1960s and 1970s, when we had a major building programme, and, of course, the Housing Executive and its predecessors made an amazing contribution to social housing in Northern Ireland. We also need smaller homes for today's needs, especially one-bedroom homes for our many elderly people, given the drive towards care in the community, the context in which that is happening and the pressure that it puts on social housing and, indeed, the whole housing market here in Northern Ireland.

We need to be cognisant of the fact that it looks as though the Tory Government intend to have a fire sale when it comes to further housing associations. I want to put down a very clear marker, although it might not be the content of today's debate, that, as far as I am concerned, that is a no-go area for us in Northern Ireland.

Of course, not all landlords conform to the stereotypical uncaring, unscrupulous Rachmans of this world. Many landlords provide decent homes in the private rented sector. However, I see the situation that many people live in, the rents that they are required to pay and the inadequate heating systems in their properties, all of which drives me to the clear conclusion that it is important that the Minister come forward with appropriate plans to deliver regulation in the private rented sector. That, for me, is most important. We should also not forget the non-social renter, those who are completely at the mercy of the private rental market. Regulation is lacking here, too.

I proposed an amendment to today's motion that was not accepted. It called for an extensive review of the whole private rental market, including letting agencies. Although the amendment was not selected for debate, I hope that the proposer of the motion will take account of that point. There is particularly an issue around letting agencies in that landlords are required to use only one letting agent. There is a strong argument for multiple letting agencies to be used to allow them to deliver in a particular community.

We are and the United Kingdom has been seen to be a nation of homeowners. However, that is becoming less the case. Many young people are simply unable to get into or are pushed out of the housing market. Renters and buy-to-lets have increased, to the detriment to those who wish to get their foot on the housing ladder.

Mr Speaker: The Member's time is up.

Mr Dickson: I commend the debate today and support the motion.

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an díospóireacht thábhachtach seo. I must admit that it is hard to wind up a debate that lasted for all of 25 or 30 minutes. I will make some comments of my own rather than respond to what a Minister has or has not said.

Like other Members, I declare an interest at the outset. However, unlike some other Members, I am not a landlord nor connected to them; I am a member of the private rented sector. Like very many people of my generation, we do not own our house. We do not live in social housing; we live in the private rented sector, so I know first-hand the difficulties that people living in the private rented sector face, and those pressures are growing.

The key issue before us today is the growth of the private rented sector, which remains unregulated despite considerable sums being paid to private landlords through housing benefit. It is my understanding that over £300 million a year is paid to landlords through housing benefit, yet those landlords are not subject to any regulation to make sure that their tenants are treated fairly.

There is no doubt that private landlords are needed and are here to stay, but the growth in recent times can be explained by many reasons. The reduced affordability of homes to buy over the past 10 years is a considerable barrier. If you link the average annual earnings of a family with the cost of buying a home, you will find that it is now less affordable for people in this generation to buy a home than at any time in the past. The unavailability and inaccessibility of mortgages since the crash also presents a barrier to people in buying their own house, but it also creates a barrier to the ability of developers and individuals

to build additional homes, whether in a commercial sense or on their own land or in their own town or village.

The number of social houses that have been sold off over the past 20 years has put serious pressure on availability in the social housing sector. More and more houses are being transferred out of public and into private ownership but are not being replaced with new ones. That puts serious pressure on the local private rented sector, as supply is not increasing to meet demand.

The final nail in the coffin is the declining investment in social housing across the North. When you look at all these issues collectively, you see that they explain why there are so many problems in the rented sector. What we are looking for today is simple. We are not saying that landlords should not be allowed to operate, and we are not saying that they should not be able to make a profit. We want to see the introduction of proper regulation of private landlords.

Many Members have said that there are good landlords: there are. I have lived in houses across the North that have been owned by very good landlords, where you could not have asked for more, but I have also lived in houses that have been owned by very bad landlords who treat their tenants with contempt. That happens particularly in student housing, where very little regard is given to the human rights of the people living in a house. They are treated like dirt and are seen as a cash cow by landlords, who use them to maximise the income that they can get. It is not good enough for us to stand back and allow that to happen, whether those people are students, young families or older people who, for one reason or another, have not bought their own house and cannot get into social housing because of how the points system works. There is not enough social housing to meet demand, and, in many areas, only those with a considerable number of points can be accepted.

12.30 pm

Some of the issues facing people living in the private rented sector are quite simple: there is legislation that states that landlords have to keep rent books, but I do not think that too many are complying with that; and legislation has been introduced to allow an external organisation to hold on to deposits, but I do not think that that has been enforced properly. These are areas where we have introduced legislation here but it is not being enforced properly, usually by the local authorities that have the responsibility for policing it.

Then you have landlords who think that, when they get a deposit from a tenant, it is money for nothing and it is for them. They do not seem to think that they have to hand the money back to the tenant at the end of the tenancy agreement if no damage has been done to the house. Landlords seem to think that it is their money and that they can hold on to it. The whole rationale for the introduction of the tenancy deposit scheme is to make sure that landlords do not hold on to deposits when they have no legal basis for doing so.

You also have the situation where tenants are living in horrendous circumstances. As Members like Roy Beggs said, they are not receiving fair treatment, and private landlords do not carry out repairs in a speedy fashion. It could be something as straightforward as fixing a light, a broken shower or a blocked sewer. All these things are

examples of where landlords are not quick enough in stepping up to the plate. I suppose there are criticisms that could also be thrown towards the Housing Executive, but that is a different matter.

I want to put on record a circumstance I had in the recent past with a previous landlord. When I was evicted from the property because of a change in the landlord's circumstances, numerous rules were broken. The landlord, completely, and flippantly, thought he could hold on to the deposit and tell me when to get out of the house, without providing written notice. The way in which landlords deal with their tenants is completely unacceptable. It is for that reason that organisations like Housing Rights and Citizens Advice Bureau are there to help people. I want to put on record my thanks to the Housing Rights service and to Fermanagh Citizens Advice Bureau, which helped me through a very difficult situation when I was trying to get a deposit back from a landlord. I actually had to go through the small claims court to get money back from a landlord who had no legal basis for holding on to the deposit. That is a situation that very many people face. Unfortunately, very many people are put off by the barriers that exist when trying to access independent advice or when going through the courts to get their money back. We need to see those barriers removed so that tenants can have their rights. We also need to see greater regulation, so that tenants are treated fairly by their landlords.

If you look at the difference between the situation in urban and rural areas, you will see that there is a complete absence of alternative accommodation in many towns and villages across the North. Therefore, if you are put out of your house because your landlord could not keep up with mortgage payments, or because they have changed their circumstances and want their son or daughter to move into the house, or because they have decided to sell the house because they are no longer in mortgage arrears and the price of the house has increased so that they can sell it off and clear the mortgage, you are faced with eviction through no fault of your own. Very often, there is no alternative accommodation for you and your young family in that area. Then, because there is no alternative accommodation, you are forced to move to another town or village and live somewhere else. The knock-on effect of that is that your children have to find alternative schooling arrangements. The fact that tenants can just be thrown out for no reason and with 30 days' notice is a huge barrier to people who want to live in the private rented sector. Security of tenure just does not exist.

There is a unique culture in Ireland where people want to own their own houses, and that is a laudable target, but if you go to some other European countries, you will find that around 70% of the people live in the rented market. Most people accept that, once you die, you cannot take the house with you. Therefore, an awful lot of them are happy to live in rented accommodation, but all they want is to be treated fairly and to have security of tenure and to know that they are not going to be thrown out for no reason or simply on a whim. Those are the very serious issues that we are trying to address. Unfortunately, there does not seem to be a huge pile of regard given to them by some people in the House.

On the whole, when you look at it, we are too reliant on the private rented sector. We need to get additional investment into our social houses, because we are now in a situation

where the private rented sector is the dominant force in renting houses. For the first time ever, it has the monopoly. There are now more houses rented privately than are rented through the social housing structure. That is a situation that we need to change.

We need to get additional investment into our social housing scheme, because there is obviously money to be made from renting houses. If there was not money to be made, why would there be so many landlords doing it? The thing that I cannot understand is, if there is money to be made, why does the state not do it? Do it in a way that treats tenants fairly so that their rights are not abused, then use the surplus or profit that would be gained from renting out those properties to either reinvest in additional housebuilding to meet future demand or to retrofit existing and older properties. That seems to make sense to me, instead of just throwing it out to the private sector to do what it wants without any kind of regulation or safeguards for people who live in those houses.

The emphasis here, if you look at the media, is that increasing house prices is a good thing, but that is what got us into this problem. Elevating house prices were deemed to be a good thing. It might be a good thing for developers, speculators and financiers, but it is not a good thing for families or for society. It is certainly not a good thing for the rented sector, because many people are being priced out of it. We need to see additional regulation brought in to protect tenants and make sure that they are not treated unfairly by landlords.

Question put and agreed to.

Resolved:

That this Assembly notes its concerns at the continued growth of the unregulated private rented sector, which is the biggest provider of socially rented accommodation, a sector that receives tens of millions of pounds in housing benefit but still has little legislation or regulation; calls on the Minister for Social Development to review the role of the private rented sector in the provision of social rented accommodation to ensure it is fit for purpose; and further calls on the Minister for Social Development to introduce measures to regulate this sector.

Autism

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 to wind up. All other Members who wish to speak will have five minutes.

Mr D Bradley: I beg to move

That this Assembly expresses concern over the waiting times for children for autism and special educational needs assessments; notes that 'The Prevalence of Autism (including Asperger's Syndrome) in School Age Children in Northern Ireland 2015' report, published in July 2015, shows that the estimated prevalence of autism has increased; recognises that delays in diagnosis are resulting in children with special educational needs being denied access to the extra educational support they need; further notes the importance of early intervention for educational and social development for these children; and calls on the Minister of Health, Social Services and Public Safety to work collaboratively with the Minister of Education and his arm's-length bodies to invest fully in and streamline services to deal with the backlog.

Go raibh míle maith agat, a Cheann Comhairle. Caithfidh mé a rá go bhfuil an-áthas orm a bheith anseo inniu chun an rún seo a mholadh don Tionól. I am pleased to be in the position to propose the motion today. As you may know, for a long time I have been an advocate of good services for people with autism, both children and adults. I must say that the House has been responsive to the needs of people with autism and passed the Autism Act in 2010-11. I was, of course, very proud to have my name as sponsor of that Bill.

The Autism Act recognised autism not just as a health issue or an education issue but as a cross-departmental issue and also as a developmental disability. Since then we have had the autism strategy 2013-2020 and the accompanying action plan for 2013-16. The autism strategy is a cross-departmental strategy introduced by the Health Minister and addressing the whole-life needs of people, families and carers living with autism in Northern Ireland. The Act required the Health Minister to lead on the development, implementation, monitoring and reporting of the new strategy, with other Departments obliged to cooperate. Of course, the Minister of Health is responsible and accountable to the House for the implementation of the Act, so what a disappointment it is that the Health Minister is not here today to respond to the various points made by those who will speak in the debate.

I am extremely concerned about the waiting times for special educational needs assessments. The motion calls on the Minister of Health and the Minister of Education to work together to ensure that waiting times for diagnosis, intervention and statementing are reduced. Under the present circumstances, with no Minister of Health in place, the backlog will only get worse.

There can be no doubt about it: autism and special educational needs are both on the radar of the Minister of Education. We have the current special educational needs legislation making its way through the House. ASD has been on previous Health Ministers' agendas, through the autism strategy and the autism plan, but, unfortunately, I

cannot say the same of the present Minister of Health, who is not even in the House today.

The Special Educational Needs and Disability (SEND) Bill has many aims. It will place a duty on the Education Authority to request help from the health and social care trusts in all cases in which it considers that those bodies could help in the exercise of its functions. Very importantly, the Bill will contribute to the wider policy aim of reducing the time frame for the completion of statutory assessment and issue of a final statement by the authority from 26 weeks to 20 weeks. The then Minister of Health launched the autism strategy last year. Its aim is to ensure that all Departments work together to improve support for those living with autism. That is exactly what our motion is asking for: collaborative, joined-up working between those two Departments, which are required under the Autism Act to work together on the issue.

The motion refers 'The Prevalence of Autism (including Asperger's Syndrome) in School Age Children in Northern Ireland 2015'. That report has brought forward some thought-provoking figures. It has left us in no doubt that autism is more prevalent in society today than it was six years ago. In the past five years, the rate of autism has increased by 67% in school-age children, with one in 54 pupils attending school being diagnosed with ASD. The prevalence of autism has increased by nearly 1% between 2009-2010 and 2014-15, from 1.3% to 2.2%. In 2009-2010, there were 3,668 children with ASD out of a school-age population of 270,000. In 2014-15, there were 6,045 children with ASD out of a school population that had not increased very much. It is therefore very clear that the prevalence of autism is increasing in our society, but that is not being accompanied by the necessary increase in support and services and the necessary decrease in waiting times for diagnosis and early intervention.

The report also highlights the fact that males are five times more likely to be identified as having ASD than females, although the number of females is rising. Although the report highlighted that and brought the numbers to our attention, we are still aware of the growing pressure of the number of children, young people and adults with autism and the challenge that that pressure places on already fragile autism services.

12.45 pm

There is no doubt that, without early and speedier diagnosis, children with ASD and special educational needs will not get the support that they require in school or through the health service. I cannot stress enough that one of the key aspects of ensuring that children with autism develop to their fullest potential is early intervention, early diagnosis and early statementing.

The current target for assessment is 13 weeks. At the end of April, 1,449 children were waiting for assessment; more than 900 had been waiting longer than the recommended 13 weeks. Of those, 476 had been waiting more than 26 weeks and more than 78 children had been waiting over a year to be assessed. Those are children who, if found to have ASD, will not have got the support that they required inside and outside school during the time that they spent waiting for a diagnosis to be completed.

In an answer to a question for oral answer that was asked by my colleague John Dallat in June this year, the Minister of Health stated:

"The Health and Social Care Board is working to reduce the number and length of time children and young people have to wait for ... assessment."

He said that autism services have been unable to keep pace with the growing demand. In 2010, there were approximately 1,500 referrals for autism services and that had nearly doubled to 2,936 by March 2015.

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

Mr D Bradley: The Minister finished his answer to that question by assuring the House that the Department was:

"working to seek to find new ways of reducing the impact of long waits for assessment."

Unfortunately, we have not seen those new ways come to fruition. Perhaps the call that will go out from the House today will —

Mr Speaker: Thank you. I call Ms Maeve McLaughlin.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity, as a member of the Education Committee, to speak in this important debate. I acknowledge and thank the proposer of the motion for tabling it. It is very clear in highlighting the prevalence of autism and how it has increased, and rightly notes the importance of early intervention.

The motion calls on the Minister of Health:

"to work collaboratively with the Minister of Education and his arm's-length bodies to invest fully in and streamline services to deal with the backlog."

It is our view, however, that that needs to go much further. There needs to be a formal duty of cooperation between Health and Education to deal with special educational needs. Put frankly, there are too many gaps in the sharing of information between the two Departments that are impacting on children and families.

Clause 4 of the SEND Bill gives us an opportunity to do just that. It places a duty on the Education Authority to request help from health and social care bodies when it is considered necessary. It is my view that that needs to be much stronger and should, ultimately, place a formal duty on both Departments to cooperate. I say that because the majority of the delays in the statementing process lie at the door of the health and social care trusts.

During the quarter ending 30 June 2015, 682 children had been referred for an assessment for autism spectrum disorder. That was an increase of 18% on the previous quarter.

The estimated prevalence among school-aged children of autism, including Asperger's, increased by 67% across all health and social care trusts between 2008-09 and 2013-14. Indeed, the school census figures for 2014-15 found that 6,045 children were identified with ASD.

The proposer of the motion referred to the significant difference between genders, with males almost five times more likely than females to be identified with ASD. However, analysis has indicated that the female ASD population has increased in recent years at slightly higher

rates than that of males. The same analysis shows us that the rate of ASD for the 10% most deprived areas stood at 2,818 cases per 100,000 of the population, a third higher than the so-called regional rate. On 31 March 2015, there were 1,383 children on waiting lists for a diagnosis of ASD — a stark reality for all of us. We are told that in 2008-09, £1.64 million recurrent funding was provided for children's autism services and that a further allocation of £250,000 was made in 2013-14.

The Special Educational Needs and Disability Bill reflects on the time limits to issue a final statement, but the stark fact remains that in 2013-14, 59% of statements were made after the statutory period of 26 weeks. That means that somewhere in the region of 1,317 children were waiting longer than the statutory time for an assessment. To back that up further, a 2010 survey found that only 14% of teachers believed that there was a coherent approach across Health and Education in supporting children with SEN.

I support the motion. It is right that we move to models of early intervention and diagnosis. However, we need to see better formal working relationships between Health and Education. In my view, that should be in the nature of a formal duty on both Departments to cooperate.

Mrs Overend (The Deputy Chairperson of the Committee for Education): I speak initially on behalf of the Education Committee as its vice-Chairman. I thank the Members who tabled the motion for debate. The subject matter coincides very much with the Committee's consideration of the Special Educational Needs and Disability Bill.

Members have highlighted the increasing demand for SEN support services in schools, the variation in those services across Northern Ireland and the apparent complexity of assessment and referral arrangements. Given all of that, it is therefore unsurprising that a relatively large number of assessments are taking place well beyond the statutory timescales. It is perhaps also unsurprising that most Members frequently face complaints in the constituency surgeries from frustrated parents who simply want to make sure that their child gets the support that they need at school.

During our consideration of the SEND Bill, the Committee received many explanations and assurances from the Department of Education, Education Authority and relevant Health arm's-length bodies. If these are to be accepted at face value, there is no problem — Health and Education are cooperating marvellously and at every possible opportunity; wonderful protocols are being developed; liaison groups are hitting their stride; and regional allied health professional services in support of SEN, if not always available are, according to officials, imminent. The Committee's problem is reconciling these departmental assertions with the reality experienced by our constituents. I believe that the Education Committee, in this regard, simply does not accept what it has been told by officials. Consequently, and in line with the Children's Services Co-operation Bill, members are thinking seriously about seeking to have new statutory obligations placed on arm's-length bodies to cooperate in the delivery of SEN services. Part of our consideration of those new obligations will be coloured by the success or otherwise of the Autism Act in improving access to education for children with ASD.

I will speak now as the Ulster Unionist spokesperson on education and a Mid Ulster MLA. In the last five weeks,

since the beginning of the school term, I have been inundated with concerns from parents regarding the education provision for their children. On average, there are two to three a week, which is an astounding number. Their concern could be about a delay in the assessment of their children or whether they are receiving the right amount of educational assistance. School principals and teachers have also been highlighting to me their exasperation at the system. Often, they are told that they can refer only one or two children during the school year for assessment. Think about how that conversation would go; a school principal has to inform a parent that their child does not have as high a priority as another child in the school. What does that do for a staff/parent relationship? Surely that type of action puts a strain on such a relationship, causes bad feeling and, ultimately, could break down further educational achievement for that child. I wonder what the rationale is behind the decision to allow schools to refer only a limited number of children. The cynic in me says that it is to limit waiting lists in the system. I have no doubt that there is very good work ongoing by officials within the Education Authority, and I have talked to various educational psychologists who are working very hard, but there is much to be done to improve the situation.

I refer to figures that were revealed in October last year. The figures show that, as of the end of August last year, 105 children were waiting more than 13 weeks for an assessment in the Northern Health and Social Care Trust. That is simply not good enough. More often than not, those assessments will find that a child has quite complex needs. It is already an anxious time for families who are worried about their children and keen to have as much detailed information as possible about their condition. Having to wait months for appointments only adds to the stress. An early diagnosis is essential to put in place the help and support that a child needs at home and at school. A diagnostic ASD assessment will give parents and teachers the information that they need to determine the level of support that a child will require, ensuring that they will not be at a disadvantage in the education system. It is vital that the trust takes actions.

In conclusion, the motion calls for cross-departmental collaboration, which is something that we have been calling for time and again. Frankly, the people of Northern Ireland deserve better.

Mr Speaker: Mr Kieran McCarthy will be the next Member to speak in the debate but, as the Business Committee has arranged to meet at 1.00 pm, I propose, 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 12.58 pm.

2.00 pm

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

Oral Answers to Questions

Culture, Arts and Leisure

Mr Deputy Speaker (Mr Beggs): I advise the House that question 9 has been withdrawn.

Culture Night Belfast 2015

1. **Mrs Cochrane** asked the Minister of Culture, Arts and Leisure for her assessment of Culture Night Belfast 2015. (AQO 8794/11-16)

Ms Ni Chuilín (The Minister of Culture, Arts and Leisure): I thank the Member for her question. The various culture nights that took place on 18 September 2015 across the North were delivered by a mixture of private organisations and councils. My Department, through the Arts Council, made a funding contribution of £21,600 to the Cathedral Quarter Trust for Culture Night Belfast. It is too early to make an assessment of Culture Night 2015 across the North as definitive information is yet to be made available, but going by what the groups have said, the initial feedback and what I saw, the event in Belfast in particular was a huge success. Early estimates indicate that some 65,000 people attended events across Belfast. As I said, that is an early indication. The continued high attendance figures provide a convincing indicator of support for the local cultural scene right across Belfast and of the sector's potential to contribute to the development of a diverse and dynamic culture. Culture nights are now an integral part of the wide-ranging cultural offering supported by my Department, such as Belfast Pride in July, the Festival of Fools and the Cathedral Quarter Arts Festival, all of which continue to attract significant numbers of spectators and participants.

Mrs Cochrane: I thank the Minister for her answer. The feedback across the media and from those of us who attended the events was that it was a very positive night. Did the Minister receive any correspondence on the potential lack of funding or reduced funding this year and the impact that it made? Will she therefore commit to continued funding in future years?

Ms Ni Chuilín: As I said in the primary answer, the numbers are early indications, but attracting 65,000 people to Belfast alone on 18 September is very impressive. I have received a lot of correspondence from groups right across arts and culture, particularly about funding. However, a lot of it is not just about funding cuts, it is about the availability of funding in future years. Some sectors are organised and are looking at collaboration between Belfast City Council and the tourism sector to ensure sustainability. I know that the Belfast Chamber of Trade and Commerce recognises the economic impact of Culture Night and wants it to continue, and it is the same for chambers of commerce in other cities, towns and villages across the North. I am committed to ensuring that that happens.

Mr B McCrea: I want to follow up on Mrs Cochrane's question by asking about funding for Culture Night Belfast.

The organisers tell me that it was possible to put on the show only because of funding from a large brewery, and I am not sure whether that is desirable. Did we increase or decrease the funding for culture and arts in Belfast?

Ms Ní Chuilín: Certainly, Culture Night will have had its award already. All cultural festivals are encouraged to try to get additional sponsorship. Culture Night Belfast is very lucky to receive that sponsorship. The Member, as a member of the Committee for Culture, Arts and Leisure, will know of the work of Arts and Business, which helps to pair off businesses and sponsorships with cultural provision. It is important that that sponsorship continues. I know, even from talking to others, that they are having great difficulty. It is a conversation that we need to have, particularly with the Minister of Enterprise, Trade and Investment and other Ministers, to ensure that this attraction helps local businesses and helps to generate the economy. It provides opportunities for people to look at new ways of ensuring security of funding for cultural packages, which everybody claims to reap the benefits of.

Casement Park: PAR Report Recommendations

2. **Mr Maskey** asked the Minister of Culture, Arts and Leisure how she will ensure the implementation of the 20 recommendations of the project assessment review report on Casement Park. (AQO 8795/11-16)

Ms Ní Chuilín: I thank the Member for his question. The independent project assessment review (PAR) report was published on 7 August 2015, and I intend to implement in full all 20 of its recommendations. Immediately following receipt of the report, I set about implementing the recommendations that were, for me, deemed critical. Ian Maye has now been appointed the new full-time, dedicated senior responsible officer for the regional stadia programme, and he took up his post on 1 September. Good progress has also been made in implementing the second critical recommendation, and that is the appointment of an independent chair of the safety technical group, which is expected to happen later this month or in early November.

Mr Maskey: I thank the Minister for that response. Will she comment on the fact that the PAR report states that a new planning application for Casement will take up to 12 months to prepare? Is she content with that time frame?

Ms Ní Chuilín: First of all, no, I am not content with that time frame. The PAR team looked at the maximum time that was allowed to implement the recommendations. I am aware, and I know from the report, that they interviewed many people regarding the Casement Park redevelopment. It certainly interviewed the Ulster Council and recognised the work that it has done thus far. However, I think that they are being very generous in their estimation that it will take up to an additional 12 months. I know that Casement is in the Member's constituency, and I hope that, very soon, the Ulster Council will bring forward its pre-consultation consultation to equip people who will feed into a consultation on a new planning application. I imagine that that will happen very soon.

Mr Rogers: We are very aware of what the GAA has contributed to society right across this land. Will the Minister tell me what action her Department is taking to ensure that the GAA has the right facilities to safeguard

the longevity of the sport in an ever changing, modern society?

Ms Ní Chuilín: I thank the Member for his question. First, I do not think that anybody can actually say that I have not given the GAA, and particularly the Ulster Council, my full support, even in very difficult times. I have to say that the fact that some of the Member's colleagues stood on picket lines for people outside Casement Park opposing the redevelopment was very disappointing. Certainly, I will not be found wanting in giving the Ulster Council the fullest support in order to ensure that the GAA has fit-for-purpose facilities for the twenty-first century.

Mr Cochrane-Watson: Does the Minister not agree that the project assessment review is fatally flawed as it did not involve the Sports Grounds Safety Authority in a meaningful way about emergency exit planning for Casement Park?

Ms Ní Chuilín: I certainly do not agree that the PAR report is fatally flawed at all. What I would say is that all relevant bodies were part of the PAR team's consultation. The people responsible for emergency exiting need to bring forward emergency exit plans as part of the consultation. That certainly needs to happen as part of any new planning application. I imagine that ongoing work with the Sports Grounds Safety Authority and many other people will continue as an application is progressed.

Belfast Central Library: Refurbishment

3. **Mr G Kelly** asked the Minister of Culture, Arts and Leisure for an update on the refurbishment of Belfast central library, including any revised costs. (AQO 8796/11-16)

Ms Ní Chuilín: I thank the Member for his question. Senior officials in my Department recently approved an outline business case for the refurbishment of Belfast central library, subject to a number of final, technical issues that need to be addressed. The business case was prepared by Libraries and assesses the capacity of Belfast central library, in its current state, to provide efficient and effective services for the people of the local area, Belfast as a whole and the wider population. The business case also evaluates and costs options for the much-needed future development of the library.

The preparation of the business case and the process of approval have involved lengthy and detailed considerations in order to take account of the scale and complexity of the Belfast central library project. As part of that evaluation process, a casework committee, chaired by my permanent secretary, was established in July this year. It will review the documentation and look at the work on addressing issues arising from the final casework. My officials have just received a revised business case from Libraries and expect to complete their review of that within the coming days.

Mr G Kelly: Mo bhuíochas leis an Aire as a freagraí go dtí seo. I thank the Minister for her answers up to now. Can she give us any idea of whether there might be scope for sharing services with the local community and, indeed, the university, which is in the same area?

I understand that this is not just about built heritage and that there is a long history there. Its use by the community, once the work is done, is very important.

Ms Ní Chuilín: The short answer is yes. Belfast central library currently has a good working relationship with a lot of community groups. The library, and other libraries across the board, have exploited and have been encouraged to take every opportunity to have greater links with the community, particularly through the community and voluntary sector. It is a plus that Ulster University at York Road is expanding and that there will be an increase in students using that facility. I imagine that Belfast central library and the university will try to offer additional support for students. In the first instance, the work of the community and voluntary sector will continue, if not increase. I hope that the same will happen for the students of all ages using the university.

Mr A Maginness: I thank the Minister for her previous answer. Belfast central library is the jewel in the crown as far as libraries are concerned here in Northern Ireland. I support the Minister in her business case and the progress that has been made. Given the fact that the business case is now almost complete, when does she estimate that this project can get off the ground and when will we see completion?

Ms Ní Chuilín: We are at the end of the technical and bureaucratic processes. I am glad that I took my time over this programme because even the estimated savings in the revised business case and business plan look to be almost £7 million. This is looking at developing Belfast central library in its current footprint. The original estimates looked at maybe extending it. The work done has proven that not only can this be done in the library's current footprint, which is the preferred option for the library, but there will be a reduction on the original estimates. As my colleague Gerry Kelly and, indeed, Alban Maginness said, it is important that Belfast central library is redeveloped, because it is probably one of the biggest landscapes in the city and definitely needs some tender, loving care. It has a great future in the city of Belfast.

Mr Deputy Speaker (Mr Beggs): I ask all Members to make sure that they project their voices towards the microphones so that Hansard can pick them up.

Mr Hussey: Has the Minister considered refurbishing any other libraries in the Belfast area? I heard her briefly mention the business plan. Does that include other Belfast libraries?

Ms Ní Chuilín: This is just for Belfast central library. Other libraries have been refurbished in the Belfast area. The Member may be aware of one that was recently opened on the Lisburn Road. The Falls and Shankill libraries were refurbished, as was Whiterock library, and I know of other libraries that received small amounts of investment that have made a big difference to their users. They now have far more pleasant surroundings for people to visit. The introduction of free Wi-Fi has seen an increase in numbers. I encourage everyone, if they have not done so already, to sign up with their local library, because additional members help to sustain and maintain the libraries for the future.

Arm's-length Bodies: Remuneration

4. **Mrs D Kelly** asked the Minister of Culture, Arts and Leisure whether all membership positions on the boards of her Department's arm's-length bodies (ALBs) are remunerated. (AQO 8797/11-16)

Ms Ní Chuilín: I thank the Member for her question. The majority of positions on the boards of my Department's arm's-length bodies are not remunerated. However, travel and subsistence expenses are payable. Some positions are remunerated, including the chairs and vice-chairs of the boards of the Arts Council, Foras na Gaeilge, Libraries NI, Museums NI, NI Screen, Sport NI and the Ulster-Scots Agency and board member positions on the boards of Foras na Gaeilge, Libraries NI and the Ulster-Scots Agency.

Mrs D Kelly: I thank the Minister. I am sure that she will join me in paying tribute to the many men and women who give voluntarily of their time. Even if some of them are remunerated, quite often that does not recognise the amount of effort they put into the organisations. Will she update us on the issue of the position of chairperson of the board of Sport NI?

Ms Ní Chuilín: The chairperson of Sport NI did not resign. He is still in post and he is doing a wonderful job.

I fully agree with the Member's comments. Some of the expenses cover things like subsistence and travel. When it comes to chairs and vice-chairs, the additional responsibility that they have goes well above and beyond what many have signed up to. The chair of Sport NI is still there, as is the vice-chair, and both are doing an excellent job.

2.15 pm

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Can the Minister explain what steps her Department is taking to improve the diversity of the boards of ALBs?

Ms Ní Chuilín: The question of diversity keeps coming up, and I want to put on record my commitment to ensuring that we not only maintain but increase diversity on boards of public bodies. I can speak only for my Department, but having looked at its representation of women, people with disabilities and people from ethnic minorities, I have gone some way to ensuring that as many people from as many backgrounds as possible can apply.

The Member will be glad to hear that Departments are working together on that issue to ensure that there is a more effective approach taken. Some of the DCAL competitions have included contact with representative bodies such as Disability Action, NICVA, the Rural Community Network and Women in Business to ensure that we have greater diversity of people on our boards.

Team GB: Northern Ireland Athletes

5. **Mr Allister** asked the Minister of Culture, Arts and Leisure what further engagement she has had with Sport NI to enable Northern Ireland athletes to compete for Team GB. (AQO 8798/11-16)

Ms Ní Chuilín: I thank the Member for his question. Athletes from the North of Ireland are already able to compete for Team GB in a range of sports, such as rowing, athletics and cycling. Responsibility for selecting athletes to compete at international competitions, including for Team GB at the Olympic and Paralympic Games and the Commonwealth Games, rests with sports governing bodies and with the council responsible for sending a local team to competitions, such as the Olympic Committee, the Paralympic Committee and the Commonwealth Games Council.

The recognition of sport governing bodies is a matter for the sport itself and for Sport NI, which operates a joint policy on governing body recognition with the sports councils in England, Scotland and Wales. The aim of the recognition process is to identify a single lead governing body structure that governs a sport in, for example, England, Scotland or Wales, or, in the case of the North, in Ulster or across the island of Ireland. The policy is aligned to international best practice and was designed to help promote good relations in sport and foster social inclusion.

Mr Allister: I note that, not for the first time, the Minister dodges the question. She refers to, for example, rowers being able to compete for Team GB, but that is only if they be affiliated and live and operate on the UK mainland. If they want to compete as an athlete from here, the Minister continues to barricade their route, and there is no pathway —

Mr Deputy Speaker (Mr Beggs): Will the Member ask his question, please?

Mr Allister: — for them to compete for Team GB if they want to be affiliated —

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

Mr Allister: — and operate here. Will the Minister not address that inequity and allow those athletes to express their Britishness, which they are supposed to be able to do?

Ms Ní Chuilín: Under the terms of the Good Friday Agreement, anyone can identify himself or herself as either Irish or British. As I said in the primary answer, it is a matter for the governing body. I have repeated that to the Member, so I know that he understands the question but just does not like the answer.

I have made it easier for people to compete. I have supported athletes regardless of what identity they choose. Regardless of the team that they want to compete for, they have been given my full support. I encourage the Member to get behind the athletes and stop this ridiculous nonsense of sectarianising sport and bringing in issues that —

Mr Allister: You are the one sectarianising it.

Mr Deputy Speaker (Mr Beggs): Order.

Ms Ní Chuilín: — do not involve what athletes need to do.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an cheist a fhreagairt. Tá ceist agam: an aontaíonn an tAire liomsa gur chóir go mbeadh sé faoi na forais atá ina ngobharnóirí ar na spóirt seo cinneadh a dhéanamh faoi cad é mar a ba chóir dóibh iad féin a eagrú agus gan an Rialtas a bheith ag cur isteach ar an cheart sin?

Does the Minister agree with me that it is the right of the governing bodies of sports to decide how they should best organise themselves and that it is not the role of the Government to interfere in that organisation?

Ms Ní Chuilín: Aontaím leat go hiomlán. I completely agree with you. I know that the Member heard the response that I gave to Mr Allister. I have continually repeated the case that the responsibility rests with the governing body. As political representatives and certainly as governments, we should not be involved in creating impediments or barriers to prevent athletes from

competing for whatever team they wish. In fact, it is our duty to support athletes regardless of what team or what nationality they wish to compete for.

T:BUC: Rural Areas

6. **Ms McGahan** asked the Minister of Culture, Arts and Leisure whether she has any plans to develop a programme for Together: Building a United Community in rural areas. (AQO 8799/11-16)

Ms Ní Chuilín: I thank the Member for her question. My Department leads on one of the seven headline actions from across the Executive's Together: Building a United Community strategy, namely the development of a cross-community youth sports programme. The principal focus of the sports programme is to enhance good relations through the transformative power of sport and creative activity. In line with T:BUC, the sports programme will need to have a rural dimension. This recognises not only that interfaces are physical barriers but that they can lead to less visible social, economic and cultural barriers that impact on rural communities. If the cross-community youth sports programme is to be successful, it must look at improving good relations, and it must take into account the particular challenges faced by rural communities. It is my intention to run a pilot programme in a rural area very soon. I will set out where this pilot will take place, and I will do so in the coming weeks.

Ms McGahan: Go raibh maith agat. I thank the Minister for her response. Does the Minister envisage any potential to include cycling as part of the T:BUC sports programme in a rural area?

Ms Ní Chuilín: Cycling is one of the sports that have been used as an example. There were events in Dunloy and other parts, and we only had to look at the spectacle of the Giro d'Italia to see that there is a big interest in cycling. I know that some of the sports clubs have very strong cross-community participation, and the work that those clubs do across the board, including cycling, helps children and young people, in particular, in areas that face challenges and where those children and young people face certain ongoing difficulties. I certainly see cycling as one of the sports that could be used as part of the pilot scheme to introduce T:BUC into a rural community.

Mr Somerville: Is the Minister aware of Clogher Valley Rugby Football Club and the fantastic work that it does to promote community relations? I declare an interest as a member of the club. What financial assistance is available to all sporting clubs in our constituency to help to build a united community?

Ms Ní Chuilín: Clogher Valley rugby club and many others will be aware of the recent strand one of the Sport NI capital investment programme, albeit that it closed in July. As well as that, there are sports lottery programmes and small-to-medium-sized grants. There are opportunities through Sport NI's capital investment programme for your club and many other clubs, particularly in rural communities. In my opinion, the work of the new councils in conjunction with Sport NI has, thus far, helped to bring more information and maybe better collaboration with some of the clubs to try to get an investment that they all can share.

Mr Dallat: Given that we are still a long way from the ultimate goal of being a united community, I would welcome the Minister outlining the benefits of the Together: Building a United Community programme.

Ms Ní Chuilín: I am happy to do that. The Member will know from his constituency of the facility in Coleraine that we invested in. That is an example of groups, areas and councils coming together on the principles of T:BUC well before the funding investment hit the ground. It is certainly welcome.

A pilot scheme is running between two deprived areas in west Belfast and south Belfast. I knew, even before the evaluation report was completed, that that was a success. I met some of the children and young people, their youth leaders and their parents, all of whom said not only that this work needs to be continued but that investment in it needs to be increased. We look after children and keep them safe, but, when we keep them fit, healthy and well, we invest in the future of those kids and those communities.

Sport NI: Board Members

7. **Mr Dickson** asked the Minister of Culture, Arts and Leisure for an update on the appointment of new members to the board of Sport NI. (AQO 8800/11-16)

Ms Ní Chuilín: I thank the Member for his question. As the Member is aware, nine members of the board of Sport NI resigned in July. I have commissioned an open competition to appoint up to five new members to the board. It was advertised in the local press on 10 and 11 September with a closing date of 5 October. The competition is being taken forward in accordance with the Commissioner for Public Appointments' 'Code of Practice for Ministerial Public Appointments'. I expect the new appointments to be made in December. I have acted to ensure that the board continues to operate effectively in the meantime. I can confirm that, following a circular that I sent seeking volunteers throughout the Civil Service, three civil servants have been co-opted to provide advice and support to the remaining board members. The volunteers will also provide additional support by sitting on a number of committees, including the audit and risk management committee. This is an interim measure, and the co-opted senior civil servants are not board members and do not have full voting rights.

Mr Dickson: Thank you, Minister, for that answer. Minister, to lose part of a board might be described as unfortunate; to lose it again would be a disaster. What steps are you taking to ensure that the new board that you appoint does not resign again?

Ms Ní Chuilín: I am still at a loss as to why the nine members resigned. I offered to meet them to ascertain their reasons: one of them accepted that offer. I have spoken to others who have spoken to others who have spoken to others, but, rather than relying on fifth- and sixth-hand information, I think the point is that, when I was presented with the problem and challenge, I acted immediately. The co-option of members of the Senior Civil Service onto the board is an interim measure. In fairness to the five remaining members, they need support from us all. I thank the members who came forward. These temporary measures will be in place only until the remaining appointments are made. I hope that we will then go through exercises, information, discussions and

meetings to ensure that people not only feel supported but understand their role. I am really encouraged by the response and the interest that there was. People still feel very loyal to Sport NI and, indeed, sport.

Mr Allister: Could the Minister update us on the position of chief executive of Sport NI? There is presently an acting chief executive. Is that situation to continue, or is there a recruitment process? Are there outstanding matters to be attended to in respect of the former chief executive?

Ms Ní Chuilín: The Member will be aware that it is inappropriate to comment on the chief executive because the grievance process is still ongoing. The interim chief executive will be there until the grievance procedure has been completed. I hope that we can move forward once that has been completed. However, I have acted very decisively to ensure that, in the interim, there is leadership given at Sport NI at an executive level.

First World War: Centenary Events

8. **Mr Hussey** asked the Minister of Culture, Arts and Leisure for an update on the support given by her Department for First World War centenary events. (AQO 8801/11-16)

Ms Ní Chuilín: In 2013-14, my Department provided £50,000 of funding to the Nerve Centre to develop the Creative Centenaries online platform, which provides a suite of online resources relating to the decade of centenaries. This was followed by a further £50,000 in 2014-15. I was pleased to provide Museums with funding of £127,000 to open a new modern history gallery that addresses the decade of centenaries, including the First World War. It opened to the public in November of last year. My Department also provided Museums with £50,000 for its programme to develop digital resources exploring the decade of centenaries.

For the period 2013-15, the Arts Council has provided grants of over £33,000 to organisations, including £6,000 to the Somme Association for reflections to the Irish soldier on the Somme; £20,000 to the DU Dance and Alternative Energies First World War project; and over £7,500 to Rathcoole Friends of the Somme.

My Department is also providing £30,000 in this financial year in the run-up to the anniversary of the battle of the Somme to support the Somme Heritage Centre in delivering its plans.

Mr Deputy Speaker (Mr Beggs): The time for listed questions is up. We now move on to topical questions.

2.30 pm

Easter Rising Centenary: DCAL Funding

T1. **Mrs D Kelly** asked the Minister of Culture, Arts and Leisure what budget her Department has set aside to celebrate the centenary of the Easter rising next year. (AQT 2941/11-16)

Ms Ní Chuilín: I anticipate that the budgets will be equal. In addition, I am happy to say that other members of the DCAL family, including Libraries and PRONI, have been very proactive in all the work for the decade of centenaries. I anticipate that that same energy and commitment will be given to the commemoration of the 1916 rising.

Mrs D Kelly: Minister, will you outline whether you have had any further discussions with the Irish Government about cross-border cooperation in the centenary celebrations?

Ms Ní Chuilín: I certainly have. The famine commemoration last week was done very sensitively. It was organised by the National Famine Commemoration Committee. I give credit to Newry and Mourne council for its participation and commitment. I envisage that the same commitment will be given not only to the 1916 Easter rising but to all commemorations thereafter.

Rugby World Cup 2023

T2. **Mrs Cochrane** asked the Minister of Culture, Arts and Leisure whether she agrees that having a competition such as the Rugby World Cup so close to home increases the interest in the sport and whether she is supportive of ensuring that the Casement Park development progresses in a timely manner so as to be included as a venue in the 2023 Rugby World Cup bid, given that many of us across the Chamber have been following Ireland's success in the ongoing Rugby World Cup. (AQT 2942/11-16)

Ms Ní Chuilín: Certainly. The Rugby World Cup 2023 bid has been the focus of a lot of attention. It is important that Casement Park is redeveloped for that. We have been in discussions with Irish Rugby and the Ulster Council of the GAA, along with colleagues in DETI and many others. So, we are committed to ensuring that not only is the stadia programme delivered but that all opportunities, not just for sport but tourism, are exploited around the 2023 bid.

Mrs Cochrane: I thank the Minister for her answer. Given what she said and the level of public funding that has been allocated to redevelop the three major stadia, I have today launched a consultation on a proposal to allow the three stadia to apply for a liquor licence. Does the Minister agree that we should do all that we can to ensure that the stadia can maximise their potential?

Ms Ní Chuilín: I absolutely agree. We need to not only look at the physical redevelopment of the stadia but at rates, particularly for Ulster Rugby, which was hit very hard with rates. That does not stack up against the original outline that we had in the business cases, but it is something that we are looking at. We are looking at every opportunity to try not only to generate income, which will lessen the demand on the public purse, but to look at providing social opportunities for people when they attend sporting events and other opportunities.

Northern Ireland Events Company: Audit Office Report

T3. **Mr Cree** asked the Minister of Culture, Arts and Leisure to explain why the Northern Ireland Audit Office took five and a half years to report on the failure of the Northern Ireland Events Company. (AQT 2943/11-16)

Ms Ní Chuilín: The short answer is that I have absolutely no idea. That was not committed on my watch. I have had absolutely nothing to do with the report because it was transferred over to DETI due to some of the issues that have been highlighted in the report. Had it been under my watch and on my desk, it would not have taken that long.

Mr Cree: I thank the Minister for her answer. I wonder what lessons have been learned from this calamity. What steps have been taken to ensure that it cannot happen again?

Ms Ní Chuilín: First of all, the Member will be aware that events have now been transferred over to DETI. I am not dodging the question, but it is more appropriate to DETI. Dolores Kelly raised the question of public scrutiny. It is about who you appoint to the board. Be clear about the roles and responsibilities that you are asking people to do. It is about proper scrutiny from Departments on the boards to ensure that the correct information, particularly for accounting officers, is adhered to, and, where there are gaps and weaknesses, that they are met by the Department. I have to say that the report is shameful reading. Anybody who was involved in that and anybody who is on a public board or body linked to a Department will, I am sure, have the report on their desk. There are lessons to be learned for everybody in it.

Mr Deputy Speaker (Mr Beggs): Conor Murphy has withdrawn his name from the list.

Foyle Valley Gateway Master Plan

T5. **Mr McCartney** asked the Minister of Culture, Arts and Leisure for an update on the investment that her Department has given to the Foyle valley gateway master plan, given that she will be aware of the interest in Derry in the development of the Brandywell Stadium, which is central to the gateway project, with an advance in that process this week through a letter of offer from the social investment fund, alongside the money provided by Derry City and Strabane District Council. (AQT 2945/11-16)

Ms Ní Chuilín: In fairness to Derry City, I think that people in the New Lodge are aware that the Brandywell is getting money, so fair play to you for that. As the Member is aware, my contribution to the Foyle valley gateway master plan is that I am working very closely with Derry City and Strabane District Council. We are finalising the business case so that it can go forward for funding. I anticipate that those final bits of work will be done very soon, and, hopefully, we will be able to progress the project from there.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. She has given an indication of the work that she has done on the Foyle valley gateway master plan and the number of interest groups involved in that. Will she accept an invitation to come to Derry and meet the groups and, if they develop the stadium, perhaps the football club?

Ms Ní Chuilín: Yes and yes. I am happy to accept. Glacaim leis an chuireadh. Thank you very much for the invitation.

Mr Deputy Speaker (Mr Beggs): Pat Sheehan has withdrawn his name from the list to ask topical questions.

Sport NI Capital Programme: Update

T7. **Mr Lynch** asked the Minister of Culture, Arts and Leisure for an update on the Sport NI capital programme. (AQT 2947/11-16)

Ms Ní Chuilín: As I said earlier in answer to a similar question, the first strand closed in July. I expect that, by the end of this month, the review and evaluation of those

application forms will be completed, so people should know the status of their application by then.

Mr Lynch: Gabhaim buíochas leis an Aire as an fhreagra sin. Minister, in recent times, I have met a number of GAA clubs in County Fermanagh that expressed an interest in this programme. Will Sport NI occasionally give updates to ensure that people are informed? Go raibh maith agat.

Ms Ní Chuilín: In fairness to the Member, that is one of the concerns that I picked up along the way. However, in fairness to Sport NI, it indicated recently to groups that asked questions and raised concerns that it intends to make decisions very soon on applications for which the closing date was July this year. I expect that they will be known by the end of this month.

June Monitoring Round: DCAL Bid

T8. **Mr Gardiner** asked the Minister of Culture, Arts and Leisure for an update on her bid in the June monitoring round for capital and resource. (AQT 2948/11-16)

Ms Ní Chuilín: The Member will be aware that the June monitoring round still has not been agreed.

Mr Gardiner: I will fill you in on this one anyway. Given the delay in deciding the June monitoring round, how does the Minister intend to prioritise her spending for the rest of the year?

Ms Ní Chuilín: I do not need the Member to fill me in on that. I am more than aware of my Department's budgets, challenges and constraints. Along with my executive team in DCAL, I am working through our budgets and re-profiling them. I hope that, when the Executive next meet, we can sort out the money difficulties that all Departments face.

Mr Deputy Speaker (Mr Beggs): Fra McCann is not in his place.

Windsor Park: Update

T10. **Mr McKinney** asked the Minister of Culture, Arts and Leisure what assurances she can give the House that the work scheduled at Windsor Park will be completed sufficiently for the fans, given that he is sure that she has her scarf and rattle bought for the Euro qualifier on Thursday. (AQT 2950/11-16)

Ms Ní Chuilín: Windsor Park is in the Member's constituency, and I am sure that he can confirm that the redevelopment of Windsor Park has happened and that it is going very well. Fans, even when they went to the games in June, were pleased that their journey to and from Windsor Park was not that much impeded, as expected; traffic flowed well, and there were no incidents to report. I am very pleased with the process and with the speed at which the redevelopment of Windsor is happening.

Mr McKinney: It is great to have ambition at the heart of these things, and, clearly, when people see a project nearing completion, or being completed, they expect more. The access issue that you raised is important. Are there any further discussions about how access in and around the city for Windsor Park will be catered for?

Ms Ní Chuilín: I know that the IFA works very closely with the PSNI, and not just on traffic management; it also works very closely with the Ambulance Service and with the Fire and Rescue Service, as well, in conjunction with Belfast

City Council, which, at the end of the day, is the statutory authority for safety certificates. All of that is based on traffic management plans. The safety certificate is not just about the capacity at games; it is all about how people get to and go from games. I am content with the arrangements that they have made thus far, and, in fairness, they are always looking for ways to improve them. If there are hiccups going to or from a game, they very quickly learn the lessons for the next opportunity. I think that residents have appreciated that quick response.

Mr Deputy Speaker (Mr Beggs): That is the end of topical questions to the Minister. As the next period of questions does not begin until 2.45 pm, I suggest that the House take its ease until then.

2.45 pm

Education

Mr Deputy Speaker (Mr Beggs): Question No 12 has been withdrawn.

Schools: Fair Employment

1. **Mr Cree** asked the Minister of Education for his assessment of fair employment in schools. (AQO 8807/11-16)

Mr O'Dowd (The Minister of Education): The Department of Education does not employ staff in schools. I am aware that the Education Authority has developed guidance regarding the selection and recruitment of teaching and non-teaching staff in controlled schools and for non-teaching staff in Catholic-maintained schools. The purpose of that guidance is to ensure compliance with the legislative framework regarding fair employment. Similarly, the Council for Catholic Maintained Schools (CCMS) has a recruitment and selection scheme in place for operation in Catholic-maintained schools for teaching staff.

I welcome the approach that the employing authorities are taking to ensure compliance and consistency in fair employment. In voluntary grammar, grant-maintained, integrated and Irish-medium schools, where they are employers in their own right, each board of governors is responsible for implementing and adhering to the legislative framework for fair employment.

Mr Cree: I thank the Minister for that short response. He knows that this matter has been going on for some time. In fact, on 25 May 2015, Minister, you told me:

"I have not written to OFMDFM on this matter",

although you had already agreed that, in fact, the fair employment issue was one for OFMDFM, and I agree with you there. However, in April, you told my colleague, Mrs Overend, here beside me, that you had written to OFMDFM on the matter.

Mr Deputy Speaker (Mr Beggs): Could the Member come to his question?

Mr Cree: Will you please clarify whether you are for it or against it?

Mr O'Dowd: Every Question Time since April is like Groundhog Day. This error of mine haunts me at every Question Time. The Member knows my position fine

well because, following that Question Time, I made sure that every Member of the Assembly was provided with clarification around the error I made in my initial response. The Member is fully aware of my position on the issue and I have no doubt that the rest of the House is fully aware as well.

Ms Maeve McLaughlin: Go raibh maith agat. I thank the Minister for the detail in his answer. What specific role does he have in ensuring that schools adhere to employment legislation?

Mr O'Dowd: As I pointed out in my answer to Mr Cree, we have various employing authorities for schools, whether it is the Education Authority, the CCMS, voluntary grammars, voluntary maintained or the Irish-medium sector etc. I have an accountability mechanism, in that I am accountable to the Assembly on behalf of the education system and budget, and I certainly take that role very seriously. However, fair employment legislation is the responsibility of OFMDFM. In monitoring the accountability mechanisms in our education system, I answer to the Assembly, the Education Committee and others, but, legislatively, fair employment falls under OFMDFM.

Mr Rogers: I thank the Minister for his response thus far. What steps are being taken by the Department to ensure that all students and teachers have greater access to the certificate in religious education?

Mr O'Dowd: Steps have been taken over the last number of years to ensure that students have access to the certificate. We have access courses through St Mary's and distance learning through the University of Glasgow. Measures are also being taken in relation to Stranmillis as well. We are trying to ensure that the religious certificate is accessible to all teachers, regardless of their background.

Mr Allister: Would it not be better, Minister, to go a step beyond accessibility and ensure that the certificate in Catholic religious education was removed from being applicable to non-religious subjects? There is no Catholic mathematics or Catholic geography. Why do we need a Catholic certificate in education to teach those subjects?

Mr O'Dowd: It is not in breach of equality or fair employment legislation, and we have been advised of that on several occasions. If the Member wishes to raise those concerns with OFMDFM, then he is perfectly entitled to do so.

Capital Build: South Tyrone

2. **Ms McGahan** asked the Minister of Education for an update on capital build projects in south Tyrone, including St Patrick's Academy, Edendork Primary School and the shared education campus in Moy. (AQO 8808/11-16)

Mr O'Dowd: I was delighted to announce a number of major works capital build projects in the Fermanagh and South Tyrone constituency. The new build project for Enniskillen Model, at an approved cost of £6 million, requires an addendum to the business case owing to design issues. St Patrick's Academy in Dungannon, with an approved business case for £28.7 million, is anticipated to go to on-site this financial year. The Devenish College project has an approved business case for £23.2 million, and the design team appointment is under way. The Portora Royal/Collegiate Grammar business case is currently being prepared, and the business case for Edendork Primary School is anticipated to be approved in this financial year.

There are also a number of school enhancement projects (SEPs) in the constituency area, valued at over £14 million. Those include schemes for Erne Integrated College and Willowbridge Special School in Enniskillen that are on-site and progressing well. A second project for Erne Integrated College is shovel-ready but is being held owing to budget constraints. Projects for Mount Lourdes Grammar and St Michael's College in Enniskillen are currently at the design stage.

Those major works and SEPs represent a significant investment in the constituency, and not only in economic terms, as they will benefit the children and the community in the area. All projects that are not contractually committed to will be subject to funding being available.

The Moy shared education campus for St John's Primary School in Moy and for Moy Regional Primary School is at the business case stage. If approved, the project will be released to construction procurement, subject to funding being available.

Ms McGahan: Go raibh maith agat, a LeasCheann Comhairle. I thank the Minister for his reply. It most definitely is a good-news story for Fermanagh and South Tyrone. How many school enhancement programmes has he been able to release for construction so far?

Mr O'Dowd: In October 2013, I announced the school enhancement projects. The latest position on SEPs is that 40 projects have now had their final design approved, 34 have been released to construction and six are being held owing to budget constraints. Over the past number of months, I have been able to release more projects, of which 22 are on-site, with a further six expected to go on-site by the end of the year. At the start of September, I released a further six projects to move towards construction stage owing to slippages and other capital projects. If I am able to secure funding either internally in the Department from capital or externally, I will move forward the other SEPs as well.

Mr Somerville: The Minister may have already touched on this. Does he not find it ridiculous that the shared education projects, such as the one in the Moy, have been put on hold because of issues that have nothing to do with shared education? Does the Minister know when that will be sorted out?

Mr O'Dowd: I suspect that the Member is referring to levels of progression, and he is correct in one sense. We are not measuring shared education through levels of progression; we are measuring educational attainment through levels of progression across our shared education funding initiatives. They are voluntary, so it is up to schools whether they apply to the scheme. There is £25 million of funds available from the Department, OFMDFM and Atlantic Philanthropies.

It is only right and proper that we measure the educational attainment of our young people through those schemes, as we would through any other scheme. At the very centre of levels of profession is the professional judgement of the teacher. That is at the very centre of it. We are relying on and supporting the professional judgement of teachers to set the progression levels of their pupils. How will we moderate that? We will moderate it through bringing together teachers in a cluster and asking them to moderate the scores that have been given in a number of schools around their area. Over time, that will allow teachers to reach a professional judgement on where a one, two,

three, four or five should be graded in the system. That is right and proper.

I know that trade unions have concerns around a range of areas. I am prepared to look at the workload, and I am prepared to look at when, how and for what purposes reporting mechanisms are reported back to my Department or the Council for the Curriculum, Examinations and Assessment. I think that the outstanding issues can be resolved. Indeed, I am meeting the unions immediately after Question Time to discuss levels of progression again and how we resolve the issues. I think that, with a fair wind and an open mind, we will be able to resolve the issues around levels of progression and that all those schools out there that wish to partake in shared education projects will be able to do so.

Mrs Overend: On that point, does the Minister recognise the inequality in the decision to force those schools that want to carry out a shared education project to provide those statistics, when all the other schools are not forced to do that?

Mr O'Dowd: There are many inequalities in our education system, again highlighted by the Equality Commission's report this morning and how we work out those inequalities to ensure that every young person has an equal opportunity in education, but I do not recognise inequalities in ensuring that a school that wishes to enter a shared education project can do so. It is not being forced. Statutory levels of progression. Statutory assessment. The Education Committee and the Assembly have passed regulations that mean that I, as Minister, have to use statutory assessment. I have no choice in that matter. Statutory assessment is exactly what it says on the tin — statutory assessment. It is not only shared education projects that are required to return levels of progression. All schools, under the law, are required to return levels of progression. There is a union dispute over that. As I said to your colleague, I believe that, with an open mind on both sides, we can resolve the issue and resolve it quite quickly.

Special Educational Needs: Irish-medium Sector

3. **Mr D Bradley** asked the Minister of Education what steps are being taken by the Education Authority (EA) to ensure that children with special educational needs in the Irish-medium sector receive the same level of support as similar pupils in other schools. (AQO 8809/11-16)

Mr O'Dowd: Special educational needs provision is matched to the individual needs of the child regardless of school sector. The process is child-centred to ensure that children from all sectors, including Irish-medium, have access to an appropriate education that supports them to achieve their personal potential in terms of age and ability, aptitude and any special educational needs that they may have.

My Department has provided additional funding of £525,000 to enable the Education Authority to deliver work on strengthening special educational needs identification, assessment and provision in Irish-medium schools, including capacity-building projects, sharing best practice and the provision of SEN support tailored to Irish-medium settings. The EA worked with the Irish-medium regional special educational needs coordinator (SENCO) steering group in the planning and delivery of those support packages. Importantly, there is evidence from school

inspections that those interventions have led to notable improvements in SEN provision in the Irish-medium sector, including an increased awareness around SEN issues, enhanced knowledge among practitioners and SENCOs and improved outcomes for pupils.

As part of the review of SEN and inclusion, further capacity-building work has been funded and undertaken to support SEN in the Irish-medium sector, including an Irish-medium education early years SEN conference, the provision of SEN resource files and an early years handbook tailored for the Irish-medium sector, which was developed by the Irish-medium practitioners, with input and advice from the Education and Training Inspectorate.

Both the Education Authority and my Department remain committed to working with the Irish-medium sector to ensure a standard of special educational needs provision that enables every young person to fulfil their potential at every stage of their development.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. Gabhaimse buíochas leis an Aire as ucht a fhreagra. Is í an cheist a ba mhaith liom cur ar an Aire: cad é mar is féidir leis a dhéanamh cinnte de go mbeidh ábaltacht agus tuiscint ar an Ghaeilge ag na speisialtóirí seo, mar shampla ag na síceolaithe oideachasúla? I thank the Minister for his answer. How can he help to ensure that those specialists, like educational psychologists, have a good understanding of the Irish language, which will enable them to carry out the work within the Irish-medium sector with a much greater degree of competence?

Mr O'Dowd: I think that the Member will agree that I have read out quite a comprehensive list of interventions and support that have been provided to the Irish-medium sector over the last number of years, and it is beginning to pay dividends, but there is still work to do. There are still objectives to be achieved. We are building a sector, and the support mechanisms around that, with the provision of specialists with proficient Irish language, is a goal that we have to achieve, but it will be achieved over a number of years. At this stage, we have achieved a lot, but I accept the Member's comments. We still have a lot of work to do, particularly in terms of professionals working in the sector who are proficient in the Irish language to engage with pupils, parents and teachers.

3.00 pm

Ms McCorley: Go raibh maith agat, a LeasCheann Comhairle. An dtig liom a fhiafraí den Aire an gcuirfear soláthar Gaeloideachais san áireamh san athbheithniú reatha ar ionaid tacaíochta foghlama atá idir lámha ag an Údarás Oideachais? I thank the Minister for his answers thus far. Will Irish-medium provision be taken into consideration in the current review of learning support centres being carried out by the Education Authority?

Mr Deputy Speaker (Mr Beggs): I remind Members that they should not be reading their questions.

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta. Yes is the simple answer to that. Any element of our education system that is under review or development or is being delivered has to take into account our duties around the Irish-medium and integrated sectors. So, yes, that provision will be taken into account.

Preschool Provision: South Belfast

4. **Mr McGimpsey** asked the Minister of Education for his assessment of preschool provision in South Belfast. (AQO 8810/11-16)

Mr O'Dowd: The Education Authority is responsible for ensuring that there is adequate preschool provision available to meet the Programme for Government commitment. For September 2015 admissions, additional places were allocated to existing providers, and four new non-statutory providers were brought into the preschool education programme to meet demand in the BT9, BT10 and BT12 areas of South Belfast. An additional 36 places were approved under temporary flexibility arrangements for eight statutory nursery settings in the constituency.

At the end of stage 2 of the admissions process, 11 children whose parents engaged with the process from the beginning were unplaced in South Belfast. The EA has advised me that the additional places allocated for September 2015 were sufficient to meet the demand for unplaced children in South Belfast should parents have wished to avail themselves of them. There are still unfilled places in the BT8, BT9, BT10 and BT12 areas. The EA has advised that it anticipates that demand for places in South Belfast will decrease in 2016 but that it will keep that under review. I will continue to support the EA to ensure that sufficient preschool places are available across all areas for September 2016 admissions.

Mr McGimpsey: I refer to the Minister's answer. The fact was that there was a major issue about places. The Belfast Education and Library Board certainly stepped forward to solve that, but it did that via the provision of part-time places. Does the Minister agree that it is better to have full-time rather than part-time places and that children are suffering? We only have to look at the report that was published this week about the plight of Protestant working-class boys, educational underachievement —

Mr Deputy Speaker (Mr Beggs): The Member has asked his question.

Mr McGimpsey: — and ethnic minorities.

Mr O'Dowd: It is not accurate to say that children are suffering because they have a part-time placement instead of a full-time placement. The last piece of research on which the Department makes its decisions shows that there is little, if any, difference in child development between full-time and part-time placement for a child at the relevant age.

In the ideal world, I would like to provide every child with a full-time place. The socio-economic benefits to wider society and the child can be measured. However, in the current budgetary climate, it is simply impossible to provide not only the places but the infrastructure to ensure that you have full-time provision in every setting. Many settings run two part-time sittings in the one day. I am satisfied that the preschool education programme is meeting, and, at times, exceeding, its potential. In South Belfast, we have well met our Programme for Government targets.

Mr Ó Muilleoir: Mo bhuíochas, a LeasCheann Comhairle. Over the summer, education officials worked with me, representative McGimpsey and others around the issue of preschool places. At the end of the process, how many preschool places were left unfilled in South Belfast?

Mr O'Dowd: My understanding of the current situation in South Belfast is that there are 54 unfilled places. Those are places that remain vacant and could be filled if the demand were there.

GCSE Grading

5. **Mr McKinney** asked the Minister of Education what steps his Department is taking to ensure the local GCSE grading system remains compatible with the new numerical grading system being introduced in England. (AQO 8811/11-16)

Mr O'Dowd: The changes to GCSE grading to a 9-to-1 grading system apply to qualifications developed in England. Education is a devolved matter, and it is for me to decide whether there is merit in the Council for the Curriculum, Examinations and Assessment adopting a 9-to-1 grading system here or whether it should retain the existing system. My Department held a consultation on the issue. In reaching my decision, I will take into account the responses that have been received from a range of stakeholders, including young people, parents, teachers, schools, principals, universities and trade unions. My decision will be based on what I consider to be in the best interests of our young people.

It is, of course, important that any decision that is taken ensures that qualifications that are offered here are relevant and appropriate for our young people and our economy. It is also vital that qualifications offered here continue to be recognised by universities and employers across the island and beyond. That is why I will seek to ensure that our qualifications retain the currency and portability that they have long enjoyed.

Mr McKinney: There is no direct equivalence between the A* grade at GCSE and grade 10 in the English model. How will the Department ensure that children from here who are applying for, for example, high-demand courses like veterinary science in England will not be penalised?

Mr O'Dowd: You could argue that there is no direct equivalence between the Scottish qualifications and the grade 9 or grade 1 qualification in England. You could argue that the Welsh, who are going down to the route of retaining grades from A* through B, C, D etc, have overcome that obstacle. You could argue that there is no direct equivalence between exams that are set in Singapore, Germany or Austria. But, do you know what? Universities and employers manage their way through all these things. We should not become fixated on the idea that it is beyond the realms of possibility to provide equivalence between the current range of marks that we use here and the changes that have been devised in England.

Remember that it is a devolved issue. The then Secretary of State Michael Gove and his successor made decisions on what they believe is best for their education system. I will make decisions that I believe are best for our education system and ensure that there is continued portability with our exams. We should not allow any devolved institution, or Westminster, to set our education policy. We most certainly should not allow the examinations bodies, many of which are private consortiums, to set our education policy either.

Mrs Overend: Will the Minister inform the House about the true extent of the consultation on this issue and whether

the response was reflective of the Northern Ireland population? Primarily, did he seek responses from the higher and further education sectors and businesses that will actually use these grades to assess students' ability to get into universities and further education and as a basis of their employability skills? Will he undertake to remedy this situation?

Mr O'Dowd: It appears that you have answered your own question, because you believe that the consultation was not correct. You have not provided me with any evidence in your question —

Mrs Overend: I asked you a question, Minister.

Mr Deputy Speaker (Mr Beggs): Order.

Mr O'Dowd: You have not provided me with any evidence in your question or your statement that the consultation was flawed. I do not believe that it was flawed. It was open to the public to respond to, regardless of who they were or what sector they were from. The responses have been quite healthy and informed and have shown that there is significant interest in the issue. It shows the challenges that there are in making a decision on this matter but, thankfully, it also shows the huge interest that remains out there in our education system.

St Bernard's Primary School, Newtownabbey

6. **Mr G Kelly** asked the Minister of Education to detail the school enhancement programme (SEP) for St Bernard's Primary School, Newtownabbey. (AQO 8812/11-16)

Mr O'Dowd: I have committed almost £1 million to the SEP at St Bernard's Primary School. That will provide additional accommodation to include five new classrooms, as well as the refurbishment of existing buildings. This investment reflects the significant accommodation shortfall at St Bernard's Primary School and the limitations of the existing school layout. It is expected that the works contractor will be on site in early 2016, with an anticipated construction programme of 12 months. I am therefore hopeful that the school will be enjoying the benefits of its extension and refurbishment by Christmas 2016 or early 2017.

Mr G Kelly: Gabhaim buíochas leis an Aire as a fhreagra go dtí seo. I thank the Minister for his answers up to now and for the investment in St Bernard's. The money will be used for five new classrooms and to renovate and remodel seven other existing rooms. That shows that there is a growing population in the area.

Mr Deputy Speaker (Mr Beggs): Is there a question, please?

Mr G Kelly: I am coming to it. Will the Minister give us details of other recent minor works projects that have been completed?

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as an cheist. I thank the Member for his question and comments. In general, the school enhancement programme has been a significant step forward in how we invest in our schools. A relatively small amount of capital — around £1 million will be spent next year — will transform that school, whereas, in the past, the only choice was a complete rebuild. Now, here we are: £1 million is being reinvested in the school and in ensuring that it is future-proofed for generations of young people in the area. We have also spent a significant amount on minor works at that facility:

around £350,000 has been spent on disability adaptation, outdoor play areas, traffic management etc. All of those have been in the mix over the last number of years, during which St Bernard's has received quite significant investment. I wish it well for the future.

Schools: Anti-sectarianism Programmes

7. **Ms Boyle** asked the Minister of Education to detail what programmes are in place to promote anti-sectarianism in primary and post-primary schools. (AQO 8813/11-16)

Mr O'Dowd: The Education (Curriculum Minimum Content) Order 2007 provides opportunities to address anti-sectarianism in primary and post-primary schools. That is done largely through personal development and mutual understanding at primary level and through local and global citizenship at post-primary levels. At post-primary level, opportunities are also provided in other subjects through developing pupils as contributors to society. It is for schools to determine which programmes and resources best meet the particular needs of their pupils.

My community relations, equality and diversity policy underpins and supports the curriculum requirement by educating young people on developing self-respect and respect for others. It also promotes equality and works to eliminate discrimination. My shared education policy will also provide opportunities for pupils to learn about each other from each other and contribute to learning on anti-sectarianism.

Ms Boyle: Go raibh maith agat. I thank the Minister for his response. I was recently deeply disappointed by what happened in my constituency. A number of young people getting on to a school bus in Dunnamanagh were victims of sectarian abuse. Those young individuals are frightened to go to school every day as a result. It has been reported to the local authorities. Minister, will you join me in condemning that sectarianism and communicate with the local authority on addressing the issue and making sure that it is resolved urgently?

Mr O'Dowd: I have no hesitation in condemning it. Sectarianism from any quarter is absolutely wrong, and sectarianism directed against young people is abhorrent. I have no difficulty in engaging with the Education Authority to see what measures it is taking to ensure the safety of all children in that community.

Mr Dallat: Will the Minister tell the House how he intends to make sure that shared education in the future is curriculum-based, so that we do not have continually to apologise for introducing it but can point to the fact that children are learning together and are not simply involved in some minor activities together?

Mr O'Dowd: I have said often that the shared education policy developed by my Department and the legislation that we will bring to the House is catch-up time. We are catching up with many, many schools that have been involved in shared education over many years and are deeply devoted to its principle. Its being embedded in the curriculum goes back to one of the first questions that I was asked. This is about young people studying the curriculum together and how we measure the educational attainment and success that comes from that curriculum.

We are on a journey on which there have been many twists and turns, but I think that things are improving, particularly

in education. People are reaching out to each other. It is not the case that we have to make everybody the same or work towards a system in which everybody is the same. We need to ensure that everybody can be different and that we respect difference. Through the shared education programme, I want our young people to learn about each other from each other, and that takes in all the issues in young people's lives so that they can debate, discuss, learn, analyse and research all aspects of the diverse community that we all now live in.

3.15 pm

Mr Deputy Speaker (Mr Beggs): That is the end of the period for listed questions. We now move on to topical questions.

BME Schoolchildren: Barriers to Success

T1. **Ms Lo** asked the Minister of Education what he believes are the barriers for BME children in schools and what action he is taking to redress such inequalities, given that, today, the Equality Commission published its draft statement on key inequalities in education in Northern Ireland, which highlights that minority ethnic pupils are more likely to leave school with no GCSEs than white school-leavers and are over twice as likely to enter unemployment after leaving school. (AQT 2951/11-16)

Mr O'Dowd: The barriers facing our ethnic minorities are multifaceted. They are as much to do with learning and interacting with our education system as they are with the Department ensuring that newcomers to our society are aware of the support, benefits and mechanisms in our education system that are there to ensure that their young people have every opportunity in life. That is a challenge for the Department, as much as anything.

There are also cultural differences. When you look at the report, you see that there are different levels of attainment in different ethnic minorities. There are different experiences from different ethnic groups in our education system, and we have to learn from that as well. Social deprivation and social isolation also play a role. That is something for wider society to be involved in to ensure that everyone in society feels safe, valued and allowed to integrate into society. There are huge challenges ahead, but it is something that I am conscious of. I welcome the fact that the Member has asked the question, because it broadens the debate. We have had a very narrow debate about the Equality Commission report; there are other things that we need to have a very close look at.

Ms Lo: I thank the Minister for his response. Another finding in the report shocked and disappointed me in many ways: there is a lot of racist bullying in schools. The report states that:

"Generally, a barrier to addressing bullying in schools is that schools tend to lack knowledge of how to effectively confront the issue of racist bullying and may in some cases have difficulty acknowledging that a problem exists."

Mr Deputy Speaker (Mr Beggs): Will the Member come to her question, please?

Ms Lo: Yes. I wanted to refer to that paragraph to remind the Minister. I am really disappointed. Ethnic minority communities have been here for a long time — since the '60s.

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

Ms Lo: Yes. What has the Department been doing in those years to address bullying?

Mr O'Dowd: I, too, read the commentary about how, in the opinion of the Equality Commission, schools deal with bullying, particularly racism, but I am not sure what research is behind that assertion by the Equality Commission. I will engage with the Equality Commission on the entire report in the time ahead, because I think that it may be something of a broad sweeping statement to suggest that our schools are not equipped. There may be individual cases, and if it is worse than individual cases, it is, certainly, something that we have to pay attention to.

Only this week, I forwarded to the Executive legislation on bullying to strengthen bullying policies in our schools, to strengthen the role of boards of governors in tackling bullying in our schools, and to give more guidance and advice to our schools on tackling bullying. One of the areas that I have identified is racist bullying, LGBT bullying and other section 75 group bullying. It has to be dealt with and eradicated, not only in our schools but outside our schools.

Easter Rising Centenary: Schools

T2. **Mr Flanagan** asked the Minister of Education how his Department intends to mark the forthcoming centenary of the 1916 Easter rising in schools. (AQT 2952/11-16)

Mr O'Dowd: I thank the Member for his question. We are working in conjunction with the Executive. The Executive made the decision that the then Minister of Enterprise, Trade and Investment and the Minister of Culture, Arts and Leisure would bring forward a programme of events around the centenaries of the major events that occurred on this island from 1910 to 1915 and onwards to 1916, including the Easter rising. I am working with the Department of Education and Skills in the South on involving ourselves in a joint programme around the centenaries of the Somme and the 1916 rising. There will be a school competition in which schools will be able to enter through written work, art or drama.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Can the Minister outline what consideration his Department has given to the notion of joint initiatives to mark the Easter rising of 1916 and the battle of the Somme, given that, regardless of what political perspective you come from, people across this island largely have an affinity with either one of those two significant events?

Mr O'Dowd: I am considering how we do that. We have had discussions through Question Time around the shared education initiative that has been running through schools. Here is a great opportunity for schools from different traditions and backgrounds to learn about significant events in each other's history. They will find that it is a shared history. I think that there is an opportunity for schools to work together in and around the shared education programmes. I want to explore that further to see whether we can provide support or resources to schools to do just that.

Pupils with Special Educational Needs: Hours

T3. **Mrs Overend** asked the Minister of Education whether there are compulsory hours for pupils with special educational needs. (AQT 2953/11-16)

Mr O'Dowd: I do not have the full details in front of me. Our legislation and guidance does set down, for various parts of the curriculum, how long pupils should be in formal education. I can provide the Member with the full details of that.

Mrs Overend: I am aware, from an answer to a written question, that the number of daily compulsory hours for years 1 to 4 is three hours. For older pupils, it is four and a half hours per day. However, I am aware that special educational needs pupils are effectively being sent home when their one-to-one tuition, or support, finishes for the day. Is the Minister aware of this inequality? Is he willing to do something about that?

Mr O'Dowd: If the Member wishes to make me aware of the circumstances and instances when children are being sent home after an hour and a half, I would be very interested. I can assure the Member that if she provides me with that information, I will follow it up. I am aware that, quite recently, I answered a question from the Member on curriculum hours etc. I am more than happy to ensure that any inquiry that she comes to me about on this will be quickly and speedily followed up.

Mr Deputy Speaker (Mr Beggs): The Members asking topical questions 4 and 6 have asked that their names be withdrawn. Mr John McCallister is not in his place to ask topical question 5.

Holy Trinity College, Cookstown: New Build

T7. **Mr McGlone** asked the Minister of Education for an update on the new build for Holy Trinity College, Cookstown. (AQT 2957/11-16)

Mr McGlone: Mo bhuíochas leis an Aire as a fheagraí go dtí seo.

Mr O'Dowd: Gabhaim buíochas leis an Chomhalta as an cheist. The business case is proceeding for the new build for Holy Trinity College, Cookstown. All things are moving forward as they should be and as planned in the timetable provided.

Mr McGlone: On that very point about the timetable provided, when does the Minister anticipate that build work will commence on-site?

Mr O'Dowd: It is difficult during topical questions to know the specifics of every item of business in education. I am more than happy to provide the Member with the information on that. I am not aware of any slippage with regard to Holy Trinity College. It is quite a significant investment. We have gone through the difficult parts of the development proposal; ensuring the numbers for the school and that its area plan was approved etc. I will forward more information to the Member.

Mr Deputy Speaker (Mr Beggs): Chris Lyttle is not in his place to ask topical question 8.

Minor Works Schemes: South Tyrone

T9. **Ms McGahan** asked the Minister of Education for an update on the minor works schemes in south Tyrone in her constituency. (AQT 2959/11-16)

Mr O'Dowd: There is considerable pressure on minor works schemes across the sector. I am currently examining how we can alleviate that pressure on minor works. It is a direct result of a reduction to the capital budget for education. This year, it has been reduced by around 20%. I am trying to see whether we can alleviate the pressure on minor works in order to get some of the urgent projects off the ground in the Member's constituency and others.

Ms McGahan: Go raibh maith agat. Minister, you have touched on my supplementary question. I have been hearing concerns about a maintenance backlog in schools. Can you give more information on what you intend to do to relieve that backlog?

Mr O'Dowd: The maintenance pressure is covered by the revenue budget rather than the capital budget. I have been able to identify some flexibility in the revenue budget that will allow me to invest a further £9 million in maintenance, bringing the total maintenance budget for this year up to £23 million. I hope that that will alleviate some, if not a significant part, of the pressure on our maintenance budget. Whether an October monitoring round goes ahead, I would like to be in a position in January to make a further bid for funds for the maintenance programme.

Lisanelly Site: School Management System

T10. **Mr Hussey** asked the Minister of Education what thought has been given to a system of management for the six schools on the Lisanelly site, which currently operate under different management types. (AQT 2960/11-16)

Mr Hussey: The Minister, I am sure, will be aware of my listed question about the Lisanelly campus. That question will stay in the Order Paper.

Mr O'Dowd: The Member will be aware that the Lisanelly site is a shared education campus. What we have been doing is working with the schools on management structures, ownership etc, and we are continuing to work our way through that process. It will be complicated, but ensuring that we put in place a structure that all the schools on the site are comfortable with is certainly achievable.

Mr Hussey: The Minister touched on my supplementary question when he referred to the ownership of the buildings. Will ownership of the buildings being provided by the state remain with the state? Alternatively, will the sale of the sites be used to subsidise the building works?

Mr O'Dowd: Those are connected but slightly separate questions. As I say, we are working our way through all those issues. For the sites that schools will be vacating, I imagine that the normal process will fall into place, with the Department seeking to ensure, or going through the process of ensuring, that any investment by the Department that can be retrieved is retrieved and that those revenues are then returned to DFP. That does not exclude there being discussions, debate and conclusions on the management and ownership of the schools on the new site.

Mr Deputy Speaker (Mr Beggs): That is the end of topical questions to the Minister of Education.

Private Members' Business

Autism

Debate resumed on motion:

That this Assembly expresses concern over the waiting times for children for autism and special educational needs assessments; notes that 'The Prevalence of Autism (including Asperger's Syndrome) in School Age Children in Northern Ireland 2015' report, published in July 2015, shows that the estimated prevalence of autism has increased; recognises that delays in diagnosis are resulting in children with special educational needs being denied access to the extra educational support they need; further notes the importance of early intervention for educational and social development for these children; and calls on the Minister of Health, Social Services and Public Safety to work collaboratively with the Minister of Education and his arm's-length bodies to invest fully in and streamline services to deal with the backlog. — [Mr D Bradley.]

Mr McCarthy: I welcome the opportunity this afternoon to support the motion on the problems associated with autism and, indeed, to express my deep disappointment that, following the Autism Act (Northern Ireland) 2011, very little progress has been made.

I declare to the Assembly that I have been a long-standing member of the all-party group on autism and have a fair knowledge of the problems experienced by people with autism and their families. It has been a long and arduous campaign, which really started as far back as 2001 — some 14 years ago. I wholeheartedly congratulate the officers and volunteers from Autism NI, our all-party group on autism, led by its chair, Dominic Bradley, and others for their perseverance and success, despite opposition at the highest level right here in the Northern Ireland Assembly and in the Department of Health, Social Services and Public Safety.

The whole idea of the legislation was to ensure that people with autism had access to equality in the same way as everyone else in Northern Ireland. Unfortunately, to date, to the eternal shame of the Department of Education alongside the Department of Health, many aspects of the Autism Act have fallen far short of expectations.

It would appear that the Act has been breached in a number of areas, at which I have to express my total and absolute disgust. I have questions to ask. Where are the six steps to autism? Where is the autism awareness campaign? Where is the necessary extra funding for autism? What is happening to the ever-increasing waiting lists? Those are all questions that the Department needs to answer, and answer rather quickly, remembering that the Autism Act came into being way back in 2011.

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

It is most unfortunate but a sad reality of the situation with autism that the number of children with the condition continues to increase and that parents and guardians continue to be exasperated because of the long delay in getting a diagnosis and putting in place remedies to get the best possible result and outcomes for all concerned.

This anomaly applies to the Health Department and the Education Department and, indeed, other Departments

and everyone in positions of authority. They must listen to the deliberations from the Assembly today and to the Members who have spoken and will speak, and they must pull out all the stops to ensure the delivery of a much-improved service.

3.30 pm

The one thing that really annoys me as an Assembly Member is that, when I listen to the cries for help from so many families when they are told that their child — in some cases more than one child — has autism, I am not in a position to give definitive answers as to what happens next. The Autism Act (Northern Ireland) 2011 should be the catalyst for directions to parents and guardians who need help and assistance at a very important time in the life of that child.

The autism strategy and action plan was introduced to the Assembly on 14 January 2014, and contained in that document were many positive ideas and pathways aimed at better awareness of the way forward for the child and its parents. I am not so sure, some 18 months later, that parents know where to go for help and assistance. It is my understanding that, while schools, their principals and teachers, are totally committed to giving the best service to all children who have autism, they continue to be restricted because of the lack of funding and classroom support. That really must be tackled and answers provided as soon as possible.

I am again disgusted that no Health Minister has presented themselves in the Chamber today to hear the heartfelt appeals by all Assembly Members. It is exactly the same as it was last week on the disgusting waiting lists and yesterday on cancer treatment for so many sick people who continue to live in pain and agony. The Assembly, through its Health Minister, shirks its duty and leaves people to their suffering. The Autism Act (Northern Ireland) 2011 was hard-won by the efforts of so many people. I commend the many autism groups set up across Northern Ireland to help local people find the way forward. Let the officials in all Departments and the Assembly get to work immediately to implement, at the earliest possible date, the contents of the 2011 Act for the betterment of everyone with autism and their families.

Ms Boyle: Go raibh maith agat, a Cheann Comhairle. I thank the proposer of the motion for bringing it to the House today. Much of the discussion today has centred on waiting times for assessment and the frustrations met by all involved, including children, parents and schools. I want to focus a bit wider on the overall system and the bureaucracy that still exists in the system and the process.

In the ministerial statement of 14 January 2014 on the autism strategy and action plan, the then Minister Poots outlined that there needed to be the coherent, cross-departmental development of an inclusive framework and an Executive commitment to improve the services that are provided to children and young people and to parents, carers and families who are living with autism. First, I commend all those involved in the hard work to bring the strategy forward. However, along with parents, I am concerned that the recommendations in that strategy are not being thoroughly developed and implemented through the Department and that the outcomes have not necessarily impacted on the ground.

The statement indicated that the regional coordinator would report to the interdepartmental senior officials group, which, in turn, would report to the Minister who would:

"lay a monitoring report on the implementation of the strategy before the Assembly at least every three years." — [Official Report (Hansard), Bound Volume 90, p312, col 2.]

That still leaves layers of bureaucracy. In my opinion and that of parents, reporting should be viewed at least every 12 months in order to continue to look at the gaps therein. As the prevalence of autism report indicates, children in the least and most deprived areas appear to have the highest incidence rate of ASD across all school years. That has increased between 2009-2010 and 2014-15, with the greatest rise in numbers of children with ASD in the youngest years — five- to eight-year-olds — and among older children — 13- to 16-year-olds. All that indicates that waiting lists for assessments will get longer and longer on top of the logjam that is there already.

The five-stage process of identifying needs assessments must be replaced by a less bureaucratic and more straightforward assessment. That would be a better model and may be less bureaucratic, but it has to have the mechanisms in it to at least reduce waiting times for assessments. We all know that early identification of need is key to making any progress. Earlier assessment and intervention is paramount in enabling children to reach their potential. If children and young people are not having their needs met promptly, that can lead to long-term and extensive interventions at a later stage in a child's education.

In many of our schools and nurseries, there is a clear consensus among principals, teachers, classroom assistants, SENCOs and governors that further training and development for teachers and support staff should continue to be rolled out. All schools need to be equipped with the knowledge and skills to successfully manage the needs of children with autism, Asperger's, special educational needs and disability. Schools also need the capacity and expertise to take on the extra responsibilities that come with the growing demand and the increase in the number of children with ASD and Asperger's. Teachers, along with the healthcare professionals, need time to build capacity for that.

It is time that we moved forward with the SEND Bill, and I am aware that it is at Committee Stage. It is time that the Health Minister got back to his desk to take responsibility for the issue. The multidisciplinary teams in Health and Education, which are the two lead Departments for this, and their officials need to continue to engage with those involved in meeting the needs of children across the sectors, not just to address the waiting times but to make further investment to deal with the backlog. That is crucial for achieving a successful educational outcome for children with SEN.

I pay tribute to all groups and organisations that work with families and communities to empower children and young people with SEN to actively engage in opportunities and to live an active and full life —

Mr Deputy Speaker (Mr Dallat): Bring your remarks to a close.

Ms Boyle: — like the organisation called Sands, in my home town, that does tremendous work. I support the motion.

Mr McKinney: As SDLP health spokesperson and a South Belfast MLA, I am privileged that my party has tabled today's motion. I am hopeful that the Minister of Education and the absentee Simon Hamilton will take heed of today's debate, as it is a very important issue. It is so important, in fact, that we have launched an online petition that is reflecting on the Minister's absence and urging him to get back to work. It was launched a couple of hours ago, and 200 people have already responded. The nature of the petition is that they can also leave responses. Patricia O'Neill from Newtownabbey describes it as "outrageous". Terry Ruddy from Newry says:

"We need all ministers at Stormont at their desks and working for all the [people] of Northern Ireland".

Connor Duncan from Rasharkin says:

"We deserve a full time health minister ... delivering for our doctors and staff".

That gives you an indication of the strength of opinion out there around the issue. People are reporting live, if you like, on their anxiety and annoyance at the present situation and the ignoring of this very important debate, which all the people who have turned up in the Chamber agree is one that needs action now.

Autism is a lifelong developmental disability, and it affects how a person communicates and makes sense of the world around them. It is a spectrum condition, so, while all children and young people affected share certain difficulties around social communication and interaction, it affects them all in different ways. That is why diagnosis is so important for special educational needs provision. As already noted by Members who spoke previously and went through some of the statistics, diagnosis of ASD in schools has risen dramatically in recent years from just under 4,000 in 2009-2010 to over 6,000 last year. That represents a prevalence rate of some 2.2%. I have no doubt that increasing awareness has led to that but also that increasing levels of diagnosis have played a key role. In that context, we must recognise the important and professional role that professionals such as educational psychologists play in this. We must also recognise the extreme pressure that they are under as the numbers increase but the wider financial provision for them does not match demand.

There are over 1,300 children on waiting lists for autism diagnosis to receive the extra help and care that they need. The diagnosis forms an important component of the overall statementing process, and its failure is failing children, their parents and all of us. My constituency office in South Belfast, for example, has been inundated with parents who are facing significant delays. The mother of Adam, a boy of eight, contacted the office in June, well ahead of the academic term, and he has been waiting now for six months for an appointment. His mother is desperate to make sure that her son receives the help that he needs in primary school. He has still not been assessed and is still attending a mainstream school, and the current situation, in her words, is "tearing her family apart". That is not an isolated incident. Parents of children with autism are rapidly losing confidence in the Education Authority and the health system

to provide statutory statements. We need to do something to resolve the situation immediately. The suggestion of a formal needs assessment and a formal process between the two Departments is welcome. It is clear that proper funding and joined-up government is also needed to address the issue fully. A properly funded cross-departmental focus is paramount in improving their quality of life while ensuring that these children receive an education on an equitable basis so that they can go into further education or otherwise lead a productive working life.

There are many people in community and voluntary groups who are doing all that they can to support struggling parents. I have been particularly impressed by PEAT NI. There are other groups in south Belfast that are looking after small constituencies of 20 or 25 families with children who have autism. It is groups like these that often go unrecognised, and they have told me that the Education Authority and the Health Department are failing to ensure that they get adequate provision, which leads them to take their own actions, which can sometimes mitigate but would be much improved if the Department and the Government were to listen.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I thank those who tabled this important motion, and I am delighted to speak on it. I am disappointed that a Sinn Féin amendment about empowering the Health and Education Departments to go further under a duty to cooperate was not accepted. That would have strengthened the motion, but perhaps that is for a different day.

At the outset, I congratulate all the volunteers, families, educational psychologists and, indeed, anybody who works on or suffers with this issue day and daily. I have no doubt that communication on the issue fills up a lot of our inboxes here. I am not sure what the Health Minister is doing today; he could be at home playing his PlayStation or he might be in his constituency office doing a bit of work. If he is in his constituency office, issues of autism and dealing with its effects will no doubt be in his inbox also. As some Members touched on, it is hugely regrettable that we do not have a Health Minister here today to perhaps reflect on the autism strategy of January 2014 and maybe give a bit of information on the targets and successes and what have been the failings of that strategy. They are plentiful. We could have reflected on the road ahead. He is not just letting down the DUP or those of us here today; he is letting down all of the families at home who have to deal with autism daily. Again, I join colleagues who have said that it is hugely regrettable and a shame that the Health Minister is not here today.

3.45 pm

In recent months, there have been a couple of Bills going through the House that will help to alleviate some of the problems that we have been talking about. We have only to look at the Special Educational Needs and Disability Bill that has been going through the Committee, as the Deputy Chair, Sandra Overend, mentioned. We finish our consideration of that Bill tomorrow. It presents great opportunities to streamline the process to give back to families, parents and schools a wee bit of power so that we can again prioritise the individual child or pupil over the interests of institutions. For too long, that is how it has been.

Mr Agnew: I thank the Member for giving way. I certainly welcome the benefits of the Special Educational Needs

and Disability Bill, but does he not find it regrettable, given the amendment that his party tried to submit, that it is a Bill of the Department of Education and not of the Executive?

Mr Hazzard: I thank the Member for his intervention. The Minister of Education has gone on record as saying this, and my Sinn Féin colleagues on the Committee and I agree, that we would be more than happy to explore the potential for a duty for the two Departments to formally cooperate. I know that the Member's private Member's Bill, which I will come on to in a second, includes such a duty. That would be a huge success. Rather than just having it on paper, I would go a wee bit further in scoping out the success of such a duty. Maybe a joint task force between the two Departments could be immediately established to look at the areas where this would be applicable and where we would have the early successes. The establishment will want to keep the status quo and say, "No, this is not going to help. This is going to be just a hindrance to what we do." However, families at home need to see something like this happen.

I very much welcome the Member's Bill. I think that it is timely and that it will go a long way. The enabling power for the pooling of resources and the sharing of funds is hugely important. We know only too well the huge impact that Tory austerity is having on our budgets here in the Assembly. In times of austerity, it is hugely important that we do more with the public purse. Any ability to pool resources will be hugely beneficial in the years ahead.

Another big strength of the Special Educational Needs and Disability Bill will be the ability of schools to improve their capacity to deliver. I would like that to be enhanced in the trusts as well. Another issue that I would like to touch on — it may be a wider thing that we need to look at in the future — is the statement. To me, the statement is still not owned by the pupil; it is still too closely linked to the institutions. I would love to break free from that and have the statement follow pupils through their school life. It is wrong that it is linked to the institution.

I will give a word of warning. We have touched today on shortening the time frames of these processes. Of course, one unintended consequence of that could be that we shorten the time allowed to a family to retrieve complex information that may be vital when it comes to an appeal or a process. I would like a wee bit of flexibility built into the system to allow a family that wee bit of time, if they want it, to get information for the statementing process or an appeal. I hope and think that the Committee will look at something like that. The theme has to be the duty for the Departments of Health and Education to cooperate and work together. We really need to look at that.

Before I finish, I will say a word on the success of Middletown Centre for Autism, which has gone from strength to strength and got a very good inspection report recently. There are some good things out there. As some of my colleagues mentioned, the bureaucracy around some of these things is stifling, and families know that only too well. Hopefully, with the SEND Bill, the Children's Services Co-operation Bill and various other reforms coming down the line, we will start to see improvements. However, it is hugely regrettable that the Health Minister is not here to explain to us how some of this looks from his side.

Mrs Dobson: I welcome the opportunity to speak on the motion as a member of the Health Committee, my

party's health spokesperson and a former member of the Education Committee. From looking at the systems in place for our most vulnerable children, it is crystal clear that, year on year, there is a total lack of a joined-up approach to providing appropriate care to children with autism, especially Asperger's. The Health Department and the Education Department, along with the Education Authority and the health trusts, need to start working together. As we know, that simply is not happening, and our young people are being let down as a result. It is a total disgrace that so many parents are forced to fight so hard for school-based care for their children. Very often, when they finally get through the process, it is too late as their children have advanced. Many vulnerable children have advanced despite the system rather than as a result of it.

Parents feel trapped into paying for extra support privately and are left wondering how their child's development could have been much better if they had just received the right support in the first place. They are parents who only want the best care at school for the children whom they love and care for at home. They are shouldering a burden that should be helped and not hindered by the responsible Departments and their policies.

Both Ministers will be aware that, at a constituency level, I have been involved in helping local parents who feel totally let down. The processes take far too long, leaving behind uncertainty, which, in itself, can have, and has had, a profound effect on children who cannot cope easily with change or who require additional dedicated support that simply is not being put in place.

The Education Minister will also be aware of the provision that has been fought hard for at St Mary's Primary School in Banbridge. The sad fact of that case was that by the time the support and care was discussed, agreed and eventually begun to be put in place, it was too late for the child for whom the original request was raised. That is totally unacceptable. That is the nub of the problem with autism provision for our children. The procedural wheels grind far too slowly, and parents and their children are frustrated at every turn. It is not the fantastic teaching staff or carers; it is the processes and procedures that they are forced to operate by. Those have led directly to a considerable backlog and are failing and letting down a generation of vulnerable children both now and in their later life.

I support the motion's reference, therefore, to the increasing number of children diagnosed with autism and the difficulties that they experience in receiving the vital extra support that they so urgently need. That is exactly the experience that many of our constituents are dealing with every single day. I therefore support the motion.

Mr Allister: I commend the sponsors of the motion for bringing this important subject to the House, and I compliment Mr Bradley on his work in leading the all-party group on autism. This is an issue that many of us, as constituency Members, are discovering is a far more deep-seated and widespread issue than we had ever realised. In my five years running a constituency office as a Member of this House, I have noticed an increasing volume of parents disaffected by the treatment or lack of assistance that they have been getting in the education system and, indeed, in the health system, in respect of kids on the very wide spectrum of autism, which is excessively wide indeed. The tragedy is that, in years gone by, many of those kids, who,

with the right treatment and support, can do quite well, and the same goes for kids with dyslexia, were simply written off as stupid, which was neither fair then nor fair now. That which can be done we most certainly need to do.

The primary point that I want to make in the debate is the great disparity in facilities across the Province. There is something of a postcode lottery because I asked the sometimes Health Minister some questions about autism, and we talked this morning about the scandalous delays that some 900 people are waiting beyond the promised 13 weeks, and some have been waiting for a year. A contributor to that is to establish where the clinicians are located who can deal with those referrals.

I was amazed to discover, in this answer from Mr Hamilton, that, although the Northern is the largest health and social care trust in Northern Ireland, it has only 11 of the total of 68 clinicians trained to diagnose autism, whereas the Southern Trust has 23. A third of the total number of clinicians are in the Southern Trust but, in Belfast, there are only 11, in the Northern, 11, in the South Eastern, only nine, and in the Western, only 14. Without equality of distribution of clinicians to diagnose autism, the postcode lottery kicks in. That is why, in the northern area — relating this to education — when the North Eastern Education and Library Board existed, it advised me that, in the year 2012-13 for example, there was a total of 456 requests for statements in respect of those who were believed to be suffering from autism.

Mr McKinney: Will the Member give way?

Mr Allister: Yes.

Mr McKinney: Does the Member agree that, in some cases, this could amount to individual trusts abdicating responsibility for dealing with these issues, and that it has a further effect because it leads to lengthening queues in neighbouring trust areas and causes further frustration for those involved?

Mr Deputy Speaker (Mr Dallat): The Member has an additional minute.

Mr Allister: The Member may well be right, but one thing is very clear. When you examine the figures for people who, for example, seek a statement in respect of educational needs, you find that the success rate for those who come with referral from the medical experts — the clinicians — is far greater than for those who come with a referral simply from the school. It is quite clear that you need the support of a clinician to give your child in the best possible chance of obtaining a statement. If there is a dearth of clinicians, then you are waiting longer to get to that point. Maybe a whole school year could be lost for that child which, at that tender age, is a vital component in the ability of that child to catch up and perform to the optimum of their potential.

What perhaps distressed me most about the answer from the sometime Minister is that, having acknowledged the dearth of clinicians and said in the answer:

"The current number of clinicians trained to diagnose autism is not sufficient to meet overall demand",

he goes on to finish the answer by saying:

"given the current financial constraints no further investment has been identified to meet this need".

The sometimes Minister knows of the problem and its ramifications and yet, plugging the gap that obviously exists is not a priority. In particular — for someone who represents an area covered by the Northern Trust — it is a priority to bring some equality of opportunity to that area, and others that are affected, to make sure that there are enough trained clinicians to diagnose, because that is the starting point for the treatment of any of these children.

Ms Hanna: I also welcome the opportunity to speak on the motion, and I commend my colleague Dominic Bradley, in particular, for his efforts, through the all-party group on autism and outside it, in promoting awareness of this topic. The fruit of his labour was the Autism Act (Northern Ireland) 2011, which came through the Assembly and brought together all of the most progressive elements of legislation across the islands. We cannot overstate how groundbreaking that was, and how important it was for 30,000 people in Northern Ireland with autism, their families and carers, in ensuring that they have access to the full range of services they require throughout their lives.

The feedback I have had on this is that it made a great difference in raising the level of understanding for families, in particular those with young children with autism. I see that, even on hand dryers, there are signs warning about the noise, and I understand that this is to raise awareness of the impact that some sensory issues might have on young people with autism. That understanding is vital for parents and families as they try to navigate the challenges of everyday life.

4.00 pm

I commend Dominic and also my colleagues Fearghal and Seán for tabling the motion and looking at the health and education aspects, and, in particular, for raising awareness of the worrying wait for assessment that people are enduring. Just before the recess, the Health Department published its statistics on autism, which showed that 682 children had been referred for an ASD assessment in that quarter and that 407 assessments were completed. It would appear from just looking at the figures that that rolling figure of 250 is not being picked up per quarter and that those numbers are accruing in every quarter.

Members may have seen the statistics in 'The Prevalence of Autism (including Asperger's Syndrome) in School Age Children in Northern Ireland 2015'. They show an increase of 0.9% across all health and social care trusts and of up to 2% in the school-age population. In very real terms, that meant that we have gone up 67% in the number of children identified with autism spectrum disorders from 2009 to 2015. It is natural that we would see some increase through the greater provision of services and through awareness, and the Member who spoke before me referred to the understanding of things that maybe were not diagnosed and, as a result, put down to other issues.

I think that the understanding and awareness that we have needs to be matched with investment in services, and that does not appear to be the case. Groups such as Autism NI and the National Autistic Society have voiced their concerns about the waiting times for diagnosis and the failure of the services that follow assessment. They polled parents on the length of waiting times, and, as Members have said, 70% of parents have been waiting for a diagnosis, with a third of those having waited for more than a year. In my own health trust, two thirds of children have

been waiting over 18 weeks and a considerable number for more than a year. That is a year of families frantically googling and trying to piece together the information that they need and their not having access to, and not being formally referred to, the services that can improve their quality of life. To say that that is challenging for those families is an understatement.

The figures are a cause for concern for parents. We need to understand the impact that that diagnosis, or even your child potentially having autism, has, and every Member will have stories coming into their constituency office. Therefore, to be told, "We think that there is a problem with your child", and then to delay for a year being able to get the statement and the service that they need has to end.

I support the motion and ask that all Members lend support to it as well. I hope that the Health Minister does come back to work and works with the relevant Departments to streamline the services for people with autism and their families.

Mr Agnew: Over the last number of years, I have highlighted the poor performance and the delays in diagnosis for children with autism or other special educational needs in the south-eastern region. Mr Allister has brought figures today to show that the south-eastern region has the smallest number of clinicians qualified to diagnose autism. Behind the figures is the wasted potential, or at least the risk of wasted potential, on a day when we hear of yet another report being released about educational underachievement. I think that this is at the crux of that issue. The early diagnosis of, and early intervention in, conditions such as autism is essential to ensuring that every child meets his or her full potential.

Language is very often important in these debates, and I know that ASD — autistic spectrum disorder — is a current term of usage in the health service, but I also know that a number of people with autism would object to the term "disorder", preferring "autistic spectrum condition" or simply "autistic", because, of course, although people with autism are not what we would call neurotypical, we do not want to assume that it is a form of disease or disorder to be treated. Indeed, many celebrated people throughout our society and some notable names — Einstein, Mozart and, more contemporarily, Tim Burton — are often viewed as people with autism who have made a tremendous contribution to our society. I think that each one of us will know people in our own life.

You do not have to be famous to be brilliant or to contribute to society. In everyday life, I know personally a number of people with autism whose condition gives them abilities and skills that can be admired. We have to ensure that we put supports in place at an early age to ensure the potential that exists in all children, whether autistic or otherwise, to achieve and to contribute to society. We must ensure that we do not waste that potential.

I made reference, in my previous intervention, to the Special Educational Needs and Disability Bill, as I have concerns that something that is so cross-departmental is coming from one Department. An earlier strategy, the draft early years strategy, was the genesis of my private Member's Bill to require cooperation between Departments. This is exactly the type of area where that kind of cooperation is, in my view, essential. We should have an Executive Bill on special educational needs; it

has to be across Health and Education. Indeed, we should be bemoaning not only the fact that we do not have the Health Minister here today but the fact that the Education Minister is not here to hear the debate, as he was explicitly mentioned in the motion. If one is not available or is choosing not to be in post at this time, perhaps another Minister could step forward for children and those with autism.

I have seen some good practice. Diagnosis is important, and it is essential in ensuring that the necessary supports are put in place, but we have to assume now, with the increased levels of knowledge around autism, that there is a child with autism in every school class. In my son's school, Bangor Central Integrated Primary School, many of the teaching aids that would be used for a child with autism are being used for the whole class, because the methods of teaching are valid regardless of whether a child has autism or not. We need to start from the basis of assuming that there is an autistic child or autistic children in every class and putting those supports in place.

That does not get away from the need for diagnosis, which will ensure that not just the educational provisions but the health provisions and, if necessary, the support for families at home are put in place, and that the resources are directed towards the child and the family. This work needs to be cross-departmental for us to get it right. I hope that my private Member's Bill to require a duty on government to cooperate will help in that regard and that we can start to tackle the historical problem of delays in diagnosis for autism.

Mr Rogers: I welcome the opportunity to wind on the debate and reflect the concerns outlined by my colleagues and by the House as a whole.

At the outset, I would like to acknowledge the great work that the Middletown Centre does on autism; but, first, I want to comment on the educational aspect of treating a child with autism. I am aware, as an educational spokesperson, of the Special Educational Needs and Disability Bill that many other Members have spoken of today and that is making its way through the House. I hope that that Bill can in some way help with some of the broader educational deficiencies associated with special educational needs and autism in particular.

Many people have quoted statistics today. It is estimated that over 3,500 children of school age and over 20,000 adults in Northern Ireland have autism. These statistics are crucial, as professionals and researchers agree that early intervention and diagnosis is essential to improving the developmental and educational outcomes of children with autism.

Many Members have also referenced the autism strategy, which states that education should:

"Continue to build capacity in schools to effectively meet the needs of children and young people with autism;"

There are multiple issues that arise when considering this point. Can we say that, currently, our capacity for dealing with special educational needs in our schools is appropriate and fitting? We cannot. In fact, in many rural schools with a small number of children, there is under-provision. I am aware of situations where a school has been allocated eight hours a year in which to see an educational psychologist. How does that address the

special educational needs of a school that has 70 or 80 children? That is outside the spectrum of Health, of course, as those assessments are provided by the Education Authority. How can children benefit in a tangible way with so little help?

The second point is to:

"Provide effective support to parents and carers of children and young people with autism to ensure they are involved and informed regarding their child/children's education;"

Parents need to be supported through the diagnosis and the subsequent process for children and young people with autism. That comes not just through Health and Social Care but, crucially, through the school. We need to make sure that all teachers and classroom assistants have cognisance of the challenges facing them and that they always act with the best interests of the child at heart.

The third and fourth points are to:

"Formalise collaboration between health and social care and education sector to help improve support, including specialist support; and

4. Expand trans-disciplinary assessments, interventions and support for children and young people with complex needs."

That is particularly important. The issue cannot be tackled by either Health or Education alone. It needs the joint approach that will be necessary to drive down waiting lists and promote early intervention when educating and caring for the child with autism.

Furthermore, as reflected in today's debate, funding is a key issue in driving the autism strategy, along with the broader special educational needs legislation that I hope to see passed this year.

I thank Members for their contributions today. As Chair of the all-party group and a strong advocate for autism, Dominic stressed the need for a cross-departmental approach. He said that it was a development disability and that we needed joined-up work. He said that we need equality for all our children; a child with autism should have the same access to the whole education system as any other child. He put a strong emphasis on early intervention, diagnosis and statementing.

Many Members spoke about the Minister. Again, as with the debate on cancer services yesterday, we have no Minister across the Chamber. That is a real shame for the children with autism, a real shame for the waiting lists and a real shame for the parents out there. We need somebody at the helm.

I agree with Maeve McLaughlin, who said that we need a more formal duty between Health and Education to address special educational needs. Maeve said that clause 4 needed to be much stronger. She said that much of the delay lay at the door of Health, but there is certainly a big delay with Education as well. She also quoted many statistics. Many people talked about a six-month delay or a year's delay. Think of what that means to a four- or five-year-old child. It might be six months or a year in their chronological age, but what about their educational development and their educational attainment? What is lost during that time? Maybe two years or longer. It may be

something that they will have great difficulty ever catching up on.

Like all MLAs here, Sandra Overend, the vice-Chairperson of the Committee, is inundated with complaints from frustrated parents. She talked about the wonderful protocols, but those wonderful protocols are not borne out in reality. Two or three parents arrive at her door every week, and the parents' stress is stress for the children.

Kieran McCarthy, who is a long-standing member of the all-party working group, rightly congratulated the work of Autism Northern Ireland. At this stage, I want to refer to the Autism Act, because a lot of people mentioned the Autism Act today. When the all-party group met today, it stressed that two very important parts of the Autism Act never got anywhere — an advocate for autism and an autism budget. There is no independent scrutiny of the Autism Act, and there is no separate budget; it depends on money from the learning disability budget.

Mr McCarthy: I thank the Member for giving way. The Autism Act 2011 was very important but, at that time, the Department was against it. Do you agree that this would be an opportune time for the Department to do something about the speeches that were made today to prove that it is now on board with the Autism Act once and for all?

Mr Rogers: I agree wholeheartedly with Kieran. We are sending out a united message that we really need the Department to act. If we were to compare services pre and post legislation, I think it would be very interesting. I think we would know what the answer was. With limited finance from the learning disability budget and an increasing number of children with autism, 70% are waiting for over a year. How good is that in the modern age? It is notable too that much of the innovation and development work that has been done around autism has come from the voluntary sector. The statutory side is very much lagging behind in that developmental work.

4.15 pm

Michaela Boyle focused on the associated bureaucracy. Whether that is the teacher in the school or the parent, they are just so frustrated with the amount of bureaucracy. She also said that recommendations are not being thoroughly implemented. There need to be evaluations. Having an evaluation or review every three years? No use. It needs to be at least every year. She also stressed that we need a mechanism to reduce the waiting times. She said that further training and development is necessary for our teaching and support staff, which I agree with.

My colleague Fearghal talked about autism as a developmental disability. Diagnosis is key. Without diagnosis, we cannot have early intervention. If that diagnosis and getting those appointments is going to take a year, what is happening inside that child's mind? The parents have frustration as well. He also mentioned the damning statistic. He spoke about a child in his constituency named Adam, who waited six months for an appointment before anything could be addressed. He used the words, "tearing her family apart". We could think of our own children and our own families. Let us get into the shoes of those parents. Really tearing the whole thing apart — totally frustrated.

Chris Hazzard talked about empowering both Departments to provide a duty of care. That is coming across very

strongly from a lot of people. It is very regrettable that we do not have a Health Minister here today. It would also have been useful to have our Education Minister here. He holds out hope for the SEND Bill. The pooling of resources and sharing of funds will be very important. He made a very relevant point about a statement following the pupil, I would say irrespective of where they go, because, very often, our post-primary children decide at 16 that maybe the best place to go is a further education college. There is a different set of provisions altogether within a further education college. If the statement followed the child, it would be very appropriate.

Jo-Anne Dobson talked about the total lack of a joined-up approach. Parents want the best for their child, just as I want the best for my children. Parents are totally exasperated about the whole situation. The process just grinds far too slowly. We are letting down a generation of children.

Jim Allister said that, if there was the right intervention, every child could do well. He talked about the great disparity between the different boards, the level of intervention and so on. I will take one example —

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

Mr Rogers: Claire Hanna quoted the damning statistic as well. Finally, I would like to thank everybody for their contribution. I think there is a message going out from around the House to the Minister today that autism needs to be addressed properly and quickly.

Question put and agreed to.

Resolved:

That this Assembly expresses concern over the waiting times for children for autism and special educational needs assessments; notes that 'The Prevalence of Autism (including Asperger's Syndrome) in School Age Children in Northern Ireland 2015' report, published in July 2015, shows that the estimated prevalence of autism has increased; recognises that delays in diagnosis are resulting in children with special educational needs being denied access to the extra educational support they need; further notes the importance of early intervention for educational and social development for these children; and calls on the Minister of Health, Social Services and Public Safety to work collaboratively with the Minister of Education and his arm's-length bodies to invest fully in and streamline services to deal with the backlog.

Motion made:

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

Adjournment

Housing: Spatial Planning to Meet the Demand in Carrickmore

Mr Deputy Speaker (Mr Dallat): The proposer of the topic will have 15 minutes and all other Members who are called to speak will have approximately six minutes.

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. Tá áthas orm go bhfuil seans agam an díospóireacht seo a chur chun tosaigh inniu. I thank the Deputy Speaker for calling this debate. I tabled the topic because it is a very important local issue in my home community of Carrickmore in County Tyrone in the constituency of West Tyrone.

At the outset, I welcome the attendance of the Environment Minister, Mark H Durkan, whose Department has overall responsibility for planning. I also want to acknowledge that my party colleague Councillor Barry McNally, who has a strong local interest in the matter, is in attendance for the debate.

The debate is about the lack of available land in Carrickmore to meet the housing needs of the community and anyone else who might wish to live in the area at this time. In truth, it is more about people than land, but the two are interconnected in the debate because an impasse, a kind of stalemate, has developed: a significant number of people would like to buy a house or a site — ie land — to develop housing but are being hampered by the lack of available land and suitable properties. A phrase used locally about housing in the area is that “Nothing is moving”. The fact of the matter is that young people are forced to take up residence elsewhere. People who retain a strong Carrickmore identity find themselves in the situation of having to go elsewhere to live. I am aware of a good number of young people who have emigrated from the area and whose desire it is to come home. They are regularly checking the availability of housing stock in Carrickmore to buy or rent.

Carrickmore is a strong, vital community. It is designated as a local town in the Omagh district, is described as an important market and service centre for its rural hinterland and has two schools. St Columbkille’s Primary School on Creggan Road has a strong nursery and Irish-medium unit, and it has in excess of 300 pupils — I think that the figure is around 320. Dean Maguirc College, which is located on Termon Road, is a co-educational school that caters for pupils of all levels of ability, and its current enrolment is 509. Bear in mind that local pupils also attend schools in parts of Tyrone, depending on the sector, Irish-medium provision etc. Both local schools received recognition of their excellence in recent Education and Training Inspectorate (ETI) inspections.

Carrickmore has a significant health and primary care centre, with patient numbers of 9,000. There are a number of other main employers — the two schools and the health centre are employers — in the areas of construction, agri-supplies and a whole range of businesses, some of which

are accommodated at the Techno Tyrone business park in the Milestone Centre.

The Patrician is an excellent community centre. More than that, it is a recognised theatre and a venue for concerts and all kinds of entertainment and community events. The voluntary sector in Carrickmore is very strong across the spectrum, from the Friendly Care Group to all manifestations of the GAA and other sports, including boxing and Special Olympians. There are very many strong community groups in Carrickmore, including the Friendly Care Group that I mentioned and the Rainbow Gateway Club. A vision is being developed in the community for a multisports centre.

I provide this community message because it is relevant to the vitality of the community and the lack of movement in housing. When mentioning Dean Maguirc College and St Columbkille’s Primary School, I should put on record that new builds are required for both, as the Department of Education has acknowledged. They are subject, of course, to available funding, but there is an absolute need there. There are also short-term accommodation needs. Similarly, the health centre requires a new build.

There are multiple reasons for the associated matter of the lack of availability of housing at this time. A combination of circumstances has resulted in local demand outstripping supply.

I refer to the Omagh area plan 1987-2002. That area plan, of course, is out of date, but my understanding is that the settlement limits for Carrickmore are still extant. That dates back 28 years, and that is where its outdatedness comes into the equation. It is almost impossible to access a copy of the Omagh area plan, either online or in hard copy. It is like something that has been stored away in a museum, because it is very difficult to access. I have a copy of the relevant section of the Omagh area plan for Carrickmore. It is a bit of an achievement in itself to have that physical document in my left hand.

A concept called the west Tyrone area plan 2019 superseded the Omagh area plan. Initial findings were that that lacked detail for Carrickmore, as you might expect. That is now to be superseded by the local development plan (LDP) for Carrickmore, which, following RPA, will be taken forward by Fermanagh and Omagh District Council. I emphasise that that local development plan simply needs to respond to the specific circumstances of various settlements. Today, I am placing the focus on Carrickmore.

I stand to be corrected by the Minister, but it is my understanding that zoned land for housing development in the Carrickmore area, as defined in the Omagh area plan, amounts to 10.3 hectares. That was identified in 1987, all of 28 years ago. A small amount of that land saw small-scale development around 20 years ago, but the majority is underdeveloped. Planners might rightly ask why no development is taking place on the land that they have zoned for housing, and there are a number of answers to that question. One is that some of the land is unreachable and under the control of banks. Another reason — local knowledge tells you this — is that it simply will not be developed for housing.

A number of new sites in convenient locations, perhaps on the periphery of the existing settlement, are needed. Those would support the provision of a range of house types for different housing needs in Carrickmore at this

time. Obviously, crucial work needs to be done in the local development plan to bring that about, working in partnership with the local community.

I have taken a number of initiatives at a local level. One of those was to consult locally in late May on the housing shortage and to identify the level of need in the community. I met representatives of the Rural Housing Association, and we talked about making the call for a proper, thorough — I emphasise the word “thorough” — housing needs survey to be carried out by the Housing Executive.

The business of the Housing Executive is to identify need, not just for social housing but for all types of housing. The Housing Executive has advised the Department for Social Development that there is no requirement for the provision of new social housing in the Omagh district area. Based on local knowledge, that is not so and is not reliable. I am not talking about social housing solely but private housing and co-ownership-type housing.

A range of housing options needs to be developed for the community and to meet community demand.

4.30 pm

To its credit, the Rural Housing Association has told me that it is open for business. I have tried to engage other housing associations, notably Fold, and have not had any response whatsoever. I have tried on a number of occasions, by telephone and email, to secure engagement from Fold, but have not even had the courtesy of a reply. I will continue to pursue that avenue. However, I also met a planning officer who works with Fermanagh and Omagh District Council for a preliminary conversation about this — a lady called Hilda Clements. I thank her for providing a listening ear and engaging with me as to the issues at this time. Of course, no commitments were made but, at the same time, in a preliminary way, I wanted a key planning officer in this process to at least understand the context, the problems and the particular nature of the difficulty that we face in Carrickmore. I will continue to work with all relevant players to build that evidence base.

I will refer briefly to planning policy in respect of development in the countryside. Carrickmore is obviously a small local town with a rural hinterland. There are not enough opportunities in the rural hinterland for people to build at this time either. I know that that will, hopefully, be addressed as a result of the single planning policy statement, and perhaps through additional flexibilities that are being offered to local councils to interpret that. I thank the Department of Environment planning policy division officials and the Minister for a good bit of engagement in recent months around that issue.

However, I am particularly concerned about one issue within what may typically be called planning policy statement (PPS) 21. I have two specific files with me today that are going nowhere other than back into my briefcase, but they are to remind me about this definition of “personal ... circumstances”. I am told that if someone is applying for planning permission in the countryside — outside of infill opportunities, farming justification etc — one of the remote possibilities of it being granted is personal and social circumstances.

I have two files of local families who have particular circumstances. In one case, where there was a refusal, we are talking about the applicant trying to provide care

for not one, not two but three family members, and that was not regarded by Planning Service as “compelling”. Some sort of impossible test is being set for compelling circumstances.

Last weekend, Councillor McNally and I visited another family in the Carrickmore area whose planning application is being processed. Again, there are compelling social circumstances and health circumstances. However, I fear that the application will not meet the test of being described as compelling. It may be urgent, but there is some fine line between urgent and compelling that only the planners understand. I throw that in at the end of my contribution because this is really about people. It is about land —

Mr Deputy Speaker (Mr Dallat): The Member’s time is almost up.

Mr McElduff: Of course it is about land, but really this is about people, and in Carrickmore there is a particular circumstance that requires a housing strategy and goodwill from different Departments, including DOE.

Mr Byrne: I rise to support Mr McElduff in bringing forward the Adjournment debate on Carrickmore. Carrickmore, of course, means “the big rock”, and it is a place of strong community spirit and strong individuals who have overcome many an adversity in the past. It is a viable town where you have three filling stations and three very good supermarkets. As Mr McElduff said, we have the local Milestone enterprise company. The late Michael Harte, who owned the chemist’s shop, Jim Maguire and John Hadden were the three men who drove that forward. They created a local enterprise centre of very successful proportions.

Mr McElduff mentioned the secondary school, and I have greatly supported that in the past. The school has a current enrolment of 509 pupils, its highest ever.

The ETI has stated that it requires an extension or a new build. I think that the Department and the Council for Catholic Maintained Schools (CCMS) are neglecting the Carrickmore community. If the new build or extension does not happen soon, people in the area will become very disillusioned.

Spatial planning and housing is a fundamental issue for the local development plans. The Minister has outlined in his strategic planning policy statement (SPPS), which was published in September, the role of the new two-tier planning system. The local council has a fundamental and exciting role to play in trying to bring forward a local development plan that is cognisant of community planning criteria. Obviously, housing will be crucial in that and, as Mr McElduff said, many farm families have wanted to build houses in the rural area. Over the past 20 years, there has been a very successful approval rate for houses in the countryside there, but I know that he is concerned about PPS 21 in relation to the compelling and personal circumstances. Perhaps that is something that the Department will revisit to make sure that the local authority will be able, through its planning division, to approve the type of one-off housing that is required.

I have requested from the Housing Executive details on the current situation in the town of Carrickmore. As of March 2014, 19 applications had been made for the Carrickmore area, which comprises Carrickmore, Loughmacrory and Mountfield; six of those were deemed to be in housing

stress, but only two allocations were made. The only places outside Omagh where allocations were lower than housing stress applications were Carrickmore, Gortin and Drumquin.

There has been a strong desire for people to own their own house in the Carrickmore area. That is where the zoning of land is crucial. We have a “land lock” situation that will have to be addressed by the local authority when it draws up its local development plan. We could go into the history of it, but that would not be worthwhile here. It is fair to say, however, that young married couples deserve the opportunity to have a social house, a co-ownership house or the wherewithal to build their own home. It is an area where there has always been a strong self-help approach to building houses by families supporting one another with the building if they had a site.

I support the sentiments of what Mr McElduff is at, and I hope that the Department and the council, with its new role and functions, will deliver to make sure that this community continues to grow. I appeal to the Department of Education to recognise the circumstances and to support Mr Warnock, Mr McCann, and other teachers in that school who want to have a new build.

Mr Hussey: When I first read what the Adjournment debate was about, I presumed that Mr McElduff was going to go to space, but then I read a little bit more, and I read that it was the Carrickmore area, so my plans of sending you to the moon have failed. In all seriousness, there is no doubt that this is an important issue in Tyrone generally, because we have quite a few small towns that face a similar issue. I am sure that there may be residents in Carrickmore who would be surprised to find a unionist in the Chamber this evening supporting your call, because clearly — it is an accepted fact — Carrickmore is not a unionist area. However, that is not what we are looking at. We are not looking at internal politics; we are looking at the need for housing.

As the Member knows, I have attended the Patrician centre on several occasions; I have also attended events at the Dean Maguirc school and have always been made very welcome. There is no doubt that anyone who travels through the town will always see activity; it is a very busy town. There is no doubt that, in County Tyrone, most people want to live near their home place. I am an Omagh man, and I have always wanted to live in or near Omagh.

Mr McElduff is a Carrickmore man, and over the years that I have known him, both as a member of Omagh District Council and of this Chamber, he has been very proud of his association with that town, and rightly so. It should be permissible for people to live in the area that they were brought up in.

Reference has been made to the Omagh area plan, the west Tyrone area plan, the local development plan, and plans about plans about plans. Reference has been made to PPS 21. As you know, my colleague Councillor Bert Wilson was the champion of PPS 21 when he was chairman of the council. He fought very hard to try to get many of these rural issues resolved, because we have many issues in the former Omagh District Council area whereby people want to live in the country and have not been able to do so.

I fear that today, the Minister will attempt to pass this back to councils. He looks quite startled, but he looks like that all the time. Maybe it is this space that does it, Minister.

The council has responsibility for planning issues. The council will make its decisions, but will do so on the plans that are given to it, perhaps by the Department. We need to see a review of the planning system in Northern Ireland to take into account the fact that people want to remain in their local areas. People from Carrickmore do not want to have to go and live in Omagh. They do not want to go and live in Dungannon. They want to live in Carrickmore, as people in Fintona want to live in Fintona; people in Drumquin want to live in Drumquin, and so on. I support the call to support as many people as possible to live within the area. Let us look at the plans. Any town in Tyrone should have something similar whereby land and housing availability are looked at. I support that call this evening. I hope that the Minister will be able to give us something positive to take back on spatial development in the future, not just to Carrickmore but to the other small towns in County Tyrone.

Ms Boyle: Go raibh maith agat, a LeasCheann Comhairle. I thank my party colleague for bringing this Adjournment topic before the House and affording me the opportunity to speak on it.

The Housing Executive has confirmed that there will be no new social housing built in Omagh before 2020, for the reasons outlined by my party colleague, despite hundreds of people currently being classed as homeless or in housing stress. New figures reveal that since 2010, only 62 Housing Executive properties have been built in the whole of west Tyrone. The number of new builds is the lowest of any constituency across the North and is in striking contrast to the Foyle area, where there has been over 1,300 social housing starts in the past five years.

Currently, there are over 635 names on the Housing Executive's Omagh waiting list. That extends to Carrickmore. Of those, 93 are deemed to be homeless, while a further 183 are regarded as in housing stress. In Strabane, it is an even bleaker picture. There are 695 people on the waiting list. Of those, 157 are classed as homeless and 321 are in housing stress. Although there is some let up on the horizon for Strabane, where plans are being drawn up for 45 new builds by 2019, it is indeed a much gloomier picture for Omagh, Carrickmore and the hinterlands beyond.

Recently, a Housing Executive spokesperson said that their studies suggested that the need for further social housing in Omagh was zero and that this was unlikely to change between 2015 and 2020. Consequently, there are no plans to build any new houses in the Omagh district or Carrickmore. Urgent action is needed to address the social housing crisis that exists within West Tyrone, Strabane, Omagh, Carrickmore and the hinterlands. You will forgive me for expanding to other parts of West Tyrone: as I said, I welcome the plans to build 45 social housing units in Strabane, but that does not even put a dent on the waiting lists.

I have just this week received confirmation from Habinteg that it is to build four two-bedroom units and two one-bedroom apartments at the site of King's Corner on Bridge Street in Strabane. The house on the site has built heritage value, and that is where the apartments are going. As Members will know, it is a very iconic building, but I

welcome the fact that it will be turned into apartments and restored to its former glory.

4.45 pm

The number of applicants on the social housing waiting list and those listed as statutorily homeless in West Tyrone has remained at the same consistently high level for a long number of years. The piecemeal approach taken by previous Ministers for Social Development, who made provision for only 62 social housing units in the constituency over the past five years, highlights their abject failure to target resources on the basis of social need. I appreciate that we have the Environment Minister here today to respond to the debate.

A Housing Executive spokesperson said that, during 2014-15, 117 allocations were made in Omagh and that, as of March, there were 635 applicants on the Omagh waiting list and 183 in housing stress. Single young males and females made up 56% of those deemed to be in housing stress. Despite the number queueing up for social housing, there will be no new builds in the current decade for the reasons outlined by my colleague Mr McElduff.

I urge the Minister to do what he can to support zoning for development for social housing not just in Carrickmore but, as others have said, in the wider west Tyrone area. People want to live, as they say in Strabane, where they were reared, so I urge the Minister to take action immediately.

Mr McAleer: Go raibh maith agat, a LeasCheann Comhairle. I take the opportunity to commend Barry for tabling the debate today on spatial planning to meet demand for housing in the Carrickmore area. Barry and I are from opposite ends of the same parish, so I am very familiar with Carrickmore. Indeed, I know about the great pride that people there have in the area and the demand to live locally. There is and has been for quite some time a situation there in which demand has completely outstripped supply. I can see it in neighbouring areas such as Loughmacrory, where I am from, Pomeroy and Beragh and other villages around the district such as Killyclogher. People from Carrickmore are forced to live in those areas because they cannot get a home in the village or area where they are from. That is very disappointing. Barry is right: they are constantly checking the papers and with housing agents and whatnot to see what opportunities might arise.

The importance of living locally is about not just the emotional attachment, which, of course, is very important, but the sustainability of the community. It is important for services, schools, sporting organisations — we know how important those are in the Carrickmore area — shops and other services. Reference was made earlier to the primary and secondary schools in the area. I am certainly very familiar with Dean Maguirc, being a former pupil and having taught there for a number of years. Indeed, the next generation — my son — started there in September. We feel very passionately and strongly about Dean Maguirc, and it is a project that we will continue to push very strongly.

Reference was made to the Omagh area plan, which, I think it is fair to say, is painfully outdated. It was crafted in 1987 and is the planning framework that we are operating on. It sets out the broad uses of land in the district, but it definitely is painfully out of date. The Omagh area plan references a number of key issues: housing, industry,

recreation and open space. There has been development from an industrial and economic point of view, as well as good development for recreation and open space. A lot of that has been made possible by the voluntary efforts of individuals with a bit of enterprise and dedication. There has, however, definitely been a shortage on the housing front, so I certainly support the topic being debated.

It is great to see the Minister here today. The debate is timely because Fermanagh and Omagh District Council is working up its local development plan as we speak. It is important that it works diligently to ensure that there is an effective spatial strategy for Carrickmore and all the towns, villages and settlements throughout the district.

Mr Durkan (The Minister of the Environment): Ar dtús, ba mhaith liom mo bhuíochas a ghabháil leis an Chomhairle as an ábhar áirithe seo a thabhairt os comhair an Tionóil fá choinne díospóireachta inniu. First, I thank the Member for his interest in this issue, which I consider an important topic for debate. Good housing is a fundamental human need that plays a significant role in shaping our lives and our communities. It is an issue of concern for everyone.

Mr McElduff and Mr Byrne have already given us a virtual tour of Carrickmore, which lies around 10 miles to the east of Omagh on a plateau bounded to the north and west by the Sperrins uplands. With Slieve Gallion to the east, the locality is extremely impressive. The number of cairns, stone circles, standing stones and raths in the vicinity indicate the richness of the area. The town itself is steeped in history. Carrickmore also has a vibrant rural community, evidenced by the fact that almost 200 planning applications for single dwellings, including outline, full and reserved matters, have been approved within a five-mile radius of the village over the past five years.

Access to good housing contributes to creating a safe, healthy and prosperous society. I firmly believe that this is fundamental to creating places where communities such as Carrickmore can flourish. Housing is a key driver of physical, economic and social change, and it is crucial that we manage housing growth in a sustainable way. That means placing particular emphasis on the importance of the interrelationship between the location of local housing, jobs, facilities and services and infrastructure.

I recognise that housing functions cut across the responsibilities of a number of Departments. That being the case, I work closely with my Executive colleagues on housing matters, particularly with DRD and DSD and the Northern Ireland Housing Executive. My Department also engages with a range of non-governmental bodies involved in the delivery of housing, such as industry groups, developers and housing associations.

Members will be aware that I have fundamentally overhauled the planning system and redefined the landscape of local government in the North. On 1 April 2015, the majority of planning powers transferred from my Department to the 11 new councils, giving them a much broader range of powers and flexibilities to implement change on the ground where it matters most. The new strategic planning policy statement, which I published last month, sets out my expectations for the delivery of planning functions across the region. This includes how the planning system can play a positive and supporting role in the delivery of homes to meet the full range of

housing needs within the wider framework of sustainable development.

Within that wider framework of furthering sustainable development, councils now have the important responsibility of setting a vision for the long-term future development of their area through the preparation of local development plans. Mr McElduff and other Members referred to the age of the Omagh area plan: it is fair to say that that is one OAP that is certainly past its "Best before" date. Councils now have the positive task of facilitating housing growth in response to changing housing need, which is central to meeting the needs and aspirations of society.

That includes the delivery of social and affordable homes and supporting urban and rural regeneration, particularly in deprived areas.

My approach to housing is to ensure an adequate and available supply of quality housing to meet the range of housing needs; promote more sustainable housing development in existing urban areas; provide mixed housing development, with homes in a range of sizes and tenures; and integrate housing in mixed-use developments.

In preparing their LDPs, I expect councils to bring forward a strategy for housing together with appropriate policies and proposals tailored to the specific circumstances of the plan area that must also reflect the strategic policy approach of the SPPS. Fermanagh and Omagh District Council, using its newly devolved planning powers, is preparing a new local development plan for its area. That new plan will build on preparatory work carried out previously for the west Tyrone area plan 2019. The LDP process is the main vehicle for assessing future housing land requirements and managing housing growth to achieve sustainable patterns of residential development. The SPPS provides strategic guidance for plan preparation to assist councils with that process.

The DRD's regional development strategy (RDS) 2035 provides long-term policy direction to guide the public, private and community sectors and gives regional guidance on managing housing growth to achieve sustainable patterns of residential development. It provides a broad housing evaluation framework to assist councils in making decisions on the allocation of housing growth in their area through the LDP process. The strategy also sets out housing growth indicators as a guide to councils in preparing LDPs. Those figures are an estimate of the housing needed in each council area. They provide a guide to councils for allocating housing distribution across their area and cover urban and, importantly, rural housing growth. An important step in the housing allocation process is that councils make the correct judgements to achieve a complementary urban and rural balance that meets the need for housing in their towns and in the smaller settlements and rural parts of their area. I am sure that Members from areas with a larger rural population, particularly in the west of the region, will appreciate that.

The Northern Ireland Housing Executive has an important role to play in identifying housing need and the potential for housing growth by carrying out housing needs assessment and housing market analysis. Those identify the range of housing needs, including that for social and affordable housing, as well as providing a solid evidence base that councils can use in making decisions to zone land to

meet need. Councils should also use the RDS figures as baselines or starting points when developing housing strategies and policies in their LDP. If necessary, they can then be adjusted in light of the Housing Executive's housing needs assessment or housing market analysis.

A further positive outcome of the local government reforms that I have introduced is community planning powers for councils. That has integrated existing council responsibilities, such as land use planning, with local economic development, off-street parking and local tourism. Community planning enables councils to work in partnership with central government, statutory bodies and others, including businesses, voluntary organisations and communities, to develop and implement a shared vision for their area. It involves integrating service and function delivery and producing a community plan that will set out the future direction of a council area and help tackle cross-cutting issues that require a collaborative approach, such as housing provision. Furthermore, and subject to the successful passage of the Regeneration Bill through the Assembly, urban regeneration and community development powers and budgets are due to transfer from the DSD to councils next year. That will enhance and further integrate the levers that councils have to meet housing requirements in their area.

The wide-ranging reforms to the planning system and to local government provide a real opportunity to redefine the role of local government in delivering housing for local people. New development plan responsibilities, coupled with community planning powers, have enhanced the ability of councils to implement spatial planning frameworks to shape local places and meet local needs and priorities such as housing provision in communities such as Carrickmore. Finally, I recognise that much of today's debate has focused on the provision of housing in the rural parts of Carrickmore. I also acknowledge that, during the formulation of the SPPS, significant issues were raised in relation to rural planning issues. I remind Members today that I have already instructed my officials, as a priority, to carry out a full review of strategic policy on development in the countryside. That has already commenced.

Adjourned at 5.00 pm.

Northern Ireland Assembly

Monday 12 October 2015

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

Members observed two minutes' silence.

Assembly Business

Mr Speaker: Before we proceed to today's business, I have some announcements to make.

Ministerial Resignation: Mr Bell

Mr Speaker: I advise the House that the Minister of Enterprise, Trade and Investment resigned his office on Tuesday 6 October 2015. Standing Order 44(3) provides for a seven-day period during which the party that held that office may nominate a Member of that party to replace him and take up office. That period expires at the end of Monday 12 October 2015.

Ministerial Appointments: Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I advise the House that the Rt Hon Peter Robinson, as nominating officer for the DUP, nominated Mr Simon Hamilton MLA as Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen MLA as Minister for Regional Development and Mr Mervyn Storey MLA as Minister for Social Development. Mr Hamilton, Miss McIlveen and Mr Storey each accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive on Wednesday 7 October 2015.

Ministerial Resignations: Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I advise the House that those three Ministers subsequently resigned their offices on Thursday 8 October 2015. Standing Order 44(3) provides for a seven-day period during which the party that held those offices may nominate Members of that party to replace them and take up office. That period expires at the end of Wednesday 14 October 2015.

Ministerial Appointment: Mr Bell

Mr Speaker: I advise the House that the Rt Hon Peter Robinson, as nominating officer for the DUP, nominated Mr Jonathan Bell MLA as Minister of Enterprise, Trade and Investment. Mr Bell accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the Director of Clerking and Reporting on Friday 9 October 2015. I am satisfied that the requirements of Standing Orders have been met. Let us move on.

Standing Order 19

Mr Flanagan: On a point of order, Mr Speaker. Standing Order 19 deals with the tabling of questions by Members to Ministers and members of the Assembly Commission. Can you provide the House with guidance as to what is supposed to happen in the event of a Minister not being in office to take one of those questions? When Members table a question to the Business Office, we are informed by the Business Office that, as there is no Minister in office to answer that question, the question will be withdrawn, but the same system does not seem to fall under Standing Order 20, which deals with questions for oral answer, where questions can be submitted for oral answer at a time when there is no Minister in office to respond. Is there any guidance that you can issue to Members with regard to how we can best comply with Standing Order 19 and the tabling of questions to Ministers, given that the primary function of this Assembly is, in fact, to hold the Executive to account, and not being able to table questions under Standing Order 19 presents us with some difficulty in doing that?

Mr Speaker: I have considerable sympathy for the point that the Member is making. These are, to say the least, unusual and exceptional consequences for Members like you. At the end of the day, the question is whether there is a Minister in place to be in a position to respond to questions for oral answer. With this in-out situation of Members being nominated and ratified as Ministers, going through the normal procedure and then resigning, what happens is that, if there is no one there to respond to questions for oral answer, they are lost.

If questions for written answer are submitted whilst a Minister is in office, even if that Minister subsequently resigns, those questions can be picked up if a Minister is appointed at some stage in the future. That is the simplest and most compact way in which I can describe it, but I absolutely sympathise with all the Members about the difficulties and frustrations that can arise. Let us hope that that set of circumstances will not be long with us.

Mr Flanagan: Further to that point of order, Mr Speaker. Standing Order 19 does not deal with a situation where there is no Minister in office. Would it be possible for a change to be made in the Business Office so that questions can be tabled to the Minister in the event that there is no Minister in office and they can be subsequently answered, as is the case with some Ministers at the minute, when they return to office?

Mr Speaker: No, and let me just be clear that the Business Office is following the procedures as laid down and is guided not only by Standing Orders but by the Speaker's

rulings. That is the situation that pertains. The best solution possible is that the full Executive get back to business as quickly as possible.

Matter of the Day

Fire Tragedy in Dublin

Mr Speaker: Mr Martin McGuinness has made a request to make a statement under Standing Order 24.

Mr M McGuinness: First of all, I thank the Speaker for the opportunity to address the appalling tragedy, which took the lives of 10 people — five of them under 10 years of age — at Carrickmines in south Dublin. The victims were Thomas Connors and his wife Sylvia, their children Jim, who was five, Christy, who was two, and five-month-old Mary; Sylvia's brother Willie Lynch and his partner Tara Gilbert, their children Jodie, who was nine, and Kelsey, who was four; and Willie Lynch's brother Jimmy Lynch. I extend my deepest sympathy and condolences to all their families and to the Travelling community.

It was a horrific incident, which took the lives of 10 people and has had a very profound impact on the local community and on the Travelling community in particular. No doubt, this will be the subject of a very serious investigation by those responsible for investigating these incidents. I think that the fact that 10 people lost their lives raises questions as to how all of us can consider, on the island of Ireland, the safety of all our citizens, particularly people in the Travelling community, given the conditions that some of them choose to live in and, on some occasions, live in as a result of not having the support that they deserve from government authorities.

It is terribly sad. It is heartbreaking, and, at this time, it is very important that we send a message to their families and to the community in that area that they are in our thoughts and prayers. Go raibh maith agat.

Mr Speaker: I remind Members who wish to speak that they should rise in their place.

Mr Dallat: I share the sentiments of the deputy First Minister. Sometimes, out of tragedy, something positive might emerge, and that would be the wider community's attitude to the Travelling community, which has been part of a special heritage for many years. Perhaps, as the Travelling community arranges the funerals of its loved ones, we can all reflect on how we look upon the Travelling community; become part of the campaign to ensure that Travellers' living conditions are improved, whether they are travelling or static; and seriously ask why their mortality rate is poor and why they share so badly in our education systems, North and South.

A few years ago, when the Travellers were in Kilrea for a prolonged period, I had the privilege of meeting them to share their culture, music and storytelling, and their desire to end their continual struggle to survive and make ends meet, so I am pleased that the Assembly has found the time today to pay tribute to the 10 people, young and old, who lost their lives.

Without wishing to repeat myself, I hope that, as we watch the funerals, everyone in the wider community will develop a better understanding of how we can be part of a new era in which the Travelling community will have equality and their rights perhaps better respected so that this kind of tragedy might not happen.

Mrs Overend: On behalf of the Ulster Unionist Party, I offer my condolences to this family. No one could fail to be

affected by the news that we heard of this terrible tragedy in Dublin, in our neighbouring country. Our condolences go to the families of the 10 whose lives were taken early. Five of those were children, and it makes you sick in the stomach when you hear of such a tragedy in which lives so young were taken from us. It shows the danger of fire and how it can take life so quickly. I sincerely hope that the authorities will efficiently and effectively find the causes of this fire so that tragedies like this do not happen again.

In conclusion, our thoughts and prayers are with the families of those who have lost loved ones and with those who are in hospital fighting for their life.

Mr Dickson: Thank you to the deputy First Minister for raising this matter. Clearly, the unimaginable horror of 10 lives lost cannot go unmentioned in this part of the island of Ireland. Our sympathy goes out to the family and friends of those who lost their lives, one a six-month-old baby. We also think of those in the Dublin Fire Brigade who had to cope with the fire itself and of the forensic people who will be working on that site today. All do a professional job, but, at the heart of it, they are human beings having to deal with an immense tragedy. It is right and proper that the concern of the Assembly goes out to those in the Republic of Ireland jurisdiction so that they know that we care and that we are responding.

Others have said, and I think that it is right to comment on the fact, that we need to learn lessons from this, whether in relation to our community relations with the Travelling community or to fire safety matters. All of us should make sure that lessons are learned from this immense tragedy.

It would, nevertheless, be remiss of me not to mention other lives lost this weekend, particularly those lost in the bomb attacks in Ankara.

12.15 pm

Mr Agnew: I would like to add, on behalf of the Green Party in Northern Ireland, my condolences to the families of the 10 Travellers, who, unfortunately, died as a result of this horrific fire. It continues to be the case that Travellers are one of the most discriminated against groups in our society, and, whilst it is easy, as we have seen too often in our history, to label groups, and to dismiss their rights and their needs when doing so, an incident such as this should remind us of the humanity of any individual in any community; in this case, the Travelling community. Hopefully, today we stand and speak in sympathy and, going forward, can act in a similar manner, to ensure that the Travelling community in Northern Ireland and across the island of Ireland receives proper treatment and equality within our society.

I would also like to add my condolences to the families of those shot dead in Louth, including police officer Anthony Golden. It really does seem to have been a tragic weekend on this island in terms of casualties. So, on behalf of the Green Party in Northern Ireland, I would like to echo the words of other Members and recognise what has been a saddening weekend.

Mr McNarry: I have no difficulty in sharing the sentiments of this statement and the tragedy that it encapsulates. It has been mentioned, and I want to mention, that a message should be added for the family of the young guard, who was ruthlessly murdered by a dissident republican, who shot a woman, seriously wounding her,

and then shot himself. I think that it would be right for the House to couple those sentiments of condolence, which we can send.

Mr McCallister: I would like to associate myself with the words of the deputy First Minister in sending expressions of condolence to the families affected by events in the Republic. They were truly horrific. Earlier this year, my neighbour perished in a house fire and, certainly, it was a very harrowing scene. Coupled with that, as a father of very young children, to hear of the loss of so many young children is just heartbreaking. Certainly, the support that we as a society can offer is important at this time. I certainly would want to be associated with those remarks and with extending sympathies, to all those affected, whether in Ankara or, indeed, in County Louth.

Assembly Business

Mr Speaker: Members, before we proceed to take an additional Matter of the Day, I want to make it clear that ordinarily I would not have accepted a Matter of the Day on qualification for an international tournament. On these matters, I have to be mindful of precedent at a time when we have so many people in so many sporting disciplines doing us proud on the sporting field, and this week's activities are clearly a good example of that. However, I have made an exception on this occasion, given the nature of the achievement and the fact that it has been 30 years since the team has qualified for such a prestigious tournament, and to acknowledge that Michael O'Neill, the manager, was here for the launch of the sporting exhibition, which stood in the Great Hall over the summer. It was a very successful exhibition, and we were very grateful for his attendance. So, I am happy to allow some time today to mark the team's achievement.

Matter of the Day

Euro 2016: Northern Ireland's Qualification

Mr Speaker: Mr Chris Lyttle has been given leave to make a statement on Northern Ireland qualifying for the European Championships, which fulfils the criteria set out in Standing Order 24.

Mr Lyttle: Thank you very much indeed for allowing this Matter of the Day, Mr Speaker, to recognise the historic achievement of the Northern Ireland football team.

I think that it is fair to say that elected representatives seeking to acknowledge sporting success are often met with a fair dose of cynicism, but I think that it is worth saying that there are many elected representatives who are themselves amateur football players, coaches, board members, volunteers and, above all else, genuine fans of the beautiful game.

It is therefore only right that the Assembly and the Executive recognise the outstanding achievement of the Northern Ireland football team, the IFA and the best fans in Europe, the green and white army, in qualifying as group winners for the European Championship in France in 2016, our first major football tournament in 30 years and the first time that a fifth seed has ever topped a qualifying group stage.

It was an absolute privilege to be among the almost 12,000 people at the stadium on Thursday night to experience the historic sporting achievement that has united, inspired and lifted the spirit of an entire community. On a personal level, it made me proud to be Northern Irish, but, most important, it was a proud night for everyone involved in Northern Irish football. All the history makers — the fantastic manager, Michael O'Neill, the players, the team behind the team, the fans and everyone who dared to dream — deserve all the credit and congratulations that they are receiving.

The achievement is no fluke; nor would it have been possible without serious vision, dedication and professionalism. Many people contributed to the transformation of football in Northern Ireland, and there are a few who deserve special mention: Michael Boyd, now IFA director of football development, his community relations team and the amalgamation of the Official Northern Ireland Supporters Clubs have been pivotal in delivering a football-for-all ethos and approach that has ensured that the sport is open to everyone across Northern Ireland and delivered the famous "sea of green" atmosphere in our stands that has seen Northern Ireland fans recognised as the best and most welcoming in Europe. IFA president Jim Shaw and CEO Patrick Nelson also deserve credit for setting the main target of the IFA and Northern Ireland as qualification for a major tournament. I know that many people questioned that goal, but they got behind our fantastic manager and team and dared to dream that dream.

I hope that the achievement will demonstrate to young footballers and everyone in Northern Ireland that we are a talented people and that, when we work together, we can achieve what seem like impossible dreams. The managerial ability and leadership of Michael O'Neill has been vital in building a unique belief and spirit in the Northern Ireland team. I know that Michael has said that it might be hard to top this achievement, but I certainly hope

that, with the support of an entire community behind the team, they can achieve even more in France at Euro 2016.

I also add my best wishes to the Irish soccer team in their ongoing efforts for qualification and to the Irish rugby team as they continue to do us proud at the Rugby World Cup.

Mr Ó hOisín: Go raibh maith agat, a Cheann Comhairle. I am already on record as having passed on my best wishes to Michael O'Neill and Martin O'Neill in the run-up to the games on Thursday and yesterday. I think that both Irish teams did the island proud. Soccer is not my sport, but I recognise the pleasure and enjoyment that people get from it, whether through youth competitions such as the Milk Cup and the Foyle Cup, both of which are played in my constituency, or indeed the domestic club scene or the internationals. I also recognise the good work that the IFA has done at grass-roots level. A number of years ago, I was involved in a small way with the Football for Peace competition. That said, there are still issues outstanding. I and others in my party met the IFA a number of years ago to address some of them, and I hope that we can do that again.

If anything, this weekend's sporting achievements again outline the discussion that should be happening on an all-Ireland team. We have seen in the Rugby World Cup a feisty performance from the Irish rugby team and people of all political persuasions and none were behind that. I believe that, had we had a single soccer team on this island, then, who knows what would be achievable.

Mr Eastwood: I join others in congratulating Michael O'Neill, the Northern Ireland team and all the supporters for the fantastic way that they have approached this tournament so far. It has been a great weekend for sport on this island. The all-Ireland rugby team are doing fantastically well in the Rugby World Cup, and we wish them all the best. The Northern Ireland team qualified top of their group, which is something that I do not think that anybody would have expected. It was an outstanding achievement.

I think that the Republic of Ireland team is going to qualify as well when they get through the play-offs. They beat the world champions, Germany. That was a fantastic achievement. I look forward to both Irish teams competing in the finals in France next year. In the future, I look forward to there being one Irish team competing at major tournaments together, because I think that could be a fantastic thing for this island, as sport continues to unite and break down barriers.

Mr Nesbitt: Cliff Morgan, the late, great Welsh out-half, once described sport as "a nonsense"; an important nonsense, but a nonsense nevertheless. Given the deaths that we have just discussed in the House, Cliff Morgan got it right.

I find it incredible. I stand here as the last man ever to commentate live on Northern Ireland at a major championship final. We played Brazil in Mexico on 12 June 1986 — who could forget it? — with Zico, Socrates and the rest. Those moments are more than sporting moments; they are about social inclusion and unity, and we saw that on the streets of Belfast last Thursday night after that fantastic win at Windsor Park. I congratulate the captain, Steve Davis, the manager, Michael O'Neill, and I also congratulate the new chairman of the Irish Football Association, Gerry Mallon. Together, they are bringing a spine of solid, progressive leadership to football in Northern Ireland.

So, we prepare, 100 years after the Somme, to see Europe gather again in France, but for a much more benign reason; nothing more serious than sporting rivalry. We wish Northern Ireland every success when they get there next summer.

I also hope that Martin O'Neill takes the Republic of Ireland to France next summer. He performed a remarkable hat-trick last Thursday night. Already, he was the only man ever to captain a team — Northern Ireland — to home and away wins over Germany, West Germany as it was then, in the 1984 European qualifying competition. So, it was a remarkable achievement for Martin to engineer a victory over Germany, the world champions.

I think that it is time now not to look back to Spain 1982 and Mexico 1986, or, indeed, back to Sweden in 1958, but to look forward to new memories, new stories and new joint ventures for all our people in France.

I will finish by going back to Guadalajara and that match against Brazil. At three-nil down, Billy Bingham, the manager, turned to Gerry Armstrong, our hero from four years previously, and said, "Get warmed up. I am going to give you a run-out." As he got to his feet, Gerry noticed that the noise level of the crowd rose. He was delighted; the Brazilians remembered him, the man who scored against Spain four years previously. He started limbering up, and the noise level rose again. He started jogging towards the corner flag, and the noise level rose for a third time. Emboldened, he sprinted the last 15 yards to the corner flag and 50,000 Brazilians got to their feet in a frenzy. He turned around and, 100 yards away, Zico was warming up for Brazil. But, we are not Brazil, we are Northern Ireland.

Mr Allister: Before commenting on these joyous matters, I add my voice of condolence on the human loss south of the border at the weekend — 10 lives, including many children — and the loss of the garda officer.

Turning to this matter, it is a joyous occasion, and one that does not come along very often. We simply want to say to the members of the management and team of the Northern Ireland football squad, "You have done us all proud." Who would have thought that little Northern Ireland would not just qualify but would come top of their group?

I think the level of pride that most of us felt was immense. I think of my constituency, particularly given the role of captain fantastic, Steven Davis. What do I say? He was born and reared in Cullybackey, and that small town is bursting with pride and joy at the achievement. He is a young man who went to Ballymena Academy where he was in the same class as my eldest son until he left at, I think, 16, to go off and play across the water. He has brought great credit to the team.

A few miles up the road, in Rasharkin, is the family home of Chris Baird, who, equally, has been a stalwart of the success that is the Northern Ireland team.

12.30 pm

We wish them well. If the Irish Republic qualifies, and so much the better if they do, I look forward to Northern Ireland having the opportunity to prove which is the better soccer team on this island. I have no doubt that it is Northern Ireland.

Mr Agnew: I cannot help remembering back to, "Here we go, Mexico". It was certainly the first football occasion, the

first World Cup, that I got excited about as a child. I am delighted that another generation of young people will be excited and inspired once again by the Northern Ireland football team.

I was fortunate to be at Michael O'Neill's first game at Windsor Park against Norway. I remember the first half, feeling the excitement coming back and seeing the good, attractive football that the team started to play under Michael O'Neill. Unfortunately, the result was disappointing that night. Indeed, we had a period of disappointing results in the early part of his management, but he stuck true to what he believed in, brought the players and fans with him and has now clearly brought the results with him.

We had the Lawrie Sanchez and David Healy period, of which we have fantastic memories of fantastic victories — I think in particular of David Healy's hat-trick against Spain — but we fell short of qualification. It may have looked as though qualification for a major tournament was going to elude us for many years to come, but Michael O'Neill came forward and has done a fantastic job. Kyle Lafferty has filled the hero role that David Healy held. Even when we did not have Kyle Lafferty for the game against Greece, who would have thought that Steven Davis would score an 18-yard header, or any sort of header for that matter. It was a shock, and a very welcome one.

I look forward to France with most Northern Ireland fans' usual mixed feeling of absolute excitement and trepidation. I am just delighted that we have the opportunity to be there. I wish the Republic of Ireland team well in its qualification. The result against Germany was a tremendous one. I hope that it is able to qualify as well. I would also like to wish the Irish rugby team continued success in the Rugby World Cup. It is good to get talking about football in the Assembly Chamber, albeit briefly. I look forward to talking about it much more when the World Cup kicks off.

Mr McNarry: I did my sciatica no good at all when leaping into the air three times for three goals. I would do it again. Three goals — my word. What a day; what a night. It was a pain worth bearing.

Sport is a great equaliser, and we know that it brings people together. More than anything else, that result, the team and its advancement is going to bring our young people together in great numbers to support its success. We can all be supportive, particularly when the team wins, so let us back it to the hilt when it only gets a draw, and let us not contemplate it being defeated. It is a team that Michael O'Neill has put together, and it is a team of winners.

UKIP supports sport for all. Top of the group, the green and white army marches onwards to Paris. UKIP's best wishes go with it on that journey. Our congratulations to the team, to the phenomenal manager, to the most brilliant fans that one could ask for, as Chris Lyttle pointed out to us all, to the coaches, who are often not mentioned, and, of course, to the IFA.

Let us hope that they acquit themselves well. I am sure that they will. Maybe, Mr Speaker, without any consultation or queries, you will allow a debate or motion such as this in May next year.

Mr McCallister: It is great when we have an occasion to truly celebrate tremendous sporting achievements. What a fabulous four or five days of sport we have had, with

victories to watch. As, I think, Mr Agnew highlighted, the last time Northern Ireland qualified, I was a 14-year-old boy, so it has been quite a long wait to have that again —

Mr McNarry: *[Inaudible.]*

Mr McCallister: It is good to hear that UKIP's maths are as sharp as ever.

It is a brilliant achievement that has truly united us all. There is a great sense of pride in who we are and where we come from. There is excitement and a buzz around. I would certainly be delighted if the Republic of Ireland qualified, too. It would be great to see them making the cut and getting to the finals.

Of course, as many other Members said, I wish the Ireland rugby team every success in their upcoming matches. It is great to see. The Rugby World Cup has been so exciting to watch up to now, and I am sure that that will continue.

Committee Business

Justice (No. 2) Bill:

Extension of Committee Stage

Mr McCartney (The Deputy Chairperson of the Committee for Justice): Go raibh míle maith agat, a Cheann Comhairle. I beg to move

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 15 January 2016, in relation to the Committee Stage of the Justice (No. 2) Bill [NIA Bill 57/11-16].

In the absence of the Chairman, who is chairing the Ad Hoc Committee on the Mental Capacity Bill, I am pleased to move the motion today. Committee Stage began on 9 September 2015. The Bill consists of 47 clauses and three schedules covering a number of policy areas, the most significant of which are the collection and enforcement of fines, and the establishment in statute of the functions of the Prison Ombudsman in terms of complaints, the investigation of deaths in custody and investigations requested by the Department of Justice.

Prior to the commencement of Committee Stage, the Department of Justice informed the Committee of proposed amendments that it intends to table at Consideration Stage. Some relate to proposals for fine collection and enforcement, and others relate to firearms legislation, which is not currently covered by the Bill. To assist its scrutiny of the clauses and schedules, the Committee has sought views from a range of key stakeholders and placed notices in local newspapers and on the Assembly website. The Committee has also taken the opportunity to seek views on the amendments proposed by the Department.

The Committee has received 21 submissions, many of which comment on or raise a number of issues, particularly in relation to Part 1, which covers the arrangements for fine collection and enforcement; Part 2, which covers the arrangements for the Prison Ombudsman; and proposed amendments to firearms legislation. As the Chairman said during the Second Stage debate, the Committee is already very aware of the problems associated with the current fine default and collection scheme and its governance arrangements; the significant value of unpaid financial penalties — the total outstanding debt at 31 March 2014 was £22·684 million, of which it was estimated that £7·335 million is impaired and unlikely to be collected — and the findings of the judgement delivered by the divisional court in five judicial reviews. It is clear that a radical revision of the system is required.

The Committee wishes to give careful consideration to the provisions in the Bill that relate to fines and enforcement and the Prison Ombudsman to ensure that the legislation will introduce sound and robust systems for the future. Members therefore agreed, at the meeting on 24 September 2015, to seek an extension to the Committee Stage of the Justice (No. 2) Bill until 15 January 2016.

The Committee began taking oral evidence on the Bill at its meeting on 1 October. The extension will enable us to schedule further oral evidence sessions with stakeholders and Department of Justice officials during November, carry out detailed scrutiny of the clauses and schedules and compile and agree the Committee report. The Committee

will report to the Assembly on the Bill as soon as possible within the proposed timescale of 15 January 2016. I commend the motion to the Assembly.

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 15 January 2016, in relation to the Committee Stage of the Justice (No. 2) Bill [NIA Bill 57/11-16].

Private Members' Business

Local Government (Numbers and Addresses of Buildings in Townlands) Bill: First Stage

Mr Flanagan: Go raibh maith agat, a Cheann Comhairle. I beg to introduce the Local Government (Numbers and Addresses of Buildings in Townlands) Bill [NIA 63/11-16], which is a Bill to amend the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 to make provision about the allocation of numbers to buildings and the format of addresses.

Bill passed First Stage and ordered to be printed.

Assembly and Executive Reform (Assembly Opposition) Bill: Second Stage

Mr McCallister: I beg to move

That the Second Stage of the Assembly and Executive Reform (Assembly Opposition) Bill [NIA 62/11-16] be agreed.

Much has been said about Government and opposition in this place and many others for a long number of years, probably since these institutions were set up. I know that the deputy First Minister was — as perhaps even you were, Mr Speaker — a fan of the late, great Seamus Heaney. I will start with a quote from Seamus Heaney:

"Anyone with gumption and a sharp mind will take the measure of two things: what's said and what's done."

Much has been said, and this is the chance to see what can be done about it. There is a chance, with this Bill, to truly reform.

First of all, I want to set out some of the reasons — the very real reasons — why we need the Assembly and Executive Reform (Assembly Opposition) Bill. You would need to have been living abroad for a considerable time not to think that the Assembly and the Executive could do their business better. We only have to listen to the words of the First Minister, the joint head of the Administration, who, in the past, has described them as "dysfunctional". At times, we have brought that level of dysfunctionality to an industrial scale. Where are we on the big issues of welfare, hospitals, Transforming Your Care, funding our universities, or the business community, which is crying out for leadership?

One of the key drivers in delivering a much better economic performance is delivering political stability. I quote Kevin Kingston, a past president of the Northern Ireland Chamber of Commerce and Industry, who said:

"Political stability is a key facilitator of economic growth and Northern Ireland is already lagging behind the other UK regions in terms of a recovery."

He also said:

"The importance of political stability and a Northern Ireland Executive pulling together on the economy cannot be underestimated."

A key message has to be about getting stability. A key motivation for me in pushing the Bill and moving it has been about delivering good governance that leads to political stability and tackling all the issues that we have to tackle and that many Members feel passionately about. Those include delivering social justice in our most deprived communities and tackling educational underachievement and economic inactivity. We are not doing any of that or delivering on any of those.

12.45 pm

We have come to the point at which, in effect, we either reform the Assembly or it will fail. I do not say that lightly. We have been teetering on the edge for months; this is not the first crisis that we have hit. Rather than the political adage of "crisis, what crisis?" we seem to hear more of crisis, which crisis? That is because we are never quite sure which crisis will bring us down. Will we make it

through to the end of the mandate? We have to be about much more than just surviving. We were told in 2011 that this was the term of delivery for the Assembly. We had survived 2007 to 2011, and this had to be the term of delivery.

We all know the reason why the Assembly and these institutions are here: they were born out of the Belfast/Good Friday Agreement. At times, I feel that I am almost one of the few unionists in this Building who actually proudly says that I voted yes in 1998, and I have never changed my mind. Does that mean that we want these institutions to be somehow frozen in time? Absolutely not. It was always envisaged that they would evolve. However, the broad principles of that agreement, about genuine power-sharing and inclusivity, are those that I voted for and still agree with and adhere to. It is about how we deliver that normalisation of our politics, where parties present costed, realistic manifestos before an election.

In the lead-up to that election, parties and the apparatus of government might start to look at manifestos, think who would form a likely Administration and, after an election, a coalition might come together to agree a Programme for Government and be bound by collective responsibility. Instead, what we have in politics is the endless silo mentality, not only of the structure of our government, but of our politics. Silo because our Departments think in silos — politics makes them think that way. We think in our silos of a unionist versus nationalist bloc on every occasion. Instead, we should be looking at a Government and an opposition to hold them to account. An opposition to hold them to account and to provide our voters with an alternative Administration, should they so wish, because power in an elected and representative democracy comes from the people. We should never forget that.

I want to turn to some of the approaches to the Bill. In looking at this, several things came to mind early on. Could we do this without legislation? Could we do it just by Standing Orders? Can we do it all or, as some have suggested, should Westminster not lead on this issue? I want to tackle that. The Bill's structure is somewhat unusual, to say the least, in that it has the parts that we can do and, built into that, there is an Assembly and Executive reform motion that we would also want to have debated. There is endless — actually, ample — opportunity to debate, not only in Committee, should the Bill be approved by the House today, but at Consideration Stage, Further Consideration Stage and so on.

I want to take on some of the issues about doing it in legislation. I know that Members have followed the debate on having an opposition for some time. I refer Members to the Research and Information Service's pack on the Bill, which shows that, in moving amendments in the House of Lords, Lord Empey makes the case and sets out the agenda that he would also be worried about anything that could take away from the powers — should the Assembly do this by Standing Orders — that would make it easy for those powers to be removed again. A Bill makes it much harder to remove such powers. If we enshrine them in primary legislation, they are very hard to become the gift of any Executive.

Lord Empey referred to "grace and favour" opposition. The Bill would make it very, very difficult for a future Executive to, at some point, take away the rights, powers and role of an opposition. That would become very difficult to do.

In rejecting doing it in the House of Lords — this is why it comes back very much to the structure of the Bill — Lord McAvoy spoke on behalf of the Labour Opposition and Baroness Randerson on behalf of the coalition Government back in 2014. Lord McAvoy said:

"The Assembly must reach a cross-community consensus on the creation of an Opposition before Parliament can consider legislating in this way ... Consensus cannot be created retrospectively as this amendment would seek to do. It is for the Assembly to make the first moves towards creating an Opposition".

In further debates in which this was moved, Lord Alderdice referred to the issue of whether Westminster or we in the Assembly act first as a bit of a catch-22. Those were the challenges that I faced in looking at the possibility of this legislation. It was almost a chicken-and-egg situation as to which came first. The position was very clear in the House of Lords debate. Lord McAvoy said:

"A consensus must be reached in Northern Ireland before we can accept this amendment ... If the Assembly were to pass Standing Orders to create an Opposition and the Executive were to ask the Secretary of State to consider legislation, then it would be right to give the proposed amendment serious consideration."

Baroness Randerson makes it quite clear. She said:

"It would not be appropriate for the Secretary of State to have authority over the Assembly's internal affairs, as the amendment suggests. In the view of this Government, it is not appropriate for the Secretary of State to intervene internally in the processes of the Assembly."

That gives you a flavour of what was said in the House of Lords throughout the debate. In a further debate, Baroness Randerson said:

"It is absolutely fundamental that the Assembly itself reaches this agreement. The Government see their role as that of facilitating the operation of the opposition parties within the Assembly when the Assembly reaches that decision for itself."

Those comments were made during the debates in the House of Lords when Lord Empey tabled the amendments. I ask the House to bear in mind two things. Lord Empey voiced genuine concern about a future Executive being able to take away or change Standing Orders. This legislation makes that very, very difficult to do; doing it in the way that I am proposing would make it very difficult for a future Executive to do that. It is also abundantly clear that Westminster will not act on this without the Assembly or Executive making the first move.

I will also read from correspondence I had from the Secretary of State, the Rt Hon Theresa Villiers MP; it is a response to a letter from me on 15 December 2014. I will briefly quote from the final paragraph. She said:

"In principle, the Government supports your suggested legislative approach in the Assembly. However, as some of your proposals involve changes to the architecture of the Belfast Agreement, the UK Government can only give effect to those where it can

be demonstrated that such changes command the broad support of parties in the Assembly."

That is why I am taking the approach that I am with the Bill, and bringing it with an Assembly and Executive reform motion attached to it.

Mr Agnew: I thank the Member for giving way. I welcome the Secretary of State's commitment to listen to the views of the House. Given the Member's enthusiasm for the Good Friday Agreement and given that it was passed by referendum, does he not agree that it is not just the support of this House that should be required but that of the people?

Mr McCallister: On that point, I disagree with the Member from the perspective of the functions of this House and the way in which the Executive, our Government, should do their business. I do not think that it is necessary to go to a referendum. The Good Friday Agreement was at the end of a troubled, difficult and turbulent time in Northern Ireland's history, when over 3,500 people lost their lives. It was different. There was sea change. There was also constitutional change for those in the Republic of Ireland. This is about saying to the people of Northern Ireland that we hear the message that they want a functional Government. I truly believe that people want to see this place work. They want to see it do more than just survive. There is a chance for parties to put commitments in their manifestos and put them before the people, possibly on 5 May 2016. People will want to go out and vote on the basis that they will get something up and running with a functional Executive, a functional Government and a robust opposition to hold that Government to account.

I will look at some of the key points in the Bill. First of all, there may be criticisms from some that I have not sought to change any of d'Hondt. Quite frankly, we are not at a place where we are ready to give up on d'Hondt in its entirety. In the past 17 and a half years, we have not made the type of progress to normal politics that we needed to make. In fact, it is well and truly argued that we are possibly more divided than we were 17 and a half years ago. Sometimes, I look back over the last six or seven weeks and wonder how on earth we did what we did in 1998, because we seem to have lost any capacity for moving forward or spirit of generosity in our politics.

The reason why I am sticking absolutely with d'Hondt is that it respects the parties that are getting mandates. I am not about saying to parties that have strong mandates that they should not be part of the Government of Northern Ireland. The big challenge for them is to step up and be the Government of Northern Ireland and to act responsibly as that Government. That is why I have stuck with d'Hondt.

We know that Sinn Féin has a mandate. I respect its mandate and that it had 29 Members elected here in 2011. In fact, I suspect that there is only one party leader here who would not like to get 29 Members elected at a 2016 Assembly election. That is a tremendous mandate. I am not about excluding or trying to exclude one party from the Government if their electorate wishes it to be there. You might well ask, "Then, why the threshold?" It is about ensuring that those parties in government agree a Government and act responsibly, and also that you reach a certain level to get that automatic right into government. I know that some parties will have concerns about that. I will

quote from Robert Dahl back in 1966. The example in the research pack is good. It states that:

"by making the mistake common in ethnic conflicts of failing to distinguish inclusion in the 'political Community' from inclusion in government, the arrangements left the Assembly bereft of any effective opposition to challenge executive dominance".

That is the reason for staying with d'Hondt and committing to it. I am not about excluding from government any parties that reach a large mandate.

That will be their right, but it is also their responsibility to step up and be the Government.

1.00 pm

The notion of renaming OFMDFM the Office of the First Ministers has become one of the most divisive political issues, but for what reason? Everyone knows that it is a co-joined, co-equal office and that, in theory, one cannot order a cup of coffee without the other, so why do we not call it what it is — the Office of the First Ministers? It is a joint Administration and they are joint holders. Everything about it is joint. One cannot sign off on something without the other — that is built in.

Key to that is that the parties that want to be in government should have to agree a Programme for Government with broad Budget headlines. That is absolutely vital. For too long, as the First Minister has pointed out, we have just about survived. This has to be about delivery, whether that is in South Down, Foyle or East Belfast, and whatever the issues are that we are tackling. It has to be about an effective Government moving to a unitary model; not endlessly having departmental silos that do not speak to each other.

I am setting out a vision for genuine power-sharing, not shared-out power. What we have at the moment is not power-sharing; it is shared-out power whereby Ministers can gang up and vote in the same way in the Executive and be at a picket line later that day, denouncing their ministerial colleagues. That cannot and should not be allowed to continue. All that it has achieved for us is absolute public scorn. The public see, know and think "dysfunctionality". If anyone ran any business in such a manner — one partner does one thing and the other goes off in a completely different direction — it would not survive the test of time.

On the subject of building in collective Cabinet responsibility, let me quote Eoin Daly from an article in 'The Irish Times' in April 2014:

"Collective responsibility of Government is not simply a political convention but rather a legal principle enshrined in the Irish Constitution. While article 28 of the Constitution states the government must be collectively 'responsible' to Dáil Éireann, it also stipulates that it shall 'meet and act as a collective authority'. This means that observance of the rule is not simply a matter of political convention, as in Great Britain – in theory, it is legally binding and justiciable at least in some instances."

He went on to say:

“it prevents government by faction, and ensures that executive power is located in a single accountable authority. For government to be effectively responsible, it must first be a collective – a single unit – rather than a cluster of undisciplined factions. Indeed, the principle first developed in Great Britain as a means of wresting executive power from King to cabinet.”

I stress the line:

“For government to be effectively responsible, it must first be a collective – a single unit – rather than a cluster of undisciplined factions.”

I suspect that that may ring some bells when people observe the Northern Ireland Assembly and how it has worked in recent times. Collective responsibility, moving to a unitary Government, is absolutely vital to ensuring delivery and to the Government speaking as one voice.

I touched on the issue of the threshold. I think that it is important that we do not have an automatic entitlement to ministerial power and being in office. If you want to get an agreed Programme for Government that truly means something, you will have to put in some limits, and people will have to sign up to that. Of course, parties falling below the threshold could negotiate their way into the Government, but they would be bound by collective responsibility.

Turning to key reforms for the Assembly — this is included in the schedule — I would like to see the way in which we elect our Speaker changed. I would like to see that being very much within the gift of the Assembly and Assembly Members. During your election, Mr Speaker, I think that I said that it should be within the gift of the Assembly. I certainly do not have any personal dispute with you, but I think that it is incumbent on us to ensure that the speakership is seen as being and is completely, totally politically independent.

I think that it would be difficult for a Speaker of whatever political party or background to have to go back to seek election in their constituency while not being able to write to Ministers and have the same level of contact even in the local press. It is also difficult for a Speaker to do all the things that we as constituency Members do and to take definitive positions, whether on planning or other Government policies, and maintain neutrality. I, therefore, think that the way to do it is to have the Speaker lifted, effectively, out of party and constituency politics, and the party of the Speaker, who has been removed from that, would then be able to co-opt.

You will be aware, Mr Speaker, that, in Dáil Éireann, the number of seats in the Speaker's constituency is reduced and the Speaker is automatically returned. In Westminster, the Speaker faces virtually no real opposition from the main parties. I think that, in 2010, John Bercow faced somebody who was campaigning for representation of Buckingham, which is his constituency. That somewhat limited and disenfranchised constituents living in Buckingham, because, as one example put it, if you were going to concrete over all of Buckingham, the Speaker of the House of Commons could do very little about it. That is something that I would seek to avoid.

Turning to other changes under the opposition and Assembly reforms, I think that having a leader and deputy leader of the opposition is key. That is the key in saying to people, “There is a huge role for parties in opposition”. We have a mindset here that the only thing that you need to get great power is one seat in the Executive. There is huge benefit in having an opposition. Remember this: today's opposition is tomorrow's Government. The hope is to have an opposition that is working and functioning well.

Indeed, having the Chair and the Deputy Chair of the Public Accounts Committee as members of the opposition, just about every academic quoted in the research paper, from Derek Burrell to Yvonne Gilligan to Cathy Gormley-Heenan, talked about that change, which, I think, would be very welcome. It is common practice in the Dáil, Westminster, Holyrood and Cardiff Bay — all the Parliaments that you could mention.

Again, the right to form a technical group is common practice in the Dáil. There are something like 23 or 24 Independent Members in Dáil Éireann currently. I think that it is right and proper to set some threshold on that, so that the leader of a single party does not automatically, by some electoral fluke, end up being the leader or deputy leader of the opposition. If you set a base of, say, 5%, as I am proposing, that is six Members. It may just be convenient that there happen to be six of us in this corner, but I can assure the Speaker that that is purely coincidental. Between us, we would exercise those rights. At the minute, the six Members here cannot table motions in the Assembly and cannot have speaking rights or access to the Business Committee in that way. That would help our democracy and would help to give real meaning and substance.

I have often said that my main criticism of the old Stormont Parliament is that you did not have an effective opposition and so had no ability of choice or change. The electoral system was changed at the 1929 election mainly to keep down that dangerous notion of independent unionists and to stop them getting too many seats. That also gave us no ability to change our Government; too many people ended up being returned here completely unopposed for too long. That is not good for engagement in a democratic system, and that is why not having an opposition did a huge disservice to Northern Ireland and to the body politic and is why these changes are essential now. Forming technical groups can be a huge part of that.

I will move on to the ability to ask topical questions and financial support. For example, looking at financial support, I have written into the Bill that we would move and allow the independent review panel to look not only at salaries for leader and deputy leader of the opposition but at all the allowances that are given to political parties. It may be of interest to some Members to note that the salaries of all Ministers are paid by the Northern Ireland Assembly. It is somewhat strange that Departments do not pay their Ministers' salaries. Part of a Minister's salary should come from a Department. It may also interest you to know that it costs the Assembly around £750,000 per year by the time you add in salary, national insurance and pension contributions. I am not saying that all of that would have to come from Departments, but we should certainly look at whether it should be incumbent on Departments to pay their own ministerial salaries. There is scope to see what money could be reviewed and what money, under

our financial assistance to political parties, should move from the Government to opposition. It would also build in opposition-day debates and changes to the Budget committee.

I have also built into the Bill — this is a hugely important line — that it would remove community designation from the Northern Ireland Act. I understand the reasons that community designation was there in 1998. We were trying to move from conflict to consensus and to build up trust. I am not suggesting that we are entirely there in building up trust, but further changes in the St Andrews Agreement have rendered community designation almost pointless.

In the original agreement, community designation was important in determining who got to be First Minister and deputy First Minister. As I said earlier, that is a phoney war, if you want to describe it as that, over who gets the First Minister and deputy First Minister positions. It is no longer used for that. The largest party now gets to select the First Minister. I want to rename that. Therefore, the only things that we now use community designation for is cross-community votes and to determine who can run an event in the Assembly. That is all we need it for. My personal view on running events in the Assembly is that this is our Parliament and it should be open to all, even those who do not like it and do not want it here. It should be open to a free and democratic debate.

Therefore, the need for community designation has outlived any sense of purpose. It is now dividing us along sectarian lines where it does not need to, and its end should be welcomed. I say to Members that d'Hondt is your key into government. Community designation on this and other occasions serves no purpose whatsoever.

1.15 pm

I am also proposing to make the petition of concern much more accountable with the need for broader support to trigger. I want to change its name to a "minority community protection mechanism". I want it to need 30 signatures, as at the minute, but for them to come from three different groupings or parties. The reason for that is that we have a tremendous track record of using and abusing petitions of concern throughout this mandate. One party can use it on its own, and that is a problem. In this mandate, from May 2011, at a rough count we tabled about 100 petitions of concern. That is close to double what we used in the preceding 13 years, so they are becoming very common. In 45 of the 100 tabled, the amendment was never moved or a division held. You are down to a 19% strike rate on this. In many of the things that they are tabled on, you have to ask where the community protection was.

I give Sinn Féin some credit on signing petitions of concern in that, because they needed to, they sought as wide a coalition as possible. One of the last ones that they signed was on mandatory minimum sentencing, which Sinn Féin signed, as did the SDLP, NI21, the Greens and Ms Sugden. So, you had a broad coalition to do that. I made the point that you did not actually need to do it because, of the 55 petition of concern votes, in two thirds it did not change the result. Of the 100 petitions of concern we used, only 19 changed the result. That is easy for me to do the percentages on, and is a pretty poor strike rate.

What are we protecting but something that has become a matter of public scorn? If you want to build in a community

protection mechanism, get broad support. That also ties in with the broad package of measures in this Bill. It ties in with the fact that you will have an agreed Government. Your most likely outcome could be a DUP/Sinn Féin Government, and they should not be submitting petitions of concern or asking for a different vote on their own policy. If you have agreed Government policy, they should not be signing petitions of concern.

The reason why the Bill builds it in is to stop any opposition tabling these things at will. You will have to have a broad coalition of support for a petition of concern. That very much provides the safeguards that we all want to see but does not make it so easy that we table petitions of concern on just anything. Examples of subjects on which they have been tabled include the Criminal Justice Bill, the establishment of an Ad Hoc Committee on welfare reform, and the National Crime Agency. The National Crime Agency is a useful example. A Minister was asked to think again about something and then negotiate a deal and get, primarily, the SDLP over the line. Given the allegations about the National Asset Management Agency (NAMA) and the role that the National Crime Agency is playing in that, many parties in the House are now glad to have the National Crime Agency here and welcome it. There was also a petition of concern in relation to the A5 dual carriageway project.

Throughout the list, so many were tabled to amendments to the Welfare Reform Bill. Up until what happened in March, the lead parties in government had effectively agreed on a policy on welfare reform. When they agreed on a policy, they could push that through. Had the smaller parties in government at that time been able to call on some of these and block the Budget, we would have been in an even worse position. You might well debate whether or not we have much of a Budget at the minute, but we could not have passed the Budget. That is why I would like to change it to a simple majority vote. A Government that cannot pass their Budget falls. That is the democratic norm around the world. If you cannot get supply, your Government falls and you immediately go to an election. The case for changing the petition of concern and setting a higher bar for such a mechanism to be tabled is well and truly made by looking at the facts from this mandate.

Removing community designation and changing the petition of concern are fundamental. We currently have effectively two tiers of MLAs when it comes to a cross-community vote. The votes of the eight Members from the Alliance Party and Mr Agnew do not count in a cross-community vote. Therefore, the people who elected them are disenfranchised in cross-community votes. It is time to normalise the process by using qualified majority voting and setting a threshold of around 60% for it. I am open to people wanting to increase that limit, but I think that 60% would have to be the minimum. That is a key point.

Mr Allister is not in for this part of the discussion, but I have issues with two things that Mr Allister suggested at the end of last week. One was the Westminster Government taking back Executive power and the Assembly becoming just a sort of scrutinising body. That might be fine on a very short, temporary basis, but all that it would do is move every single Member of the Chamber into permanent opposition. The one thing that we would unite around is that old saying of, "Ulster says no." We would be saying no to everything. We would say no to just about every

proposal or cut that involved any level of pain. We would be saying yes to more money. That is the only thing that we would be saying yes to. Actually, that would let each and every one of us off the hook. I could go back to South Down and say, "Oh, yes. I spoke out against that. I did not support that. I did not want to bring in prescription charges. I was against water charging. I was against welfare reform." It would let us off all the hook. We would never have any difficult decisions to make.

Mr Allister's second point was on moving to a permanent state of weighted majority voting. That would build in permanently the idea that we are not normal. I only want to see weighted majority voting used in exceptional circumstances. It is also only about excluding one party. As I said before, I say to Sinn Féin, I respect your mandate. I would love to lead a party that has 29 seats in the Assembly. I respect it. I get your right to be in government with that size of a mandate. It is right and proper that you should be there.

Those are fundamental changes proposed in the Bill.

I will go through the various clauses very quickly. The Bill opens with the formation of an opposition, how an opposition is formed and the timing of creating it. I stress that, in clause 2, the definition of "qualifying party" needs a slight amendment, but I am working on that so that every party that is above the 5% threshold of six Members, but is not in government and does not have a ministerial seat, qualifies to be in opposition. It also deals with the size of party. We then create the legal mechanism on which to hang the rights that those parties are entitled to. The Bill clearly sets out the membership of the opposition. It also excludes you, Mr Speaker, from being in opposition or in government in order to maintain the neutrality of your role. It sets out that the opposition would fall if the Executive fell.

The next clause relates to creating the leader and deputy leader of the opposition. Under the current numbers, the leader of the largest party in opposition, Mr Nesbitt, would qualify to be leader of the opposition. The deputy leader would have to come from another group. If the six of us could agree, one of us could be deputy Leader. Who knows? Mr Nesbitt might be leader of the opposition, and I might be deputy leader — it will be just like old times.

Mr Kennedy: No, it will not.

Mr McCallister: Mr Kennedy is keen to put some distance between him and me.

The next clause deals with topical questions from the leader and deputy leader of the opposition to the Office of the First Ministers, as it would be then known, and would give them each the first two topical questions. There was concern that that would eat into too much of topical Question Time, but I remind Members that the First Ministers are up for questioning twice as often as Ministers of every other Department. Also built into that is that the Chairs of Committees would get the first topical question at their departmental Question Time.

The next clause deals with enhanced speaking rights for the opposition. In clause 8(2), I have built in an entitlement of a minimum of 15 days. That is more as a safety mechanism for a situation in which we had a very active Executive with a very active legislative programme. I am not sure whether any of us are anticipating that, but that sets a minimum that would have to happen.

I will also table an amendment on speaking rights to make them more distinct. Our speaking rights here should be given out by d'Hondt on the basis of party strength. When the Government and the opposition are established, the speaking rights of opposition parties would be lifted by 20% above their d'Hondt calculation at the expense of the Government parties. That, too, is to enhance the level of scrutiny.

I talked earlier about the right of the opposition to hold the posts of Chair and Deputy Chair of the Public Accounts Committee, as is the case around the world.

The next clause is about membership of the Business Committee. It is right and proper that it should include members of the opposition and any technical groups represented in the Chamber.

The next clause covers financial assistance for political parties and asks the financial review panel to look at that and amend the Act to allow for an Assembly opposition to be included.

1.30 pm

The clause, "Salary for office holders of the Opposition", covers the need to amend slightly the Assembly Members (Independent Financial Review and Standards) Act (Northern Ireland) 2011 to allow for different salaries and allowances to include not only those of Ministers but those of office holders in opposition.

The "Assembly and Executive Reform Motion" is the part where we have an opportunity to ask Westminster to make changes. As I said earlier, Westminster will not do that without the assent of this Chamber. Personally, I think it right and proper that we, in the Assembly, should determine the way forward and the changes that we want to see in our Assembly, and that Westminster should stand ready to make the changes. If, at the end of this Bill, the Assembly, the Assembly and Executive Review Committee and you, Mr Speaker, were to write and ask the Secretary of State to do that, the Secretary of State would know that, in this Assembly, all corners had given it support, lent their weight to it and said, by a majority, that they wanted to do it. In the Bill, we talk about the way that that motion should be tabled and call on AERC to give regular updates.

I have talked about "Formation of technical groups within the Opposition". I think it sensible and wise to set a threshold. Again, there should be topical questions from the Chairs of the Statutory Committees. All that adds up to a level of scrutiny that we might expect in other legislatures around the world. It adds to that sense when a Chair of a Committee can ask a question of the Health Minister, Employment Minister, Justice Minister or the First Ministers. All that is important.

The establishment of a Budget Committee would effectively, in my view, tie in nicely, if we complete the reform of the size and shape of government and the transfer of functions, with our Assembly Committee changing to mirror that. I accept that I need to amend it slightly, but the policy direction and intent that I have set out is very much about saying that we need to separate it from the Finance and Personnel Committee. We should keep with the Finance and Personnel Committee all the rating policy, the personnel matters, the voluntary exit scheme, and all the stuff that belongs there, but change the game of our Budget process. That is something that Mr

Cree has long campaigned for. He has talked, in virtually every debate concerning the Budget, about the fact that we need to improve our Budget process. I know that the Scottish Parliament uses a Budget Committee to look at the explanatory and financial memorandum (EFM) of every piece of legislation that comes before it. That is the type of level that we need to get to. We need to be lifting our game, quite frankly, on all that information. Daniel Greenberg, who was at one of our Assembly training events, would be quite critical — I put it politely — of the standard of EFMs in this Building. We have a long way to go to catch up with our Scottish counterparts.

The Departments are to be a single legal entity. I am still waiting for some legal advice on this, and I hope to have it very soon. I anticipate making some amendments to this part of the Bill. However, the policy intent of this is to move away from the silo mentality of government to a single, collective government machine, where government and Ministers all put their shoulders to the wheel. That is the direction of travel, and every Minister and party in the Executive has signed up to it and must deliver on that policy intent.

That is what we have been so badly lacking in and served by, to the point where Mr Agnew has tabled a Bill, now heading for Further Consideration Stage, to get the Government to work together to deliver services for children. That is something that I want to see worked on. I want to see Government work on a collective policy and take collective Cabinet responsibility. It helps to get us away from the nonsense of one Minister taking another to court. We had that with the then Minister of Finance, Simon Hamilton, taking the Minister of Agriculture, Michelle O'Neill, to court over rural development payments, and with Minister Foster and Minister Durkan taking each other to court. That is something that we have to move away from. We have to get to a collective sense of responsibility. When one Minister speaks, they speak for the Government. If a Minister disagrees with Government policy, they resign from the Government. That has to be the reality.

I turn to the schedule to the Bill. This is the list that we want the Assembly not only to pass today but to look seriously at if the Bill is referred to the Assembly and Executive Review Committee. Of course, Consideration Stage and Further Consideration Stage are both chances to amend; but I highlight, Mr Speaker, that this is a carefully balanced package that, I think, delivers for us all. Paragraph 3 provides that:

“The motion may request that the concept of community designation is removed from the Northern Ireland Act 1998.”

I think that it is hugely important to remove that sectarian element.

Paragraph 4 calls for changes to the 1998 Act by replacing cross-community with weighted-majority voting. A weighted-majority vote may be triggered by 30 signatures from different political parties. The threshold in a weighted-majority vote is 60%. The safeguards are there.

Paragraph 7 provides for the Speaker to be elected by weighted majority in a secret ballot, following the example of the House of Commons. The Speaker would then be elected as, effectively, MLA for Stormont.

Paragraph 8 allows for the renaming of the Office of the First Minister and deputy First Minister. Not only is there a single unitary Government, but collective ministerial responsibility is written into the ministerial code. As the earlier quotation from Eoin Daly puts it, it is passed down from Westminster. The 300-year old convention at Westminster is that if you disagree with Government policy, you leave the Government. It is also in the Irish constitution: if Sinn Féin was ever elected into the Government of the Irish Republic, it would be bound to act as a single unit by article 28 of the constitution. That is an important change. We have to get to the point where we look and act and sound like a Government of Northern Ireland by making those changes.

I will take paragraphs 10 and 11 together. Paragraph 10 sets out the threshold for the nomination of Ministers. It puts in a minimum of 16.6%. That is to future-proof it, Mr Speaker, for a smaller Assembly of 90 Members — or for a possible reduction to 90 Members. It also means that if we run d'Hondt as one piece, there is an incentive for the smaller parties, which instead of being entitled to pick a Minister get an extra chairmanship. They get a pick at a Chair or Deputy Chair. That will give a higher percentage of Chairs to smaller parties. It very much meets the inclusivity criterion by giving them a prominent role in the opposition, and in the political community, of the Northern Ireland Assembly. Paragraph 11 gives an extra incentive to do that. I have to say that, when you have the choice of one Minister and the impact that you can have, there are endless complaints that you are treated very badly. You would be much better in opposition, chairing Committees, preparing, scrutinising, and looking like an alternative Administration at some point in the future.

Paragraph 13 of the schedule is about lengthening the time taken to agree the Programme for Government. I think that the Stormont House Agreement stated that it should be two weeks; I have suggested four weeks to negotiate it. If you recall, in 2010 in the United Kingdom, it took the Lib Dems and the Tories four or five days to negotiate that. In the Republic of Ireland, Fine Gael and Labour took maybe two and a half to three weeks. It is vital to get a Programme for Government nailed down, meaningful and including what you want, and for the Government collectively to put their shoulder to the wheel to deliver on that agenda. We expect that when councils get together and consider their agendas for council mandates and we expect it in every other Government. This is what happens; parties fight elections, they bring their manifestos and they negotiate.

In the lead-up to the 2015 UK election, the entire Civil Service machinery was looking at manifesto commitments from different parties. When it looked as though there may have been a coalition Government, it looked at what the negotiations might be. Who might be in government? Who might provide confidence and supply? Those are a normal part of the democratic functions.

The functions of a Statutory Committee will change from:

“to advise and assist Ministers in the formulation of policy”.

Their functions will instead become to scrutinise Ministers.

Paragraph 15 of the schedule refers to a simple majority vote for the Budget. Once we move to having that simple majority vote, we can start to say that we are normalising

our politics here. That is us starting to say that we are normalising; we are ready and fit to take on the future and we are setting out a collective approach to government. I made the point earlier that this Bill and all the processes and thought behind it are a result of conversations with parties around this Chamber, in Westminster and in the Dáil about making effective government. If the Bill is approved today, I hope to present to the Committee on the Implementation of the Good Friday Agreement in Dáil Éireann in a few weeks.

This is not about excluding a party with a large mandate; it is about good, effective governance. I want, more than anything else, for my young children to see a future in Northern Ireland. I want a vibrant economy with a growing private sector and a much reduced dependence on the state. I do not want to become a parent whose best advice to my 18-year-old is to get out of here. I do not want to bring up my three kids with a view to them having to leave. I want them to be part of it.

To everyone in this Chamber, I say that this is at the heart of it: it is about putting a package together that works and that gives the balance of powers to government and to opposition. It will create a dynamic Government that can make decisions, can function and can deliver on Transforming Your Care without other Ministers out protesting. We can get an Executive that can bring forward their shared education agenda and move ahead with that, can get an economic strategy, and can, when they write that the economy is at the heart of this Government, look as if they mean it. That is an important change. Above all, I want a Northern Ireland Assembly that works, a Government that works and a Northern Ireland that works.

1.45 pm

Regardless of your constitutional outlook, goodness knows that we vote at every election as if it were a referendum on the border, and we vote at every election as if the border were up for grabs, even though it is not; 1998 secured the consent principle. I was speaking to a friend who moved to Scotland 14 or 15 years ago and who is very much a unionist, believes in Scotland, voted no in the referendum but was happy to vote for the SNP because he thought that it was doing a decent job on agriculture. That is where we need to get to: where policy matters, where manifestos matter and making Northern Ireland work.

With regard to the constitutional agenda, if you believe, as I do passionately, that we are best served by being part of the United Kingdom, this is about making Northern Ireland work. For too long, we have looked like such a dysfunctional place — almost the basket-case corner of the UK. I want to see us working. The prize for us all is that, when we look round and see that the UK constitution is in a state of flux, we see more powers that we could devolve here to a functioning Assembly. There are many more tax-varying powers, not just corporation tax; there are changes to income tax and bands of income tax, possible changes that Scotland and the Welsh are looking at, and the Chancellor announced during his conference speech that he wants to give powers to local government — the whole idea of empowering English cities and the northern powerhouse. You can see throughout the agenda that the real driving force is to devolve power closer to the people, and that is something that we should encourage.

However, for us to get that, we need to be fit for purpose. The Bill, I truly believe, delivers some of that.

If, Mr Speaker, like many colleagues in the House, your outlook is to be part of an all-Ireland republic, that is entirely fine and legitimate. I respect that right, and I respect your ability to make those arguments. I might fundamentally disagree, but if you are serious about ever making that argument, you have to make this place work, you have to look like you are a party of government, you have to look like you accept the responsibilities of being in government, and you have to rise to those challenges.

In moving the Second Stage of Assembly and Executive Reform (Assembly Opposition) Bill, I end with the quote from John Fitzgerald Kennedy that I have used before:

“Efforts and courage are not enough without purpose and direction.”

The Bill gives the Executive a way of getting that purpose and direction. It is incumbent on the parties in that Executive to get purpose and direction to set the policies, develop their agenda and move on and get elected and set that agenda. Let us all move on and change Northern Ireland very much for the better, and let us make it work.

Mr Speaker: Before I call the next Member to speak, I remind Members that Question Time is at 2.00 pm and it may be necessary to suspend the debate until thereafter.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. First of all, in welcoming the Second Stage of the Bill, I appreciate the amount of work that the proposer of the Bill has put into it and the detail that he outlined today. I know that he had the good grace and the courtesy to consult other people, our party included. At the end of today's proceeding, we will allow the Bill to go to Committee Stage. I am a member of the Assembly and Executive Review Committee, and already provision is being made, second-guessing the outcome of today's debate.

When the Member spoke about the need for this, he was aware that we said that we feel that many of the things that he has outlined today can be brought about without the need for legislation, but I am sure that that will be teased out as we take this forward. He quoted the stepped-aside-at-present First Minister, Mr Robinson, when he talked about this place being dysfunctional. He then made a reference to Seamus Heaney — I will paraphrase it as this: what is said then what is to be done.

That is fine, but, when people talk about the institutions being dysfunctional, they sometimes forget the reason why and the history of the place. Indeed, Seamus Heaney once said:

“At home in Ireland, there's a habit of avoidance”.

When we talk about the dysfunctionality and the reason why the Good Friday Agreement came up with the structures that we have, we often try to avoid that reason. I am not saying that the proposer of the Bill is doing so; he has outlined on a number of occasions that he is a supporter of the Good Friday Agreement. He has shown that many times in the Assembly and by his actions, and I welcome that. He referred to 1929 and the change from proportional representation to first past the post. Whereas there may have been an intention to deal with the independent unionist voice — I do not doubt that — I think that most observers would say that, with first past the post,

the level of nationalist representation fell dramatically and, as a result, discrimination was copper-fastened. Not only was it copper-fastened but the formal Opposition had many of the speaking rights that, as he outlined, are necessary in that type of system, and the history of opposition in that institution was far from impressive. I think that they were permitted to pass only one piece of legislation: the wildfowl Act.

At the core of any system is the intention of the people involved. When we come to talk about it, we will ensure that whatever legislation goes through the Assembly must be Good Friday Agreement-proofed. I make the serious but perhaps somewhat tongue-in-cheek point that we will be the gatekeepers and ensure that no rogues or renegades try to undermine the principles of the Good Friday Agreement. I do not include your good self in that definition. That is the position that we will take as the Bill is taken forward.

People say, "We respect Sinn Féin's mandate", as if in some way that is a concession. Mr McCallister said that the weighted majority was not designed to put Sinn Féin out of the Executive. Sometimes it is not intentional, but his tone and presentation suggest that we are somehow in a privileged position over and above all other elected representatives in the Assembly or elsewhere. We are here by virtue of the privilege that people voted for us, and we will certainly ensure that that happens.

Mr McCallister referred to the leader of the TUV and his presentation of options last week. I think that he described one in which English Ministers here would be scrutinised by the Assembly. He said rightly said that that would put everybody into opposition, but I think that it shows the intention: it would ensure that Sinn Féin was not in the Executive. Sometimes, people are prepared to cut off their nose to spite their face. I have also heard the said Member say, time out of number, that the democratic norm or principle is having to be in a position to vote a party in and out of government. Yet the British Labour Party does not stand here, the Liberal Democrats do not stand here and when the Conservative Party stands here it gets a derisory number of votes. He says that you must have the ability to vote somebody out of power, but he does not want to extend that to the people here in the North. That is why I made the point about intention: there are people who would be fairly comfortable with the idea of putting up any model as long as Sinn Féin was not in the Executive. We will protect the Good Friday Agreement, which allows the people to decide who is in the Executive.

The dysfunctionality is another issue that can be teased out, and we have no issue with trying to do so. As I said, under the terms agreed in the Stormont House Agreement, there is provision for an opposition. I am not saying that you accept that, Mr McCallister, but, in one of the clauses, you are broadly saying that Standing Orders "must make provision", which, in our opinion, should say that they could be amended to bring in many of your suggestions. We are not opposed to the idea of opposition, if people desire it —

Mr B McCrea: Will the Member give way?

Mr McCartney: I will indeed.

Mr B McCrea: I am interested in the comment that there is provision to do these things. I have read the Stormont House Agreement: if his party is keen to implement many

of these changes, why has he not brought them forward as a proposed change to Standing Orders?

Mr McCartney: One aspect is that we would not be in a position to do it on our own. When Mr McCallister was speaking, he made that point very well. When you are trying to change things, here in particular, you are better to have a consensus and a collective. There is an implementation group around the Stormont House Agreement, so, hopefully, coming out of the other end of that implementation group will be many aspects of the Stormont House Agreement that have been agreed and can be projected forward. One of those will be opposition. If we took a position to change Standing Orders, other parties could block it, so what would be the point? Is it not better that we all agree that there is a need for it and agree on the shape, content and form of it? We would then have more success. I do not mean this in a dismissive way: the easy thing to do sometimes in politics is to run to the microphone and get a sound bite. What you want to do here is get not a sound bite but something that will bite, so that we have some sort of position as we go forward.

I see the import and content of the schedule, but there are aspects that require good scrutiny, irrespective of what position you take. In our opinion, there are aspects that need to be Good Friday Agreement-proofed. Some of them hand too much power and responsibility to the British Secretary of State in terms of legislation. You might say — we would be opposed to this — to someone, "Bring in legislation", but, if you do not give them any boundaries within which to do that and they come back with something that you do not agree with, you could find that you cannot do too much about it.

In terms of the broad principles and the presentation that the Member made, we have no issue with giving it approval today. We certainly want to play our full part in the scrutiny at Committee Stage. However, the Member is well aware of our broad proviso: we feel that many aspects of this do not require legislation and can be brought about by changes in Standing Orders. Go raibh míle maith agat, a Cheann Comhairle.

Mr Speaker: Go raibh míle maith agat. Question Time begins at 2.00 pm, as I mentioned, so I suggest that the House takes its ease until then. The debate will continue after Question Time, when the next Member to speak will be Mr Seán Rogers.

The debate stood suspended.

2.00 pm

(Mr Principal Deputy Speaker [Mr Newton] in the Chair)

Oral Answers to Questions

Employment and Learning

Mr Principal Deputy Speaker: We start with listed questions.

Ulster University: Coleraine Course Closures/Job Losses

1. **Mr Ó hOisín** asked the Minister for Employment and Learning for an update on his discussions with Ulster University regarding proposed course closures and job losses at the Coleraine campus. (AQO 8822/11-16)

Dr Farry (The Minister for Employment and Learning): I have had ongoing discussions with Ulster University in relation to the possible implications of the budget reductions to the higher education sector, including proposed course closures and the potential impacts on staffing budgets. While my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous and responsible for their own course provision and staffing levels. During those discussions, I have highlighted the need to reflect the ambitions of the Executive and the objectives of my Department, including the protection of narrow STEM subjects.

To provide the university with some flexibility and to mitigate the impact of the budget reduction, I have reduced the minimum requirement for direct expenditure on widening participation to 10% of the additional student fee income. That reinvestment of student fee income has been undertaken to promote widening participation through outreach activities and support to less advantaged students.

The university will rationalise its offerings across its campuses, with Coleraine specialising in biosciences and Magee in computing, engineering and Irish history. The university has already indicated the scale of the job losses and the loss of places over the current academic year and future years. The size of those cuts is a clear indication of the severity of the budget reductions that my Department, the university, and the higher education sector face.

Before making decisions regarding course provision and staffing levels, universities take a number of factors into account, including my Department's priorities, the needs of the economy and student demand. Reviewing course provision is part of the normal annual cycle and is good business practice. It is a reflection of the current budget position that that led Ulster University to close some courses and consolidate others.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for his answer. Will he be more specific about the job losses involved and the placements that will be lost?

Dr Farry: The university has made announcements in that regard: it has published and announced the number of

jobs, places and courses that will go. I can list all of them for the Member, but it would take a while, given that we are talking about a severe situation; however, they are freely available for his information.

Mr Dallat: The Minister said that universities have autonomy, but surely he, as Minister, has a greater responsibility to ensure that the equality issues and the economy of the areas where the universities exist are of paramount importance. Will he explain to the House — for goodness' sake — what the rationale is in bringing Project Kelvin in at Portrush, allegedly to create thousands of new jobs, when, at the same time, the department of business studies is virtually closing?

Dr Farry: There is not a lot of rationale for a lot of things that are happening. We are in a very poor state of affairs with our governance and the decisions that we have been taking, or rather not taking, on budgets. We are seeing the outworkings of that with what is happening, not just with the universities but further education, other skills interventions and, outside my Department, in a host of other public services.

It is worth stressing again that universities are autonomous. We can give guidance, and they are aware of the Executive's direction of travel in that regard, but we need to be very careful about micromanaging them. It would be very easy to say that they should protect courses and jobs on this or that campus or certain types of courses. However, we have to recognise that, very regrettably, we have had to pass on cuts to universities and they would quite rightly come back and ask, "If you do not think that we should be cutting in that area, where do you want us to cut?" We have to trust them to make decisions based on evidence and on the host of factors that I indicated in the initial answer to the question. In whatever way they do it, we will have a very unpalatable outcome.

Ms Sugden: I think that the university took that decision entirely in isolation. That is unacceptable, considering that a significant amount of the money that it receives comes from the public purse.

I also think that the decision to take the Ulster business school to Magee is quite ridiculous. The Executive have a responsibility to look at the decisions that are affecting my constituents and those of others represented in the House. Will the Minister consider reintroducing a higher education funding council for the future of Northern Ireland, as seen in other parts of the United Kingdom?

Dr Farry: To go down that line would add another layer of bureaucracy, divert scarce resources from the front line and make the situation even worse. There are funding councils in England and Scotland due to the scale of their societies and the number of universities that they have. We have three universities and six further education colleges in Northern Ireland engaged in higher education. Operating on that scale, there is not the same case to be made for the creation of a body such as the Higher Education Funding Council for England. In that regard, we need to have a sense of balance and perspective.

Teacher Training: Update

2. **Mrs Overend** asked the Minister for Employment and Learning for an update on the restructuring of local teacher training. (AQO 8823/11-16)

Dr Farry: Members will be aware that the two reports that I commissioned on initial teacher education infrastructure, the Grant Thornton study and 'Aspiring to Excellence', confirmed that the status quo is unsustainable from both a financial and qualitative perspective. For example, year-on-year, we continue to train too many teachers for jobs that do not exist, primarily to sustain the current institutional configuration. 'Aspiring to Excellence' has provided alternatives to the current structure that could enable initial teacher education to be delivered more cost-effectively and to a world-class standard.

In my view, the option that best achieves this is a single institution that will enable increased sharing and integration and provide a research-rich environment in line with best international practice, although I remain open to alternatives that are financially sustainable. Such an approach would include provision for the respective ethos of the university colleges to be not only accommodated but embraced, as has been achieved in other places such as Dublin and Glasgow. My officials and I are currently considering a number of options and will initiate further engagement with the providers and the wider education sector to find an agreed way forward. I hope to say more shortly in regard to our next steps.

Mrs Overend: I thank the Minister for his response. In regard to available teacher training places, the Minister is on record as describing the current system of having the teacher demand model topped up by Education Ministers as politically motivated and a "racket". What progress has been made in ensuring that the ability of Sinn Féin Ministers to act in a blatantly sectarian manner is stopped?

Dr Farry: I certainly understand the point that the Member is making, although I perhaps might not express it in the terms that she has. However, the numbers remain a matter for the Minister of Education, and he will take his decisions based on a number of factors.

My views on the issue are already well known, and I do not think that it is a sustainable way forward. Frankly, it is a sad state of affairs that we are training too many teachers for our local economy when we know that the jobs are not there for them. That diverts incredibly scarce resources away from other areas of the economy; for example, the areas that we talked about in the previous set of questions. It is appropriate that we find some consensus in the Assembly for a much more sustainable way forward for our teacher education, which will serve not only the future needs of our education system but allow resources to be freed up to invest in other critical skills interventions. It is bizarre that we have a situation where it costs more in Northern Ireland to train a teacher — when, arguably, we have too many — than an engineer, which we have too few of. We have to get our priorities straight.

Mr Ramsey: The Committee was aware of the number of options that you had in going forward to try to get a resolution between Stranmillis and St Mary's. Can the Minister assure the House that he will compromise on his position to get a consensual way forward to ensure that the ethos and management of both colleges remain intact?

Dr Farry: At the moment, we do not see much overlap in the different views coming forward from the institutions. We have had three institutions say that they are in favour of the options under 'Aspiring to Excellence', including in particular option D. St Mary's, while open to cooperation — it is only right that I say that — has, however, rejected all of the options set out in the report.

Therefore, we are, to a certain extent, at a bit of an impasse in this situation. However, the underlying issues are still there. We have a very costly and fragmented system; we are still training a large number of our teachers on a divided basis, which sends out a terrible signal to the future of our education system; and, while our provision is of good quality, it is not keeping up with the pace of international developments, which, in due course, will be felt by way of the quality of our education system.

Ms Lo: Given the Executive decision to protect the premia for teacher training colleges, what are the consequences of that for the education and training aspects in Northern Ireland?

Dr Farry: As the Assembly will know, I had proposed the removal of the specialist premia from the teacher training colleges. They are the only colleges in receipt of those very particular payments. The effect is to very much skew our provision of higher education. The decision that was taken by the Executive meant that what would have been a £14 million cut to the higher education sector became a £16 million cut. That will have had an effect on the number of places and the number of jobs that have had to go in our universities. If we had been able to do things differently, we would have had fewer job losses and fewer courses being dropped.

Further and Higher Education: Funding

3. **Mr McKay** asked the Minister for Employment and Learning for an update on his Department's efforts to address the funding challenge facing further education colleges and higher education institutions. (AQO 8824/11-16)

Dr Farry: During the Budget negotiations, I secured an additional £20 million to support skills development, which alleviated the budget reduction to further and higher education. The further education budget has been reduced by £12 million, which follows on from £4 million annual efficiencies that were required in recent years.

To help address the budget cuts, colleges have utilised the voluntary exit scheme, with the exit of over 400 college staff. I have tried to ensure that front-line services are protected as far as possible. Inevitably, the required cuts will have implications for the provision offered. Colleges are estimating that there will be approximately 20,000 fewer funded part-time enrolments. Approximately half of those are recreational courses. Colleges are increasing fees for recreational courses to mitigate the cuts.

Looking forward, the new strategy for further education extends and reaffirms the role of further education colleges as engines of the economy through skills.

The higher education institutions' budgets reduced by £16.1 million, and they have made savings over the past four years amounting to £37 million. I also released around £8 million in spending power over coming years to the universities by reducing the minimum level of reinvestment

in widening participation programmes from 20% to 10% of additional student fee income.

The universities have acted to protect the narrow STEM subjects which are essential for our future economic growth and prosperity. However, they have had to reduce the number of undergraduate places and have launched early severance and voluntary exit schemes.

As higher education funding from government continues to decline, it is clear that our funding model is unsustainable. Therefore, I have launched the Higher Education Big Conversation to involve as many people as possible in shaping our unique solution to supporting higher education going forward. Once complete, I will take stock of all options and present them to the Executive.

Mr McKay: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for his response. Will he provide an update on his discussions with the university sector to explore ways of raising additional revenue without detrimentally affecting students?

Dr Farry: A lot of work is ongoing by way of business and community interaction. It is worth noting that our local universities perform extremely well in the UK context and, certainly, punch well above their weight in areas such as consultancy, knowledge-transfer issues, spin-out companies — those types of indicators.

There is, perhaps, greater scope for growth in relation to how we do from UK research council bids. The difficulty there is that we are battling a trend towards the consolidation of big-scale research projects into fewer and fewer universities, particularly as the scale of the project becomes an important consideration. As well as that, we have the issue of being on a different island from that on which things are often happening elsewhere in the UK. That makes the challenge of what we have to do almost double.

Nonetheless, this is an area where more work can be done. We also have the potential to access European funding, and great work is happening to put in bids for Horizon 2020. As the Member will be aware, we have a contact-point network in place across my Department and DETI with support from a number of other Departments, with people employed solely with a purpose of processing grant applications to the European Union. Beyond that, we also have North/South cooperation between DEL and the Science Foundation Ireland (SFI) and also the US-Ireland research alliance, all of which are other ways in which we can bring additional money into the higher education sector.

2.15 pm

Mr Cree: Would the Minister's efforts to address the funding difficulties be made much easier if many of his Executive colleagues did not adopt a head-in-the-sand attitude, particularly in their approach to finance, including welfare reform? Does he now regret not voting for the current year's Budget?

Dr Farry: First of all, let me say that we have to press on with welfare reform. That is of primary importance. I also have to say to the Member that the situation would have been helped a little bit if the decision had not been taken by the Executive regarding the reallocation of the premia cuts that I had proposed to the teacher training colleges. His party was very much party to that decision.

Overall, my party did take the view that we were not in support of the Budget. We took that democratic decision because we did not feel that the Budget was sufficiently strategic. However, once that decision had been taken, we honourably followed through with decisions that have been taken to support the legislation around all that and to ensure that our Departments remain within the Budget envelope that has been allocated to us. Unfortunately, I do not think that those comments apply to the conduct of his own party when it was in office until fairly recently.

Mrs D Kelly: The Minister will be aware that a number of job losses are imminent next year, not least at B&Q in my constituency. What efforts are being made with his Big Conversation around colleges for those people who are somewhat later in life and find themselves out of work during that time? How will those training opportunities or services that people usually avail themselves of through the colleges be ring-fenced for the future for those people who need that type of upskilling?

Dr Farry: I have to say to the Member that it is very difficult to contemplate ring-fencing anything in the current climate, because real carnage is happening to budgets for skills in both the universities and the colleges. Let me stress that our colleges, in particular, are there to engage directly in the upskilling of the workforce. That is a service for all ages. They will work directly with companies to put together some very particular training programmes, as well as the more general provision that they offer. They are also the key delivery partners in our new strategy on apprenticeships.

Beyond what the colleges offer, we also have redundancy services where we can put together particular clinics. With particular reference to B&Q, the offer is there of direct assistance that we can provide to any individuals who are very sadly being made redundant in that context.

Mr Dickson: Can the Minister set out for the House his vision of the appropriate finances that are required to deliver the world-class further and higher education to which we all aspire?

Dr Farry: It is worth referencing where we currently sit in the context of finance. We have had a cut in the region of £16 million in the current financial year. That builds on top of what has been an emerging structural deficit for our universities approximating to £40 million. These are all per annum costs. That amounts to a difference in funding per place in Northern Ireland compared with the rest of the UK of between £1,000 and £2,500, which is a very significant difference. If it is not addressed, it will call into question the quality of our higher education product compared with that of others. There is very real danger there.

On top of that, we have quite understandable demands for the expansion of the higher education sector, particularly with reference to the Magee campus in Derry. If that were to go ahead, we would be talking about an additional commitment — again, per annum — from the Executive in the region of around £30 million. Very quickly, you see that we have a funding pressure for higher education in excess of £80 million per year.

We are not simply proposing that the system carries on in future as it did before. We need to rebalance and re-profile our higher education offer and we need to see a greater shift towards STEM subjects and engagement in the provision of employability skills. Our universities are

also potential partners in our apprenticeships strategy, particularly around degree-level apprenticeships, which take into account part-time study alongside someone being in training on the job in that particular context. That is a very tall order, given the amount of money that we are talking about. However, it is achievable if we are prepared to do things differently across a whole range of aspects of how we conduct business in Northern Ireland, from addressing the costs of a divided society through to revenue raising and other reforms in key public services.

Higher Education

4. **Mr Sheehan** asked the Minister for Employment and Learning for an update on the Big Conversation on higher education. (AQO 8825/11-16)

10. **Mrs Dobson** asked the Minister for Employment and Learning how he plans to secure a sustainable model of funding for local higher education. (AQO 8831/11-16)

Dr Farry: With your permission, Mr Principal Deputy Speaker, I wish to group questions 4 and 10, and I request an additional minute for the answer.

Northern Ireland currently supports higher education through a roughly equal balance between public and private investment. In 2013-14, the higher education institutions' two most significant sources of income came from annual grants paid through Departments amounting to 37% of their income and tuition fees paid by students, representing 30%. This year, in the context of severely constrained public resources, grant funding for higher education in Northern Ireland is reducing by over £16 million. Meanwhile, tuition fees have remained frozen, subject only to inflationary increases, since 2006. This stifling of investment has led to significant reductions in student places and staff posts. We are now the only region in the UK that is actively disinvesting in higher education. The model we currently use to support higher education is no longer sustainable.

That is why I have launched an innovative and experimental approach to engage with the people of Northern Ireland about this extremely important issue entitled the Higher Education Big Conversation. The first stage of the Big Conversation closed on Friday 2 October. It was designed to inform or remind people about why higher education is so important and how it is delivered and funded. It also explored the challenges that our higher education system is facing and drew on the ways in which higher education is delivered and funded elsewhere. Parents, organisations, employers, employees, former higher education students and current students tested their knowledge during the first stage of the process.

Stage 2, entitled "Have your say", closes on Friday 23 October and provides the people of Northern Ireland with the opportunity to help shape the future of higher education here. I will use the evidence gathered from this exercise to formulate an options paper, which I will present to my Executive colleagues, outlining the ways in which higher education could be sustained in future.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra. When does the Minister expect to have

conversations with representatives of political parties as part of these discussions?

Dr Farry: That stage will come formally through engagement with the Committee for Employment and Learning, on which all the parties in the Assembly are represented, and with members of the Executive. Ultimately, the Executive will be the key decision-maker in that regard. If any party wishes to have a separate meeting with me or my officials regarding these issues, we are more than happy to facilitate that directly in advance of those more formal discussions.

Mrs Dobson: The Minister will be aware that the funding gap between universities in Northern Ireland and universities in Great Britain is growing. Will he assure the House that the Big Conversation about higher education is not a device to put off making a decision while the funding gap continues to grow?

Dr Farry: It is certainly not designed to put anything off. It is designed to bring things to a head because the current situation is not sustainable and a decision has to be taken on the way forward. I am very keen to hear the views of the Ulster Unionist Party on what it believes is the way forward. Ultimately, this is a decision that will have to be taken by the Executive; it has to be a collective decision that all of us are able to stand over and which can be embedded for several generations. We cannot have a situation where our universities are facing an unstable environment where they are living from pillar to post, from one year to another or from one spending round to another. This issue needs to be settled so that the universities can plan ahead for the future and so that future students have certainty in the decisions that they make about how they are going to approach their studies.

Ms Hanna: I thank the Minister for his answers. You have suggested that the current model is unsustainable. Has the Department identified the tipping point after which it thinks the model will be financially unworkable? At this stage, do you envisage a change in the number of Colleges NI campuses?

Dr Farry: At this stage, the situation is, clearly, already unsustainable. We are losing places and staff and going in the opposite direction from what is happening elsewhere on these islands. Until this point, we had been making progress — a gradual, incremental change — on the number of places in our universities. Over the lifetime of this Assembly, we have managed an increase of almost 1,300 or 1,400, which is a significant rate of progress, but we are now moving backwards.

On the Member's second point about Colleges NI and the number of FE colleges in Northern Ireland, the intention is that we will continue to have six. It is not on the agenda. Obviously, as we work through the capital programme for colleges, there may be decisions on the rationalisation of particular buildings, but we are committed to having six colleges in our FE network.

Foreign Labour: NEETs Impact

5. **Mr McNarry** asked the Minister for Employment and Learning, given that approximately one in five National Insurance numbers allocated in Northern Ireland since 2001 was to a person not born in the UK, for his

assessment of how foreign labour has impacted on people aged 16 to 24 years who are not in employment, education and training. (AQO 8826/11-16)

Dr Farry: An increase in National Insurance numbers issued does not necessarily lead to an increase in the number not in employment, education or training. A report commissioned by the Department for Work and Pensions and authored by Portes, Lemos and Gilpin shows that there is no impact on the numbers not in employment, education or training related to the number of migrants registering for National Insurance numbers in the UK.

It should be noted that not all those issued with National Insurance numbers, outside the routine process when individuals are 16 years old, may be working. It should also be noted that some of those issued with National Insurance numbers, although not UK-born, will be UK citizens.

Northern Ireland Social Security Agency and Department for Work and Pensions statistics show that there were between 8,000 and 11,000 National Insurance numbers issued to non-UK nationals resident in Northern Ireland in each of the last four years. That is around half the annual level for the period from 2005 to 2008.

It would be unwise to assume a causal link between the claimant count and National Insurance number registrations. Migrants will leave or will not all have jobs at any one time, and some will be UK citizens even if not UK-born. It is, therefore, important not to draw conclusions about whether non-UK-born National Insurance number registrations increase or decrease the number of those not in employment, education or training.

Mr McNarry: I thank the Minister for his answer. I asked the question to inform opinion-makers. Will he tell me, as opposed to speculation, what sort of grip his Department has on the relationship between these high immigrant figures and the number of jobs available to local young people aged 16 to 24, some 32,000 of whom are not in employment, education or training?

Dr Farry: I certainly hope that the Member will inform the people of Northern Ireland as to what is really going on rather than engaging in scaremongering —

Mr McNarry: Rubbish — absolute rubbish.

Dr Farry: — and scapegoating people coming into our society.

Mr McNarry: I ask that that remark be withdrawn.

Mr Principal Deputy Speaker: Order. I ask Mr McNarry to remain seated and not to badger from the back row.

Dr Farry: I think that most people in this society are sick, sore and tired of the demagoguery that comes from UKIP when it is scapegoating the other for the problems that lie within our society.

Some Members: Hear, hear.

Dr Farry: Let me state the facts as they stand: we have problems with unemployment and problems with low and no skills. Those are deep structural problems that existed in our society long before mass migration became an issue. The same applies to what people perceive as problems with school admissions and waiting lists. Those are nothing to do with the fact that people are coming to work and live in Northern Ireland. They relate to problems

with our budgets and structural issues in our society that we have not yet got to grips with.

The fact remains that unemployment, including long-term unemployment, and economic inactivity persist regardless of the ups and downs of the economic cycle and the numbers coming into Northern Ireland. Those are the facts, and the statistics are there. I am more than happy to give those to Mr McNarry, particularly if he is committing himself to informing people about the facts, rather than confirming the perceptions and fears that people wish to stoke up for potential political gain.

Let us not scapegoat economic migrants. Let us welcome them into Northern Ireland and recognise that they are playing a major role in our society and are adding more to our society than they are taking out. For example, our National Health Service in Northern Ireland would not function if it —

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

Dr Farry: — was not for people who come to Northern Ireland from other parts of the world.

2.30 pm

Mr Principal Deputy Speaker: That ends the period for listed questions. We now move to topical questions.

Employment Strategy for People with Disabilities

T1. **Mr Somerville** asked the Minister for Employment and Learning for an update on the disability employment strategy. (AQT 2961/11-16)

Dr Farry: I am more than happy to give the Member an update, though it is only two weeks since we launched the strategy and so the consultation is still under way. I am sure that the Member will be particularly pleased, given his political allegiance, that I was down at Croke Park this morning for the National Disability Authority conference on opportunities around employment. It is worth noting that what we have done in Northern Ireland has been mirrored in the employment strategy that was launched by the Taoiseach on 2 October. That was the same week that we launched our strategy in Northern Ireland.

Mr Somerville: Thank you, Minister, for that answer. Is there any timeline for the implementation of the Bill?

Dr Farry: The intention is to have the formal strategy in place early in 2016, once we have formally concluded the consultation process and collated all the responses. However, there are aspects of it that we can proceed with already, and the Member will probably be pleased to note that we have proceeded, through Disability Action, to begin recruiting the supported employment officers.

Grandparental Leave for Childcare

T2. **Mrs Dobson** asked the Minister for Employment and Learning for his assessment of the idea of grandparental leave for childcare. (AQT 2962/11-16)

Dr Farry: At this stage, it is very early days, given that it was only announced last week at the Conservative Party conference. In principle, it seems to be a positive idea. As the Member will know, only this year, we introduced shared parental leave. That has been in place since the

beginning of April this year. It would take fresh legislation in the Assembly. However, if that is the view of the Member and other parties, I am sure that there would be a strong basis on which we could proceed to introduce legislation along similar lines to legislation that will be introduced for Great Britain.

Mrs Dobson: I am glad that the Minister is aware of the Chancellor's announcement at Westminster. Notwithstanding the need to recognise the primary childcare responsibilities of both fathers and mothers, will the Minister ensure that Northern Ireland keeps pace with the rest of the UK on this policy area?

Dr Farry: Yes, I am very much aware of the importance of ensuring that people in Northern Ireland get full advantage of such provision, and I would join the Member in stressing the importance of remembering that, when we talk about shared parental leave or potential shared grandparental leave, this is all about voluntary participation and enabling people. It is about recognising the different nature of the modern family. We often have two parents who are working or, indeed, single parents, in the case of the grandparent context, who may be working, and there may be a whole host of economic and social reasons why people wish to share the leave available to them in different ways. It is not about forcing people to move away from a more traditional model if that is what particular families prefer, but it is essentially widening choice. This also has a very strong economic rationale. It is about companies investing in their staff and ensuring that they are treating them with respect, and a productivity gain will come on the back of this to all employers who are required to go along with the new legal framework.

Tax Credits: Impact on Jobseekers

T3. **Mr McAleer** asked the Minister for Employment and Learning whether he accepts that the cuts to the tax credit system will result in fewer people being able to take up employment, if, indeed, they are fortunate enough to secure a position. (AQT 2963/11-16)

Dr Farry: Yes, I am opposed to what is happening with tax credits. However, as the Member will know, that is happening on a non-devolved basis through Westminster, and it is therefore incumbent on MPs who are there — that can potentially include the elected representatives from the Member's party — to stand up for the circumstances of Northern Ireland when decisions are being taken in that regard. The Member will also be aware that we have a talks process under way and that the issue of welfare is under consideration.

That point is being brought up by a number of sources. A lot of consideration is being given to steps that can be put in place to mitigate the effects of welfare reform by ensuring that we are investing in employability schemes and how we give people proper opportunities to engage with the world of work and sustain employment.

Mr McAleer: I thank the Minister for his answer. Does he accept that, whilst the increase in the minimum wage will go some way to relieve the condition of people living in poverty, it does not go far enough to counter the negative impacts of the cuts in the tax credit system?

Dr Farry: The increases in the minimum wage and, in due course, the so-called living wage approach will, to an

extent, mitigate those cuts, though not fully. There will be a differential impact for different people. We also have to factor in the potential implications for employment levels in Northern Ireland. While there is a clear national consensus on the way to go in additional support for those who are in work through what they are earning, we also need to be conscious of the potential impacts, particularly on SMEs, as we have a predominance of SMEs in our local economy.

National Disability Authority Conference

T4. **Ms Lo** asked the Minister for Employment and Learning what form his participation took in the National Disability Authority conference in Dublin this morning. (AQT 2964/11-16)

Dr Farry: Like Northern Ireland, other parts of these islands are looking at the support that they provide to people with disabilities. That involves a range of public services and the infrastructure that we have. There is also an increased focus on employability.

I was at the conference to share our experiences in Northern Ireland over past years in how we have sought to support people with disabilities into the world of work and how we can help them to sustain employment. I also highlighted the strategy that we have just launched for consultation. I spoke alongside the Irish Minister for Justice and Equality, Frances Fitzgerald. Other prominent speakers were there, too.

Ms Lo: How do we compare with other regions in these islands?

Dr Farry: Through a bizarre coincidence of timing — or maybe it was deliberate; who knows? — in the week that we launched our consultation exercise, an Taoiseach announced a disability employment strategy for the Republic of Ireland. We see, on a North/South basis, a coming together of the two jurisdictions in similar types of provision. While we will remain separate in the implementation of those respective strategies, where there is potential for commonality, learning lessons on a shared basis or exploring opportunities for placements or job opportunities on a North/South basis, we will take those up.

We are aware of developments in disability employment strategies elsewhere in the UK. While, on a piecemeal basis, we have seen elements that we are considering for Northern Ireland being introduced in other parts of the UK, they are not at the stage where they are encapsulating those as part of a formal strategy, although I am sure that they will seek to do so in the very near future.

Students: Cross-border Study

T5. **Ms Fearon** asked the Minister for Employment and Learning for his assessment of how attractive it is for students from Newry and Armagh to attend college in Louth and throughout the border region. (AQT 2965/11-16)

Dr Farry: It depends on the level of study. At levels 2, 3 and 4, I imagine that the Southern Regional College has a massive advantage. We do not have huge evidence of a flow of students from Northern Ireland to the Republic for further education or its equivalent. However, we see a significant flow of students in the opposite direction. The bulk of that flow is in the Derry/north Donegal corridor, where we have well in excess of 2,500 students moving in

that direction. The flow between Newry and County Louth would be much smaller than that.

Ms Fearon: Go raibh maith agat. I thank the Minister for his answer. Will he outline what actions he intends to take in the near future around removing barriers to cross-border student mobility and exploring what barriers exist?

Dr Farry: There are probably two separate issues in that regard. There is the issue of what is happening in higher education, which has been the subject of quite a few questions in the Assembly recently. The main barrier to a flow from North to South in further education is a lack of equivalent provision in many parts of the Republic of Ireland. That is what we are seeing particularly in relation to the Derry/Donegal phenomenon, where there is a migration into North West Regional College because there is not any significant provision at that level in County Donegal. That area has been sadly neglected by the Irish Government over many years.

We in Northern Ireland bear a major cost of around £7.5 million every year; that is the effect of this. Obviously, that comes at the detriment of our ability to invest that money in other parts of further education. Let me be clear that I am not seeking to discourage students coming from the South. We have to have a natural flow in both directions to balance each other out. Once we have that, colleges will be able to specialise even more in provision, which stands to benefit us all, irrespective of which jurisdiction we are starting from.

Apprenticeships: Higher Level

T6. **Mr Lyttle** asked the Minister for Employment and Learning what progress is being made in providing higher-level apprenticeships in Northern Ireland as part of the change fund. (AQT 2966/11-16)

Dr Farry: As the Member will appreciate, as part of the Northern Ireland apprenticeship strategy, we are committed to piloting the higher-level apprenticeships. We have secured a package of £7.5 million from the Executive for that and some piloting in relation to youth training. At this stage, we are looking at potentially around 450 higher-level apprenticeships across 10 different occupational areas starting in the current academic year. All six of our colleges, as well as our universities, have engaged in this process. Of a total of 30 applications that have been made, 27 have been approved by my Department. The list includes areas such as mechatronics engineering, insurance, food manufacturing and computing. A full list is available on the NI Direct website.

Mr Lyttle: I thank the Minister for his answer. I welcome the progress that is being made on the provision of higher-level apprenticeships. How important is improving the provision of higher-level apprenticeships to the transformation of the Northern Ireland economy?

Dr Farry: The key point here is that we have very clear evidence of the importance of higher-level skills and having a much greater footprint in those. However, we are not going to achieve that fully through the more traditional higher education academic route. While that will remain important, it is equally important that we seek to diversify the routes through which we provide those higher-level skills. The apprenticeship model provides a different alternative, one that combines people being in a job while

learning both on the job and at a college or university. That type of hybrid study, particularly at the higher levels, will be very lucrative for employers in their having confidence that they are getting the qualified young people that they need for the future growth of their business, and for young people themselves in knowing that they have the employability skills that are very much prized by employers, in addition to the professional technical skills that employers need.

Doctors and Nurses

T7. **Mr Kennedy** asked the Minister for Employment and Learning for his assessment of the need to train more doctors and nurses in Northern Ireland and to outline how he and his Department can encourage and assist with this. (AQT 2967/11-16)

Dr Farry: The Member will know that those workforce planning issues are matters for the Department of Health, rather than directly for my Department. I, like others, am very much aware of the pressures that are being experienced within the health service. I am sure that the Health Minister is very much seized of those issues.

Mr Principal Deputy Speaker: Time is up. We now move on to questions to the Minister of Agriculture and Rural Development.

Mr Dickson: On a point of order, Mr Principal Deputy Speaker. In the discussion that preceded this, Mr McNarry was barracking from a sedentary position at the back. The Minister was giving a clear list of facts and figures, provided presumably by his Department, and they were described from a sedentary position as "your lies". I find that objectionable and inappropriate language, particularly when what was being delivered on the Floor was clearly a list of facts.

Mr Principal Deputy Speaker: Your remarks have been noted, and I have no doubt that the Speaker will take account of them.

2.45 pm

Agriculture and Rural Development

DARD HQ: Ballykelly

1. **Mrs Dobson** asked the Minister of Agriculture and Rural Development to outline the estimated cost of relocating her departmental headquarters to Ballykelly. (AQO 8837/11-16)

10. **Mr Ó hOisín** asked the Minister of Agriculture and Rural Development to outline the benefits of her departmental headquarters' move to Ballykelly. (AQO 8846/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): With your permission, a Cheann Comhairle, I will answer questions 1 and 10 together. I can advise that the estimated total cost for the relocation of my departmental headquarters to Ballykelly is £30.8 million capital and £14.3 million resource. The costs are currently being refined as part of the full business case process, which is due to be completed by November 2015.

I am confident that the wider rural area around the north-west will benefit significantly from the project in a number of ways. As well as the construction jobs, local businesses and suppliers in the area will benefit from a much larger customer base. The new headquarters will need to be serviced, with functions such as cleaning, catering and security services which will impact on employment in the area. Throughout the design process, my officials have ensured that the building and the site that it will occupy can be used for community purposes.

The relocation will open up employment and promotion opportunities for people living in the local area and enhance the potential for staff living in the north-west to further their careers in the Civil Service without having to move to, or commute to, the greater Belfast area. Relocation to Ballykelly emphasises that DARD is a Department that promotes regional economic rebalancing and is committed to the sustainability of rural communities.

Mrs Dobson: I thank the Minister for her answer. I am just sorry that Gregory Campbell is not in the Chamber to hear the answer, but anyway. The costs for the project have been spiralling, not least since the Minister's hopes to save £26 million by using the existing buildings on the site were later dismissed. Can she give a commitment that, in light of the ongoing absence of a business plan, as well as a possible alternative of utilising the empty Driver and Vehicle Agency (DVA) buildings in Coleraine, the project represents the best value for public money?

Mrs O'Neill: Yes, I am absolutely confident that it represents value for money. The Member's information about the costs spiralling is wrong. The costs have been outlined in the outline business case and, as I said, we are coming to the conclusion of the full business case. The benefits that the project will bring to the north-west and to the rural community as a whole will be that it will create public-sector jobs in the area, and there will be ongoing servicing of the building as well as the construction of the building. All those benefits speak for themselves. It is about time that we had all Departments looking towards the needs of rural communities and those people from rural communities who work in the greater Belfast area now to access employment.

The benefits for the project are second to none. The benefits for the rural community are second to none. I am committed to making sure that we deliver on my headquarters going to Ballykelly. Forest Service has now opened up an office in Fermanagh, Rivers Agency has gone to Down, and construction work started last week in the site in Loughry for the Rivers Agency. So, I am very committed to decentralisation. I am very committed to making sure that there are employment opportunities for rural people, as well as those who live in the greater Belfast area.

Mr Principal Deputy Speaker: Before I call Mr Ó hOisín for a supplementary question, since he is the Minister's Assembly private secretary, and in line with the protocol, I remind the Member that his question should relate specifically to a constituency matter in which he is directly involved.

Mr Ó hOisín: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you for your advice. Indeed, it is about a constituency matter. I very much welcome the great, rapid work on the progress of the DARD headquarters

in Ballykelly and the interest expressed by others in the site. Will the Minister outline the details of the transfer of her staff to the greater Derry area in advance of the construction work at Ballykelly being completed?

Mrs O'Neill: My officials have analysed the information received from the Civil Service staff who responded to the expressions of interest that they would be willing to join DARD to work in Ballykelly. The analysis of the home addresses of those staff has led to the decision to utilise current vacated accommodation in Coleraine and Derry. My officials intend to utilise, in total, somewhere in the region of 100 workstations in Coleraine and Derry in the period between now and when the new site at Ballykelly is ready for occupation in late 2017. My officials, in conjunction with colleagues in DFP, have ensured that the accommodation being considered is flexible to allow DARD to alter the numbers in the advance accommodation as appropriate.

The HR relocation team is also working with business areas on the practicalities of the approach, and staff handling plans are being developed for those units that will be part of the advance party. So, as we move towards the final project, there will be an opportunity for other staff to go forward and take up employment in Coleraine and Derry, which gives those staff even more time to adjust to the new move to Ballykelly.

Mr Ramsey: I thank the Minister for her response. She indicated in it that she hopes to have 100 officials relocated to Ballykelly in the north-west by 2017. Will the Minister outline to the House how many staff will ultimately be working for DARD in the north-west area once the plan is complete?

Mrs O'Neill: We are going to create a workstation which will accommodate up to 600 staff, but we will do it on a phased basis to allow for the transition. About 400 staff will be there before the end of 2017, then there will be an additional 200 until 2020. Obviously, with changes in the departmental structures and the new Department being created, there will be some adjustment for new numbers, and decisions will have to be taken on that. However, as I speak today, we are talking about 400 in the first phase and up to 600 in the second.

Mr McCarthy: Can the Minister give the Assembly a categorical assurance that there will be continuity of business and that no one will be affected by the move? Farmers, as we all know, are going through a dire situation at the minute, and they should not be affected by this move to Ballykelly.

Mrs O'Neill: I can give that assurance. We are very mindful of the fact that we are changing how we are going to do business and where we do business from. That is why we are taking it forward on a phased basis that will allow that transition to happen very smoothly. There will be no impact on front-line services.

Flood Alleviation Schemes

2. **Mr Sheehan** asked the Minister of Agriculture and Rural Development for an update on departmental flood alleviation schemes. (AQO 8838/11-16)

Mrs O'Neill: On behalf of the Department, Rivers Agency undertakes a prioritised programme of flood alleviation schemes across the North to protect people and property

from flooding. In terms of significant projects, the Beragh flood alleviation scheme was completed this summer, and construction of a multi-million-pound scheme is ongoing in east Belfast in partnership with Belfast City Council. A considerable number of small-scale improvement works are also being undertaken. Further construction work is planned in south Belfast later this year, alongside the ongoing preparatory work to bring a number of schemes to construction stage. I am pleased to advise that 290 homes and businesses benefited from enhanced flood protection in the last financial year as a result of flood alleviation schemes delivered by my Department, and a further 156 properties are expected to benefit in the current financial year.

Mr Sheehan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Buíochas leis an Aire as ucht a freagra. Will the Minister tell us what her Department is doing to engage with communities which may be at flood risk?

Mrs O'Neill: Rivers Agency staff are very proactive in engaging with communities. Where it is not possible to undertake a scheme, or where it will be some time before a scheme can be undertaken, the Department takes the lead in working with other responders to improve the community's resilience to flooding. That involves helping communities to develop their own emergency response plans.

Ms Hanna: The Minister is aware of the predicament of many householders, particularly in my constituency of South Belfast, who live under constant threat of flooding. Can she give an update on the household protection scheme, and give some assurance to people that they might still be eligible for that scheme, even if an alleviation scheme is planned for their area? In many cases, alleviation schemes will not begin to take effect for several years and people will have the threat of flooding hanging over them. There is a worry that they will not be eligible for the protection grants in the interim.

Mrs O'Neill: Yes, and I am happy to discuss that further with the Member. I brought forward the scheme for the reasons that I have said: sometimes, it is not possible to provide a community scheme that benefits everybody. This will help individuals to protect their own property, with the majority of the funding coming from the Department. From Rivers Agency, there will be around 90% grant funding. That is going to be very helpful. We hope to be able to launch the scheme, and provide all the details that the Member seeks clarity on, in November. At that time, we will be able to provide a lot more detail.

I want to make sure that the scheme is as inclusive as possible and that we help people who need help, particularly people who are waiting for schemes which may be two, three or four years down the pipeline. I will provide the Member with a more detailed analysis of who the scheme can protect and how to go about achieving funding. It is important that Rivers Agency provides that information, so that everybody knows what is there and how they can access it.

Mr Allen: East Belfast has a large programme of flood-risk works being carried out, and I welcome the investment on the Knock, Loop and Connswater rivers. Can the Minister provide an update on the areas at risk from the tidal surge in January 2014 and how she believes that those areas have since been protected from future threats?

Mrs O'Neill: As I said in my original answer, we are working very hard. The east Belfast scheme has

obviously been a very significant funding scheme for the Department. It is costing something in the region of £6 million. We are working in conjunction with Belfast City Council, which is in the lead on that project. So, work is ongoing. As I say, there has been a significant investment. Rivers Agency is very committed to making sure that it completes the scheme and protects all those people who are potentially at risk. As you said yourself, the threat that we had from tidal flooding was very significant and very scary for people who live in that area, so it is important that we get the scheme completed and that everybody is content with the protections that are put in place and afforded to all those people.

Dairy Farmers: EU Aid Package

3. **Mr Dallat** asked the Minister of Agriculture and Rural Development how the EU farm aid package will be allocated to dairy farmers. (AQO 8839/11-16)

4. **Mr McKinney** asked the Minister of Agriculture and Rural Development for an update on the £5.1 million of EU funding secured to alleviate the current crisis in the agriculture sector. (AQO 8840/11-16)

5. **Ms McGahan** asked the Minister of Agriculture and Rural Development how the targeted aid package of £5.1 million will assist dairy farmers. (AQO 8841/11-16)

Mrs O'Neill: A Leas-Cheann Comhairle, I am going to answer questions 3, 4 and 5 together.

I am pleased to have secured £5.1 million for the North as part of the EU farm aid package. I welcome the fact that the Commission and DEFRA have accepted the strong case that I made for differentiated aid for the North, to reflect the unique and extreme circumstances faced by our dairy industry here. As a result, we will receive almost 20% of the member state's allocation, which includes an additional top-up for the North of Ireland.

I have decided to allocate the full funding to dairy farmers only, as the price falls we have seen in that sector are deeper and more prolonged than in any other farming sector. I wanted to ensure that we target those who are facing the greatest losses and cash-flow difficulties at this time. Payments will be based on a flat rate per litre of milk production, so they will vary from farmer to farmer. Legislation, known as a delegated regulation, is required at EU level to make these payments. The Commission is finalising this and hopes that it will come into effect soon. My officials are talking to DEFRA officials on an ongoing basis about the detailed practicalities of making the payments and the subordinate legislation that will also be required in this member state.

I am anxious that payments are made as quickly as possible, and, given that our farmers are in greatest need of support, I have told George Eustice that I want our farmers to receive their payments first. I have pressed him for the aid to be paid as early as possible by the Rural Payments Agency, and I expect that payments will be made in early December.

Mr Dallat: I thank the Minister for her reply. The Minister said that it is a unique situation. I am sure that she would agree with me that it is a total disaster for many of our farmers. Do they really have to wait until January to get their money?

Mrs O'Neill: I agree that it is a really difficult time for the industry, which is why I have fought such a hard case. We have been somewhat successful in that we have obtained funding over and above what farmers got in Scotland, Wales and England. However, I am very keen that this money is paid out as quickly as possible. We are pushing DEFRA. We need the EU to put the legislation through, and then we can move forward. As I said, I have asked DEFRA to prioritise our farmers, given that we are unique and that we are in a slightly different, more severe situation. I think that all I can do is keep putting the pressure on. Certainly, my intention would be that the payments would be with farmers before their single farm payment.

Mr McKinney: I thank the Minister. What assurance can she give to the non-dairy sector, which is also experiencing cash-flow problems, that their problems are being dealt with by her and her Department?

Mrs O'Neill: I have been very active in all these issues. We have never seen a scenario where all sectors are struggling at the one time. Normally, it is an individual sector, such as the poultry sector or the dairy sector, but this year has been particularly bad for all sectors. For my part, there are the practical supports that we can provide through the Department and through the College of Agriculture, Food and Rural Enterprise (CAFRE). There is the benchmarking and all that practical work that we can do. Alongside that, I have been meeting with the banks and engaging with them around providing flexibility to farmers. We are prioritising making sure that we get the maximum number of farmers paid, so that all farmers in all sectors are paid their single farm payment in December. As I said, we are also working practically on the ground. Those are the areas where we can work. This is a really difficult year for farming. We are looking to the future, where there are opportunities for growth and prospects for our industry. We have to try and help our sectors get through this difficult time, so that they are able to produce in the future.

Ms McGahan: Go raibh maith agat. I thank the Minister for her response. Will this payment to dairy farmers impact on the processing of the new basic payment scheme?

Mrs O'Neill: I can give an assurance that that will not happen. I have decided to pay out the EU aid by using the Rural Payments Agency, which is under the remit of DEFRA. That allows us to get these payments processed separately and does not disrupt any work that we are doing around trying to get the maximum number of farmers paid in December. In recognition of the difficulties that there are for all sectors, I have made sure that we are able to distribute this funding in a way that will not impact on the basic payments being made in December.

Mrs Overend: Funnily enough, my question has been answered, but I am thinking of another one. In relation to dairy farmers, whilst it was encouraging that Westminster has recognised Northern Ireland's unique problems through its share, can the Minister now explain how she is going to use this recognition to her advantage through further discussions with the Commission?

Mrs O'Neill: We were the only devolved area to actually achieve a meeting with the Commission. I led a delegation that went out to meet with the commissioner. We were able to impress upon him why we are different and why we are

unique. There was recognition of that in the aid package that we received.

We have made a lot of noise in Europe, and that has been recognised. I have said since the meeting on 7 September that I did not think that the Commission went far enough. I have continued to lobby the Commission, and I think that we need a review of intervention prices. I have written to Phil Hogan to express that view, and I have written again to DEFRA. DEFRA listened to the plight of our farmers, but I do not believe that it supported their need, in that it did not ask for a review of intervention prices. I think that DEFRA failed to recognise the uniqueness of our farmers here in the North of Ireland. It is a good job that we have locally elected MLAs and a locally elected Executive who can go out and fight their corner because, if it was left to DEFRA, we would not even be in the position that we are in today.

3.00 pm

Mr Byrne: I welcome what the Minister has done in lobbying Brussels directly, but, given that the French have managed to provide extra co-opted funding along with their aid package from Brussels, can the Minister indicate whether her Department, through DEFRA, can give any extra assistance to farmers who have availed themselves of what is, so far, a less than wholesome package?

Mrs O'Neill: The Member pointed out that the Commission stated that member states may provide match funding for the EU targeted aid allocated to them, but DEFRA has no intention of putting any additional funding to that. Any match funding would have to be on the same basis as that under which the EU element of the aid is allocated within a member state. If, through the EU package, aid is paid only to dairy farmers in a member state, any match funding would also have to go only to dairy farmers. However, there is no flexibility in DARD's budget to provide any additional match funding. We need to ensure that we continue to drive home the message that we need this money paid out as quickly as possible, and that is my job of work over the next weeks. As I said, I have written to DEFRA and asked for our farmers to be prioritised, and I will continue in that vein until the money is paid out.

Mr Allister: Some of the farming press have indicated that the average payment to dairy farmers will be in the order of £2,000. Will the Minister comment on whether that is correct? If so, does she accept that that is but a relative drop in the ocean of the losses that are taking place?

In answer to Mr Byrne, the Minister seemed to say that there is no prospect of match funding. She has two possibilities: she can give match funding or she can give funding to all of the farming community under the de minimis rules. Is she saying no to both?

Mrs O'Neill: The payments are being calculated, as I said in my original answer, on the basis of a flat rate per litre of milk production, so they will vary from farmer to farmer. The very crude calculation that some of the papers are running with divides the block money by the number of farmers, so the average payment looks to be £2,000, but that will not be the case; it will be based on their production levels. However, a flat rate per litre will be paid out that way. As I said, my priority has been to make sure that we get the payments out as quickly as possible.

I agree with the Member about the aid package on the table. We welcome any support for the farming industry, but I do not believe that this is the way to tackle the problem. There is recognition that there is a cash-flow problem, so a bit of cash coming into the system will help, but I believe that, unless the intervention price is reviewed, we will have this conversation again next year, the year after and perhaps the year after that because of the volatility in the markets and how the markets work. We need to prioritise getting that money out, and I need to continue the battle with Europe, asking for a review of intervention prices. I have already committed publicly to doing so and I have taken action to that effect.

Young Farmers' Clubs of Ulster: Grant

6. **Mr Beggs** asked the Minister of Agriculture and Rural Development whether she will renew the grant to the Young Farmers' Clubs of Ulster in 2016-17. (AQO 8842/11-16)

Mrs O'Neill: I fully recognise the commitment of the Young Farmers' Clubs of Ulster and the contribution that they make in the rural community through developing our young people and providing them with a voice to engage with industry, government and their community. Their presence at industry meetings in Brussels in recent weeks speaks volumes for their dedication to ensuring that the views and opinions of our existing and future young farmers are heard.

I was delighted that the young farmers exhibited in the DARD pavilion at the National Ploughing Championships in Portlaoise a few weeks ago. This gave them an excellent opportunity to network with their counterparts, Macra na Feirme, and build on that important youth relationship. I was also able to have meaningful discussions with them about their recent achievements and plans for the future of the organisation. Full consideration will be given to any proposal made by the Young Farmers' Clubs for the further provision of grant aid in 2016-17. Assessment will be dependent on the achievement of targets specified in the current agreed programme of delivery and subject to budget availability, key competing departmental priorities and business case approval.

Mr Beggs: I thank the Minister for her response. The Department of Agriculture is keen to ensure good farming practice and improved profitability and the Department of Health is keen to address the issue of rural isolation. Does the Minister acknowledge that the Young Farmers' Clubs of Ulster, and the limited funds that help it to coordinate the activities of the various groups and young farmers' clubs, provides good value in reducing the dangers of rural isolation and in allowing young people to experience good farming practice?

Mrs O'Neill: Yes. As I said, I value the work that it does. It is very active on the ground working with young people right across the island. I welcome the fact that it came along recently to the ploughing championships and held some joint events with Macra na Feirme, its counterpart in the Twenty-six Counties. It is very positive work. The number of people that it engages with speaks for itself in the value that it brings to rural communities. I have worked very closely with it and attended many of its events, and I think that it plays a valuable role. When it comes to looking to the future, I am quite sure that we will be able to find a

way of working together around valuing what it does and making sure that it delivers and helps the Department to deliver on its key strategic objectives.

Mr Principal Deputy Speaker: Mr Conor Murphy is not in his place.

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 Enniskillen. (AQO 8844/11-16)

Mrs O'Neill: I am pleased to confirm that, since 28 September 2015, the headquarters of the Forest Service have been relocated to Inishkeen House in Enniskillen. Along with the relocation of my fisheries division to Downpatrick in June, the relocation of Forest Service represents the second significant milestone in the programme to relocate my departmental headquarters to four different rural locations across the North.

Mr Flanagan: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Minister for her update. It is welcome news to see the further decentralisation of jobs in the public sector to rural areas like Fermanagh. Will the Minister give us an indication of the advantages of having Forest Service located in Enniskillen?

Mrs O'Neill: The move aims to bring more public-sector employment to the county. It will also allow for closer on-the-ground experience, particularly for Forest Service in its role, of what is happening in timber processing and recreation in the forests in the west. It is very beneficial for that practical work. However, the overall benefits of relocation, whether that is Forest Service to Fermanagh or all the other relocations that I am taking forward, are about recognising and delivering on one of the recommendations in the independent review of policy on the location of public-sector jobs. It is about stimulating the local economy through increased local spending, the provision of high-quality and high-value public-sector jobs and, potentially, jobs associated with the construction and ongoing servicing of a new building. For me, it is very much about sharing the wealth across the economy and contributing to better-balanced economic growth by commencing to address the disparities in the distribution of public-sector jobs right across the North.

Mr Somerville: The Minister will be aware that my party has consistently asked for the relocation to Enniskillen, and I am delighted to hear that that has taken place. Will the Minister provide an update on how many posts will need to be filled, given the external recruitment freeze? Will the people across Fermanagh be able to apply for those posts?

Mrs O'Neill: I believe that about 70 posts in total are going to Forest Service. There is certainly workspace for up to 70 staff. Whilst your party may have asked for it, I certainly delivered it.

Bovine Thefts: Armagh and Newry

9. **Mr Kennedy** asked the Minister of Agriculture and Rural Development how many bovine animals have been reported missing or stolen in the Armagh and Newry divisional veterinary offices in each of the last three years. (AQO 8845/11-16)

Mrs O'Neill: Under the Cattle Identification (Miscellaneous Amendments) Regulations 2012, keepers must report cattle that are lost or stolen in writing to DARD within seven days of the event being noticed. Information on stolen animals or animals reported as missing is kept on the Department's database, the animal and public health information system (APHIS). APHIS does not differentiate between missing/lost or stolen animals. Those two categories are recorded collectively on APHIS.

The number of cattle reported missing or stolen in the Armagh divisional veterinary office (DVO) area was 389 in 2012-13; 629 in 2013-14; and 666 in 2014-15. That totals 1,684 for the three years. The number of cattle reported missing or stolen in the Newry DVO area was 406 in 2012-13; 947 in 2013-14; and 497 in 2014-15. That totals 1,850 for the three years.

The PSNI actively investigates reports of stolen cattle. I encourage any keeper who suspects that an animal has been stolen to report it to the PSNI as soon as possible so that a full investigation can be carried out.

Mr Kennedy: I am grateful to the Minister for her answer. Given that the Newry and Armagh DARD veterinary offices consistently report the highest numbers of stolen or missing cattle, the proximity of the border to each office is clearly not a coincidence. Would the Minister support a National Crime Agency investigation into those organised crime gangs?

Mrs O'Neill: I would support any action that helped to remove the criminality that is in our society. That is an issue that has been raised consistently; I have raised it at the North/South Ministerial Council. Whilst we have joined-up working between the PSNI and an Garda Síochána, there are opportunities for us to work more effectively together in dealing with any criminality, whether in relation to any type of rural crime or, in this instance, cattle theft.

Brucellosis-free Status: Advantages

11. **Ms Ruane** asked the Minister of Agriculture and Rural Development to outline the advantages associated with the recently secured officially brucellosis-free status. (AQO 8847/11-16)

Mrs O'Neill: On 9 September, we received the tremendous news that our application to the EU Commission for officially brucellosis-free (OBF) status had been approved by the Standing Committee on Plant, Animals, Food and Feed in Brussels. On 6 October this year, that decision was formally published in the 'Official Journal of the European Union'. That means that we are now formally recognised as an OBF region. That is excellent news for the industry and is a highly significant milestone in the history of disease eradication here.

Achieving formal OBF approval now allows us to introduce further progressive reductions to our control measures, such as an increase to the age at which animals are tested and further reductions in the frequency of routine surveillance testing. We also hope to make changes to brucellosis pre-export testing for movements of cattle to other member states in the coming weeks. That will greatly reduce the costs that those controls place on herdkeepers and taxpayers, which in recent years have cost taxpayers some £8 million per year and farmers around £7 million per year in compliance costs.

Those additional programme reductions will provide further benefits to the industry and will build on the changes that I had already introduced prior to formal publication. In June this year, I extended biennial testing to beef herds, which had previously been tested annually, and, on 28 September, I abolished pre-movement testing for internal cattle movements, which alone is likely to save the farming industry some £2 million a year.

Reaching that status is a remarkable achievement, considering the grip that brucellosis had on the farming industry just a few years ago. I am acutely aware of how devastating the disease can be, and I congratulate all those who have worked so hard to eradicate it finally.

Ms Ruane: Gabhaim buíochas leis an Aire as an bhfreagra sin. I thank the Minister for that answer. Will she outline how the brucellosis-testing measures will be completed from now on?

Mrs O'Neill: As a result, we can now begin to roll out further programme changes that will all come into operation over the coming weeks. On Monday 19 October, I will increase the age at which animals are subject to a routine test from 12 months to 24 months. On 2 November this year, the frequency with which dairy herds are tested will decrease to some 20% a year over the next five years. We have already introduced biennial testing for beef herds, which will continue for the next two years. Over the subsequent three years, testing will reduce again to approximately 33% a year. It is appropriate to carry out less frequent blood testing on dairy herds compared to beef herds because regular bulk milk testing provides an additional assurance about the disease status of the animals. Brucellosis pre-export testing to the South, to Britain and to other member states should also end in the near future.

Mr D Bradley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I welcome the news that the Minister has given us today that we are now a brucellosis-free zone or have that status. The Minister will remember that, a number of years ago, there were incidents of brucellosis being spread deliberately. What action needs to be taken to ensure that we maintain our brucellosis-free status in the future?

Mrs O'Neill: Whilst we relaxed some controls — as I said, there is significant benefit to the farming industry, not only in financial terms but in the benefits of going through tests — if we maintain that level of vigilance, if farmers are aware and if they report any incidents or issues that they are concerned with, I think that we can hold on to our status. Our status gets us into new markets and really helps us to market our produce. There are tremendous benefits for the industry, but we always need to be vigilant and point out if there are any areas of concern. Any issues of people being involved in criminality by deliberately infecting animals with brucellosis or any other disease need to be condemned and fully investigated by the authorities.

3.15 pm

Mr Principal Deputy Speaker: That ends the period for listed questions. We now move on to 15 minutes of topical questions.

Agrifood Cross-border Initiatives: Update

T1. **Mrs D Kelly** asked the Minister of Agriculture and Rural Development for an update on the success, or otherwise, of cross-border initiatives, particularly in the agrifood sector. (AQT 2971/11-16)

Mrs O'Neill: We have regular discussions at NSMC level with Minister Coveney, particularly around new markets. One of the areas that we have been able to firm up as an ongoing area of discussion is trade opportunities. We need to work together. The jurisdictions are both targeting new markets. There are opportunities for us to work together on that. We have very much firmed that up on the NSMC.

Alongside that, we have had a number of very significant INTERREG programmes that have been taken forward. There is a very successful European intervention in community projects and projects that have created employment right across the island. There is a significant body of work there also. There are also opportunities under our rural development programme to bring forward new initiatives. I am working up some initiatives. I am very keen to explore the whole area of rural childcare and whether there is something that we can do right across the island in relation to that. Quite a large body of North/South work is ongoing.

Mrs D Kelly: I thank the Minister for her answer. Will she indicate whether she has any budget lines for some of that work?

Mrs O'Neill: Yes. Obviously, the work that we do around looking for new trade and market opportunities is something that we can discuss at ministerial level. Alongside that, I have set aside £4 million under the new rural development programme to look at some sort of cross-border initiatives. That is where I am aiming to bring forward some interventions that will go alongside the childcare strategy of the Executive.

Supply Chain Forum: Inaugural Meeting

T2. **Ms McCorley** asked the Minister of Agriculture and Rural Development to outline the arrangements for the inaugural meeting of the supply chain forum. (AQT 2972/11-16)

Mrs O'Neill: The Agri-Food Strategy Board recognised in the 'Going for Growth' document the importance of working together in the industry and between industry and government. That is why I have tasked the industry with taking the lead in delivering that event. The first supply chain forum is going to take this place this Wednesday at the Loughry food innovation centre. It is going to bring together all the key players from across the agrifood sector to discuss the challenges being faced across the supply chain. I understand that over 80 individuals are expected, representing every element of the supply chain, including feed companies, producers and growers, farming representatives, processors and retailers, as well as representatives from the banking sector. They all recognise the importance of the industry and the need to get the supply chain working properly to ensure that all players share the costs, risks and profits of their labour.

Ms McCorley: Go raibh maith agat. What will be the benefits for farmers and primary producers through such an engagement?

Mrs O'Neill: We are going to hear from some guest speakers who will share their knowledge of the opportunities that exist for our local product, the building blocks for our future growth and their first-hand experience of working together with their supply chain partners. There is going to be an opportunity for those attending to share their thoughts, experiences and aspirations. I hope that we can get a real conversation going that will bring about real improvements to the supply chain.

Wednesday's supply chain forum will not resolve all the significant challenges that exist, but I want it to be the starting point for longer-term engagement along the supply chain. I want those involved to start talking to one another again to rebuild the relationships that may have fallen by the wayside, and I want those involved in the supply chain to be involved in strengthening it and to bring about the change that will help the industry to realise its ambitions.

Agricultural Sector: Growth

T3. **Mrs Overend** asked the Minister of Agriculture and Rural Development how she sees the agricultural sector changing in the forthcoming year, given that, according to the latest economic report from Danske Bank, while the Northern Ireland economy is set to grow at a moderate rate, the agricultural sector is, unfortunately, expected to contract by 1.4%. (AQT 2973/11-16)

Mrs O'Neill: I have always said — we are continually talking about it and being reminded of it because it is a real challenge — that all sectors are struggling at the minute. It is very hard to see any kind of future. I have read and absorbed the economic predictions. We need to look to the more medium to longer term. In the medium to longer term, the world population is growing, so there are new market opportunities for us. If we are proactive in getting into those markets, that will help us to protect ourselves against some of the volatility that, obviously, is posed to our local farming industry. We have a strategy and a vision. We have to keep that under review. We have to be mindful of market changes and changes in pricing and all the other volatilities. We certainly have a vision for growth. We need to make sure that we create the opportunities and assist our farming sectors to be able to take advantage of those opportunities when they arise in the future.

Mrs Overend: I thank the Minister for the response. Does she agree that the perception of the Assembly not delivering, its ongoing failures, and how that is seen not only in Northern Ireland but across the world, will affect Northern Ireland's economy and will ultimately mean that those in the agriculture sector could end up on welfare in the coming months?

Mrs O'Neill: We have an obligation to work with all sectors and help them grow. Over the last number of months, the focus has been very much on the dairy crisis, and hundreds of farmers came up to the steps of Stormont to show that they need the Executive to work and want us to work for them and assist them. The dairy crisis also pointed up the fact very clearly that DEFRA let local farmers down. So, if we did not have a locally elected Minister, nobody would be fighting the corner for our farmers and industry.

It is very clear to me why we need the Executive to work. We need them to deliver for the people who gave us a mandate.

Rural Development Fund: Local Government Administration

T4. **Ms Sugden** asked the Minister of Agriculture and Rural Development whether she is confident that local government can effectively facilitate the rural development fund. (AQT 2974/11-16)

Mrs O'Neill: Yes. We are working our way through the plans at the moments. The local action groups (LAGs) that have been established are working up their strategies. We hope to have those in the Department by the end of the year, but, if anybody can get out ahead of that, I would be delighted to receive them earlier. As soon as we can agree their strategies and put a contract in place, they can start the spend on the ground.

I have no reason to believe that there are any issues. The LAGS represent the local councils and have community sector involvement.

Ms Sugden: Thank you for the response. Unfortunately, I do not really share the Minister's confidence and do not think that local government is moving as quickly as possible. That money should have been on the ground a lot sooner and, with further moneys coming from Europe and through her Department in January, I am concerned that we are not spending that money in the way that we should, particularly as it is the only show in town. What is the Minister doing to put further mechanisms in place to ensure that we will get that money on the ground some time soon?

Mrs O'Neill: The Member should think back to the process that we have gone through. We presented our rural development plan to Europe and it only signed off on that over the last six to eight weeks. As soon as that has been signed off we will be out on the ground.

A lot of lessons have been learned this time around compared to the current programme, which took a couple of years to get spend. We will, perhaps, have spend within six months of getting formal sign-off from Europe; so, I am very pleased with the progress that has been made. I expect to see spend very early in the new year, particularly on priority 6, which deals with village plans, helping rural businesses and tourism potential — all those things.

We have a really good opportunity to join things up. In their new structures, councils are developing their community plans and, alongside that, they have to develop their rural development programme. It is a really good opportunity for those things to be married up and dovetailed so that we get the maximum benefits and so that what councils and the rural development programme do can complement each other. We are in a very much improved situation than we were with the current programme. I am obviously very keen for us to start to spend that money as quickly as possible and to the best effect for rural communities.

Single Farm Payments: December Target

T5. **Mr Kennedy** asked the Minister of Agriculture and Rural Development to detail this year's percentage target for issuing basic payments in December. (AQT 2975/11-16)

Mrs O'Neill: I think that the percentage target is 93%. I will confirm that with the Member. Suffice to say; I intend to try to make maximum payments in the first week in December.

Mr Kennedy: I am grateful to the Minister for her response. I hope that the Department will be able to handle the issuing of this year's payments in a swift and timely manner. What action is she taking to ensure that the provision of top-ups, which many local farmers will receive, will not delay the overall payment schedule for the basic payments?

Mrs O'Neill: The Member will know that I have made year-on-year improvements on the target rates and in achieving that spend. We do not expect this year to be any different, and that is despite all the challenges we have had, particularly in bedding in the new common agricultural policy. I have prioritised that area of work and it is about working through all those issues, which have been very difficult and complicated, not just for the Department but for farmers individually in understanding the new CAP and what it means for them and their farm businesses. We are working our way steadily through all those things. My job and priority is to make sure that we maximise the number of payments and continue the good record of delivery that there has been over the last number of years.

Welfare of Animals Act: Review Update

T6. **Mr Lyttle** asked the Minister of Agriculture and Rural Development for an update on progress on the review of the Welfare of Animals Act. (AQT 2976/11-16)

Mrs O'Neill: The Member will be aware that we published the interim report some time ago. We are working our way through that. We have made some progress, in that the Minister of Justice has agreed one of the draft recommendations on maximum sentencing. That is very positive. While we are working our way towards the endgame, we have brought forward some changes that are going to be very positive.

Mr Lyttle: I thank the Minister and welcome that update on progress on increasing the maximum sentence for animal cruelty offences. The interim report also recommended a single animal welfare website and a public information campaign to ensure that the public know who best to contact when concerned about animal welfare issues. Are there any updates on those recommendations?

Mrs O'Neill: We are working our way through all of them. I do not have exact details, but I am happy to provide those to the Member in writing. Suffice to say that we are working our way through all of the recommendations. The interim report pointed out a number of practical things that we can probably do very quickly, and that is certainly one of them.

Winter Weather: Infrastructure

T7. **Mr Beggs** asked the Minister of Agriculture and Rural Development how confident she is that no home or business will be flooded as the result of defective infrastructure, given that, although we are experiencing a mild and dry autumn, during the winter period, we can expect intense rainfall and the associated increased risk of flooding. (AQT 2977/11-16)

Mrs O'Neill: I do not think that I can give any cast-iron guarantees, because I cannot control the weather, but we have taken forward quite a number of significant investment projects in trying to deal with flood alleviation. I mentioned some of those in my earlier answers. We

have a full programme again this year, alongside the work that we are doing around trying to help individuals protect their own projects in their individual flood-protection plan. There is quite a large area of work. We are working closely with all the responders around how we collectively work together, because cross-departmental working is key in dealing with flooding that may be from rainfall, rivers or a combination of reasons. Therefore, it is important that we have that cross-departmental working.

Mr Beggs: The Minister mentioned large capital projects and flood alleviation schemes, and it is right that they should occur. However, can the Minister assure me that all necessary maintenance is being carried out on gratings, culverts and open waterways to ensure that there will be no flooding from lack of maintenance? Maintenance is also essential to reduce the risk of flooding affecting homes and businesses.

Mrs O'Neill: Yes. The Rivers Agency's remit is to look at any particular problems. It clears grilles and does all the practical work on the ground. It prioritises work based on its assessment of flood risks. That is a very important piece of the agency's work and is part of its ongoing day-to-day work, so there is no reason to doubt that it is not doing what it should be. Perhaps if a Regional Development Minister were in place, they would also be doing their role in inspecting the gullies and drains that they are responsible for.

CAFRE: Importance to Local Industry

T8. **Mr Cochrane-Watson** asked the Minister of Agriculture and Rural Development for her assessment of the importance of the CAFRE colleges to the local agriculture industry, particularly the courses delivered at the Greenmount campus in his constituency.
(AQT 2978/11-16)

Mrs O'Neill: The College of Agriculture, Food and Rural Enterprise (CAFRE) is a great organisation that provides first-class education to young students coming forward — anybody with an interest in food and farming. The fact that it is oversubscribed every year shows that there is a demand for what it provides on the ground. Alongside that, it also does very practical work with farmers around benchmarking, good housekeeping and husbandry — all those things. I am very pleased with the work that CAFRE does, and I think that we can be proud of its work at all three of our campuses in Enniskillen, Loughry and Greenmount.

Mr Cochrane-Watson: I welcome the Minister's praise for Greenmount and the other campuses. Unfortunately, however, the experience of the past 12 months shows that the Minister is not following up her support with actions. For instance, the reduction of the veterinary nursing course earlier this year was disappointing. Can the Minister give a commitment that she will try to avoid such instances of courses being reduced in the future?

Mrs O'Neill: Yes. CAFRE take the operational decisions, and it looks towards what courses it can provide and what there is a demand for. It has taken some hard decisions, and you have to remember why. It is because the Tory Government keep cutting our block grant. That causes difficulties for all of our Departments and what we are delivering. You can shake your head and laugh all you want, but it is certainly a reality. CAFRE, as I said, does

excellent work. It provides courses for thousands of students, and I very much value the work that it does. Unfortunately, CAFRE has had to prioritise, and the reason must not be forgotten — it is because the Tory Government keep cutting the block grant.

Mr Principal Deputy Speaker: Time is up. Members may wish to take their ease while we change the top Table.

3.30 pm

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

Private Members' Business

Assembly and Executive Reform (Assembly Opposition) Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Assembly and Executive Reform (Assembly Opposition) Bill [NIA 62/11-16] be agreed. — [Mr McCallister.]

Mr Rogers: I welcome the opportunity to speak to the Second Stage of Mr McCallister's Assembly and Executive Reform Bill. In his opening remarks, Mr McCallister said that this was a vision for genuine power-sharing. I do not think that anyone could disagree with that. If the Bill is part of a mechanism to build on the Good Friday Agreement and ensure better government, we will be supportive.

I want to challenge Mr McCallister on one point — his mathematics. I thought that an announcement was coming that some of the technical group had joined the Ulster Unionist Party again. I know that it is a hypothetical situation, but we would be the largest group in the opposition. Maybe an announcement is coming in south Down.

Mr McCallister: Will the Member give way?

Mr Rogers: Yes, I will.

Mr McCallister: I am not sure whether he is about to announce that the Minister of the Environment is resigning.

Mr Rogers: We will wait and see at the next election.

The SDLP has been consistent on the nature of an opposition and our overall support for its implementation. If you allow me, Mr Deputy Speaker, I will reiterate, once more, our position on the general principles of the matter. We in the SDLP believe that an opposition should be built into the structures of the Assembly, but that opposition should remain optional. We have argued that there should be no mandatory opposition and that, if one should exist, there should be guarantees. I was glad to hear Mr McCallister say earlier that the d'Hondt entitlement would be guaranteed under power-sharing arrangements, if a party chose to claim that entitlement.

In previous discussions on opposition, the SDLP has argued that an official opposition should be open to parties that are entitled to take a seat in the Executive and choose not to. If more than one party makes that choice, we would, naturally, expect the two largest of them to form the official opposition. For an effective opposition, the SDLP believes that it is crucial that the privileges afforded to the parties forming an official opposition in the Assembly must seek to empower it to hold the Executive to account. An official opposition must be able to hold the Executive to the highest level of scrutiny in order to serve its role as a genuine alternative to the Government and, therefore, must be sufficiently funded in order to do so.

We welcome the Bill's provision that seeks to empower an official opposition. We welcome the proposal that, under clause 7, the first and second topical questions put to OFMDFM during Question Time would belong to

the leaders of the opposition. We further welcome the enhanced speaking rights for the opposition, under clause 8, and the minimum guarantee of 15 days a year for opposition business.

In an Assembly with a functioning opposition, we would expect Assembly Committee memberships to be altered and appropriately weighted to reflect the opposition parties. We welcome clause 3, which would create the provision for the rights of the opposition to chair the Public Accounts Committee, as is the case in other jurisdictions.

If parties are given the practical recognition and sufficient funding, they will be enabled to scrutinise the Executive to provide a viable alternative to the Government. As agreed in the Stormont House Agreement, we believe that funding the party-appointed research and assistant posts is critical. Legislative scrutiny must also be vastly improved by Assembly-appointed legislative drafters to assist the opposition parties with the scrutiny of amendments to the drafting of Bills.

The SDLP would expect to see the reforms of the institutions proposed by Mr McCallister to remain faithful to the tenets of the Good Friday Agreement. The SDLP will not support anything that erodes or dilutes anything in the Good Friday Agreement. Bearing that in mind, the thresholds seem quite high at the moment. As previously recognised by the Northern Ireland (Miscellaneous Provisions) Act 2014, opposition must be consistent with the principles of inclusivity and power-sharing that are central to the Belfast Agreement.

The Bill, as it stands and as it will be implemented, must reflect Northern Ireland's unique situation as a post-conflict society while further reflecting on the historical power-sharing nature of our institutions. Therefore, the SDLP welcomed Mr McCallister's previous recognition of the importance of review mechanisms built into strand one of the agreement and the ability of an official opposition and power-sharing to exist as complementary to each other.

To this effect, we had hoped that the opposition would not consist of two parties of the same denomination but be a compromise of two separate outlooks. When considering the historical and ongoing difficulties between Northern Ireland's main communities, we remain apprehensive about the call of schedule 1 to remove the current community designations. Still, we are prepared to engage on this aspect as the Bill moves forward. We also have reservations about the size of the technical group, which, with only five or six members, seems quite small.

Ultimately, the SDLP hopes that all provisions for an official opposition will be guided by power-sharing, reconciliation, equality, partnership, prosperity and, above all, accountability. These are the principles of good faith and good government in Northern Ireland. They are the standards that the people of Northern Ireland demand of their Government, and they are areas in which the current regime has failed. At this point, I would like to quote one of the architects of the Good Friday Agreement and a good friend of ours Seamus Mallon, who said:

"Our primary responsibility is to be good ancestors who leave our descendants a society at peace with themselves and their neighbours and served by a political process which has integrity and vision."

He went on to say:

"I said in 1999, and I say it again now, that 'The people in Northern Ireland belong to each other — that the wes and the theys will sink or swim together'."

The SDLP remains resolute in its commitment to the Good Friday Agreement and supports the principles of the Bill as it stands. We look forward to engaging on the Bill at Committee Stage.

Mr Kennedy: I welcome the opportunity to speak on this private Member's Bill. The Bill proposes the reform of a number of areas of the Assembly and the Executive, but it is true to say that it is probably the proposals for opposition structures that will receive the most attention during its passage.

Formal opposition structures are of course taken for granted in most democracies. Outside Northern Ireland, the power to vote a party in or out of government is taken for granted in other parts of the United Kingdom and in virtually any other democratic nation on the planet. However, we in Northern Ireland are still playing catch-up in the Assembly. Mandatory coalition and five-party government were required to get us over the initial hurdles of devolution, yet, 17 years on from the Belfast Agreement, the Assembly has not evolved at the pace of a society that clearly craves an official opposition here in the Chamber. We cannot continue to deny the population the right to remove a party from power or to vote one into government.

Sadly, the structures created to draw as many people as possible into the democratic process now seem to turn people off. Voters' frustration at being unable to send a message at the ballot box grows with each election. We have only to look at and study the turnout percentages to see that. My party has long called for opposition structures to be created in the Assembly. We recognise the important role that they play in holding the Government to account and offering voters an alternative. If we are really serious about transitioning from an institution that staggers along from one mandate to the next to one that delivers for the people of Northern Ireland, it is vital that we put in place a mechanism to ensure that a party or parties form an opposition.

Having a formally recognised opposition and everything that would come with it, such as enhanced speaking rights, supply days and Committee roles, could help to revitalise the Assembly, offering the opportunity for effective scrutiny of the Executive, rather than the Executive being left, largely, to scrutinise itself.

Mr McCallister referred to the efforts made by the Ulster Unionist Party in the form of Lord Empey of Shandon, who tabled amendments to the Northern Ireland Act 1998 in another place to put measures in place for opposition structures. Our preferred option has also been to enshrine the right of the opposition in legislation because we believe that simply changing Standing Orders leaves the future existence of the opposition in the hands, potentially, of the largest parties in this or any future Assembly. Let us not forget that the Stormont House Agreement promised formal opposition structures by March 2015; here we are in October and still there are no opposition rights for parties that are not in the Executive.

I will turn briefly to the Bill itself. It raises questions for us, and we look forward to interrogating further a number of other areas at Committee Stage. I want to touch on a

couple of areas of the Bill, but it has quite a way to go yet, and we will have the opportunity to scrutinise it and debate all aspects of the Bill further in the coming weeks and months. We will want to look in detail, for instance, at who qualifies for membership of the official opposition. We are largely of the view that there should be a threshold.

We have concerns at this stage about the proposals for technical groups and the potential that a mechanism designed to enhance democracy could end up working against that principle. We remain unconvinced about the need for official titles for those in the opposition. We would point to the example of the Scottish Parliament, where each party in the opposition has a leader and spokespersons without the need for formal titles. On the issue of salaries, it is our view that the opposition should be formed on a cost-neutral basis. We would, instead, encourage a look at restructuring how current resource is allocated. Again, I am sure that we can look at that in more detail during Committee Stage and Consideration Stage.

We have noted the fundamental proposal to rename OFMDFM. It is no secret that the Ulster Unionist Party remains unhappy with the changes that were made to the election of the First Minister and deputy First Minister at St Andrews. Those changes served only to promote sectarian headcounts.

To conclude, we remain totally committed to seeing the introduction of a mechanism to allow an opposition to be formed in the House. We also support the reform of the Assembly and the Executive and raising the level of accountability of elected Members. We look forward to contributing positively to the debate as the Bill proceeds through the House.

Mr Lunn: We welcome the Bill as far as it goes in its present form. It is like any other Bill; it is going to need some attention. I have a feeling that it may get more attention from particular directions than a Bill might normally expect to get, but we will see where it goes. Mr McCallister deserves congratulations as the person who finally brought this before the House, and not before time. He was good enough to consult other parties, including us, so we have some background as to what his thinking is. I also congratulate him on his presentation of the Bill today, which was excellent.

3.45 pm

This is really a test of the Assembly's will. It is OK at a Bill's Second Stage because everybody says, "Yeah, we'll give it a fair wind", but it is when we get to the next couple of stages that we will really see what will happen. I cannot help thinking today that the elephant in the room is the absence of the DUP, because we do not know — Sorry, Paula, I do not mean to refer to you in that way. The DUP is not here, so we will not know what its thinking is until perhaps some future stage.

Any Bill that wants to get rid of community designations or end the iniquitous system of petitions of concern and move to a weighted majority will not get much opposition from the Alliance Party because we are totally with you on that. In fact, Alliance Party thinking runs quite a long way through the Bill; there is not too much in it that we would disagree with. In fact, we are so much in tune, John, that you might think of coming to us to form an even bigger technical group.

Mr McCallister: Very kind of you.

Mr Lunn: That is all right. The offer is on the table.

Of course we are in favour of having a structured, official opposition, but we should not forget that the reason why we have this slightly contrived, wacky system here is that opposition did not work. So, whatever form of opposition hopefully comes out of this needs to be very carefully thought out and not just some kind of numbers game to manipulate a particular situation and particular party strengths in the Assembly.

The clause — I think that this is in the schedule, actually — that introduces a figure of 16.6% representation before you qualify for a Ministry is an interesting one, because that would bring us back, on the current strengths, to a two-party Government, which is pretty much what we have anyway. We, as well as the Ulster Unionists and the SDLP, would need to do a bit of thinking about that. That is not to say that we would not relish an opposition role, and I am sure that the Ulster Unionists would probably say the same thing, because they have often demanded that. Let us put it this way: we have our reservations about it.

I will just look at one or two of the clauses. Clause 9 is about opposition rights to chair the Public Accounts Committee. That is universally accepted in most civilised legislatures. It was actually the case here. When I came here in 2007, the assumption was that the biggest party not in Government, namely us, would achieve the right to chair the Public Accounts Committee, but it went to Sinn Féin because the DUP and Sinn Féin agreed on that. I think that you are going to have to get over that kind of thing. If this works, and there is an assumption that the two biggest parties here will remain the two biggest parties, you are going to have to think about some of these things. Once you are in power, you can do pretty much what you like.

Clause 19 on the establishment of a Budget Committee sounds like a nice idea. However, we have a Finance Committee, and I have not been totally convinced yet as to why the Finance Committee should not continue to do its scrutiny of finance, which it was partly set up for. I make the point that, when we had the Ad Hoc Committee on welfare reform, Robin Swann and I went to Westminster to see the Chair of the relevant Committee there. Its Standing Ad Hoc Committee on that sort of thing scrutinises everything that goes through Westminster. So, there may be some compromise there, but we will see.

Paragraph 10 of the schedule is about the threshold for the nomination of a Minister, but I will not labour that one.

Paragraph 15 of the schedule states:

"The motion may request that any budget ... may be approved by a simple majority."

If important decisions require some measure of cross-community support, with or without designations, I would query whether a Budget should be allowed to go through on a simple majority. It does not sound right. Those are just random thoughts at the minute, because, like everybody else, we are going to have a good look at this.

Paragraph 7 of the schedule is about how the Speaker is elected and what happens to him at the end of the mandate. If I have read it right, it means that the Speaker will be elected by a secret ballot of the Assembly. Fair enough. Once we come to the end of the mandate, he will

not be allowed to return to the Assembly as an ordinary Member. Correct me if I am wrong, John, but that is my reading of it. His only avenue back into the Assembly would be if he was reselected as Deputy Speaker or Speaker. It does not sound like a job for a young man, especially one with political ambition. It could be that people of my generation and that of others would be the most likely to obtain the rank of Speaker and then go off into the sunset. I am not totally happy about that. I am not quite sure how Westminster or anywhere else does it, but it sounds —

Mr Kennedy: They are dragged into the Chair.

Mr Lunn: They cannot drag them out again.

Mr Kennedy: You would be willing to be dragged, would you not?

Mr Lunn: Beyond that, I do not have very much to say about this at this stage. Like everybody else, we will scrutinise it. It will go through the Assembly and Executive Review Committee, so I will have some input there. It is a challenge to the Assembly if we are going to finally start to mature and grow up. Mr McCartney said that it had to be Good Friday Agreement-proofed. That is fine. I support the broad principle of that, but the Good Friday Agreement does not have to be set in stone. If there are things that we can move away or move on from by agreement —

Mr D Bradley: Will the Member give way?

Mr Lunn: Go ahead.

Mr D Bradley: I listened to what Mr Lunn said about the establishment of the Budget Committee. Indeed, the SDLP has called for that. Is there any point in establishing a Budget Committee when the financial process has not been reformed? The timescale that exists at the moment for the Budget is such that it is presented almost as a fait accompli and pushed through the Finance Committee by accelerated passage, and that will continue if we do not reform the financial process. Therefore, in order to have effective budgetary scrutiny, there must be a financial process that lends itself to that.

Mr Lunn: I do not disagree with any of that but, at the end of the day, a Committee has to scrutinise the Budget and so does the Assembly, whether it is done through a newly formed Budget Committee or under the present system. I agree with you that it always ends up as a bit of a rush, but that is because it has taken so long to sort out an agreement on the Budget. That is because of the system that we have, where it can be blocked by one side or the other. We need to get away from that and get into some sort of corporate system where we have a Programme for Government established and agreed before we choose our Ministers and so on. It is all there in John's Bill, and I think that he has some very good ideas. There is not much that we disagree with.

I have a feeling that the silent majority over to my left will probably have a lot more to say about it if they ever come back and the time comes. In the meantime, I will hope. I hear whispers that the DUP is not totally opposed to this; I am watching Mrs Bradley's face for any clue. Will the DUP come back to the Assembly and say that it is prepared to countenance, for instance, the end of petitions of concern and community designation? It is not that long ago that the AERC produced a report on petitions of concern and, indeed, you were part of it. It would be quantum leap for the

DUP, and probably for Sinn Féin as well, to agree to end that iniquitous, business-blocking nuisance of a system, but we will see at the next stage. Maybe, by that time, we will be back in full cry again and will see what the DUP thinks. In the meantime, I thank Mr McCallister for bringing the Bill to the House. It is a good document and potentially good legislation. Hopefully, the bones and meat of it will survive the process and we will end up in a better place at the start of the next mandate than where we are now.

Mr Allister: Is it not quite staggering, in a system that takes onto itself the title of “democratic” in seeking to describe these institutions, that we even have to have a debate about whether we should have one of the most elementary components of a democratic Chamber; namely, an opposition?

It does beggar belief, and, indeed, presents as a most telling commentary on these institutions, that we even have to have this debate, this novelty of the idea that you just might allow, in the right circumstances, within these institutions, that strange and dangerous thing called an opposition. An opposition is fundamental to anything that passes properly as a democratic institution.

The very fact that these institutions ban opposition, and that they have existed — if that is even the word — for the last 16 to 17 years by suppressing the very right to have an opposition, speaks volumes for them. It really should be a no-brainer for anyone as to whether you have an opposition within governmental structures.

If you want to take onto yourself the assignation of being democratic, then there really is nothing to debate. Of course there should be an opposition, and shame on these institutions that for years they have sought to suppress and deny that basic democratic component of democracy. So, any Bill that has the temerity to talk about creating an opposition has to be one that is moving in the right direction.

Then we hear from some contributors, like Mr Rogers, “Well, as long as it doesn’t depart from the Belfast Agreement”. Of course, it is the Belfast Agreement that spawned the denial of opposition and built the very structures that suppress that fundamental democratic right. To hear the SDLP talk in those terms, demonstrating that they are shackled so mindlessly to the Belfast Agreement and hope that an opposition would not upset any of that; I say, take a look around. The Belfast Agreement has failed; it is not working. The very state of this House this afternoon is proof positive of its perpetual failure.

How many times have these structures had to be sticky plastered back together, propped up until they lurch to the next crisis? There are ongoing efforts yet again to produce another patch-up, until the next crisis. The reality needs to be faced at some point, and the penny needs to drop with some people, that the institutions created in the Belfast Agreement have had their day. They have not worked. They are not worth saving.

The only way to go forward is to embrace wholeheartedly the fundamental elements of democracy, which include acknowledging the right to have an opposition, the right to change your Government and the right to vote a party out of government.

Even someone as case-hardened as I am to the perversity of the institutions finds it staggering that we even have to debate whether we need an opposition. That, in itself,

is commentary on the absurdity of what has been built in these institutions. Of course we need an opposition.

4.00 pm

I wish that the Bill had gone much further. I wish that the Bill had addressed another central perversity of the Belfast Agreement: in some crazy way, you can have a mandate, as of right, to be in government. You cannot. We can all have a mandate to be in the House, but, short of a party commanding an overall majority in itself, which will not happen, no party in a democracy can have a mandate, as of right, to be in government. That, of course, is the fatal building block of this failed Executive. It is a building block that Mr McCallister’s Bill chips at a bit but maintains as a cornerstone by saying that, provided you get 18 MLAs, you, as of right, are entitled to a place in government; you, as of right, cannot be voted out of government, whoever you are; you, as of right, have a mandate to be in government. That is nonsense. You cannot have a mandate, as of right, to be in government. That is why, in a democracy where no party is big enough to form a Government on its own, the proper path to being in government is the path of voluntary coalition, where those who can agree together what they are going to do about the key socio-economic issues and make the mathematics work — whoever they are — govern and those who cannot — whoever they are — form the opposition.

We must get away from the artificiality that has entrenched sectarianism in Northern Ireland. The one thing that the Belfast Agreement has done is entrench the idea of tribal politics — that you must have two large groups, one vetoing the other. Unless and until we dispense with that nonsensical, stultifying, sectarian approach and embrace the fundamental elements that denote democracy anywhere, this Stormont will not work. Therefore, I am disappointed that Mr McCallister only tinkers with that issue and maintains the absurd notion of being entitled, as of right, to a place in government. As-of-right places in government have no place in democratic institutions where no party is capable of governing on its own. A coalition of the willing is the only legitimate democratic path to tread. The Bill, in underscoring that facet of the failure of the institutions, is disappointing.

I return now to the question of the formation of an opposition. I apologise that I was not here during Mr McCallister’s speech; I am told that he gave some recognition to the need to revisit clause 2 on the definition of a qualifying party. I was going to point out in the debate that, as the Bill currently reads, if you read it across the election results that are represented in the House today, it could not deliver you an opposition. There would be no qualifying parties if that were the route to delivery. The SDLP has 14; it would need 18. The Ulster Unionists have 13; they would need 18. The Alliance Party has eight; it would need 18. None of them, under the terms of the Bill as drafted, would be qualifying parties under clause 2, because they have not been in a position where they have rejected their entitlement to an Executive position.

Mr McCallister: I am grateful to the Member for giving way. I know that he was otherwise detained with important stuff around air ambulance work that he is involved in.

Literally, the amendment that is to be finalised will read something along the lines of:

"leave all out after "Minister" and insert:

'and comprises more than five per cent of the total Members of the Assembly'."

Therefore, it would remove section 18(2) and those lines about being able to nominate Ministers and just make sure that the qualifying party had over 5% or six Members of the Assembly. Hopefully, that clarifies the point.

Mr Allister: Yes, it does. It radically improves clause 2 and makes the possibility of the creation of an opposition more viable. It seems to me fundamentally right that any party outside the Executive should be entitled to form and be part of an opposition, when formed. Therefore, I welcome what the sponsor has said in that regard. That is very important.

In relation to technical groups, I think there is a place for them. I was a member of the European Parliament for five years, and I sat on a technical group. It varied in number, but usually around 30 Members of the House were members of a technical group. It was a group in name only. It was made up of disparate individuals, but it gave those individuals a say and a reflective input in speaking rights, times and all of that. I think that is appropriate. One exists in Dáil Éireann in Dublin, and they exist in many European parliamentary institutions. There is certainly a role for them.

In my role in this House, as a member of the Procedures Committee, I attempted, not once but twice, to advance the cause of a technical group in the Procedures Committee and brought a proposal to that effect, only to see it roundly voted down by everyone else. So, unless there has been a sea change in attitude to the existence of a technical group — I hope there has been — it may, in this Bill, be more theoretical than realisable. However, I trust that favourable consideration will be given to that because it provides the opportunity to strengthen the contribution that individual Members have to make in the House.

There are other things in the Bill that are interesting. It is right to address the fact that, in law and in practice, we have joint First Ministers. That is what we have, and that is what we should say. It is to save some blushes that we do not have them called "joint First Ministers", but that is what they are. Why should the legislation live in denial of that fact? I do not see that it should.

There were suggestions about the election of the Speaker. I like the idea of the Speaker being elected by secret ballot. I am not so sure about the idea that Mr Lunn was talking about of putting him out to graze after his four- or five-year term.

However, it shows some inventive thinking and is worthy of consideration.

All in all, it is clear that for the first Part of the Bill, namely that which can be done by Standing Orders, to have bite and effect with the other changes requires the schedule to be passed, and that would require defeating the ever-present obstacle: the petition of concern. The vested interests of the few may well deny the desire of the many and not for the first time. I commend the Member for some of the ingenuity in the Bill and for introducing it. I know that presenting the legislation has been a tortuous path, but he has persevered and brought the Bill to this point. Deficient as it is in terms of my long-term ambitions, it is a start in the right direction and deserves a fair wind.

Mr Agnew: I also commend Mr McCallister for introducing the legislation. I know the difficulties involved in preparing a private Member's Bill, and, as the sponsor said, my Bill will soon have its Third Reading. Reforming the institutions is a difficult and large piece of work to take on. It is certainly ambitious and innovative. I suspect that when Mr McCallister put forward some of his proposals, he was told, "You cannot do that. It is not legislatively competent". I do not know who helped him with the Bill or how he got to this stage, but the mechanism of the Assembly and Executive reform motion is, to me, certainly a new way around that, and the Member is to be commended for bringing forward that element of it.

The failure of the Executive — the "Northern Ireland Government", as we would refer to it should we pass the Bill — is shown by the current dearth of legislation from the Executive and Departments. Rather, we are addressing private Members' Bills, such as John's, Mr Allister's and mine. Today, Mr McCallister seeks to create an opposition. On these Benches, despite the barriers of the structures, we are doing all in our power to create an effective opposition by tabling legislation in the absence of legislation from the Northern Ireland Government. It is an example of the failure of the Assembly and Executive Review Committee that, whilst there seems to be large support for some of the proposals, those who sit on that Committee could not agree to put forward similar proposals. Mr McCartney referred to the possibility that legislation might not be required for all elements of the Bill and said that, if there were other ways, we should explore them. However, it has taken an opposition Member to introduce a Bill that might act as the spur to make those changes happen.

One aspect of the Bill that I very much welcome is increased speaking rights for an opposition, not just from the point of view of self-interest. I like the sound of my own voice, but I do not think that it needs to be put in legislation that I should speak more. If you go back, for example, to when the Programme for Government was presented to the Assembly, not one Member outside the Executive parties got to question the First Minister or the deputy First Minister on the presentation of the Programme for Government.

Now it is fundamental to democracy that the opposition challenge the Programme for Government. Yet it was not within the Speaker's power to grant those on the opposition Benches speaking rights to question the First Minister and deputy First Minister on the programme they had outlined. Instead, we had the farce of prepared questions from Back-Benchers in the government parties asking, effectively, "Why is this such a great Programme for Government?". That is not democracy or evidence of a functioning Assembly. Speaking rights are necessary. People might ask, "What difference will a formal opposition make?". That is one of the differences: the right to challenge, the right to speak and the right to propose motions are essential.

4.15 pm

If ever examples of why collective responsibility is important in any Government were needed, Northern Ireland could provide them. You have one Minister taking another Minister to court at the taxpayers' expense to play out disagreements that should be resolved and moved

on from at the Executive table. Instead, our dirty linen is washed in the courts; party political squabbles are played out in the courts at the taxpayers' expense. Again, that is an example of failure and of where things need to change in Northern Ireland. Mr Allister is fond of saying that we have no opposition; I think sometimes that the problem is that everyone is in opposition. When one Minister makes a decision, another Minister or another party of the Executive challenges that publicly. That is why we have such problems even with the language necessary to hold Executive parties to account. No one knows who is in government and who is out of government, because every party, when it suits, acts as if it is in opposition. Collective responsibility is necessary to change that.

Another element of that is the oversight of the ministerial code. I sit on the Standards and Privileges Committee, and we have written to the First Minister and deputy First Minister seeking clarification of how we uphold the ministerial code. It is outside the remit of the Standards and Privileges Committee and of the Commissioner for Standards. There is no mechanism to complain about a Minister. You can complain about any Member in the House — we are all subject to the Commissioner for Standards and the Committee on Standards and Privileges in our MLA duties — but, if you want to complain about a Minister, you can write to the party leader, but there is no investigation mechanism or structures through which there can be accountability and transparency in holding Ministers to the standards set out in the ministerial code of conduct. That, unfortunately, is not in the Bill, and I ask the Member and, indeed, the Assembly and Executive Review Committee, to look at that. If we are to have collective responsibility, we also need ministerial accountability and a mechanism for that, and that is something that could and should be explored through the Committee and at Consideration Stage.

Whilst, like Mr Allister, I would welcome a move towards voluntary coalition and think that it is the next logical step, I perhaps will not be so harsh in my commentary on the Bill. While it is not the whole journey of normalising politics in Northern Ireland, it is a major step forward in that regard.

I very much welcome the proposal to end community designation. The Green Party was very supportive of the Good Friday Agreement, but our one consistent criticism of it was the enshrining of the sectarian nature of Northern Ireland politics in these institutions by requiring community designation on election for each MLA. That was regrettable. We know that the other element, the petition of concern, has very much deviated from its original purpose of protecting minority rights, and has, indeed, at times been used to try to prevent the extension of rights to minorities. At times, it has undermined the purpose that it sought to serve. We must move on from that and move away from community designation.

There is an inherently undemocratic nature to the petition of concern whereby we have two tiers of MLAs: those who choose to designate as unionist or nationalist, whose vote counts in normal votes and in cross-community votes; and we have the bizarre situation whereby, as the leader of a cross-community party, my vote does not count in a cross-community vote. The votes of my constituents are worth no less than those of any other Member. We cannot have a system of two-tier MLAs, and we cannot have a system of enshrined sectarianism. If we are to move away from the

politics of “us and them”, we have to stop designating as us and them.

We are 17 years on from the Good Friday Agreement, of which I was a wholehearted supporter. Indeed, I turned 18 approximately a month before the referendum, and my first ever vote was casting a yes vote then. It was a proud day and I was optimistic, but I think that the hope, the expectation and the potential have, to some extent, been wasted. Whilst we have moved from conflict to relative peace, we have yet to make the step towards good governance. I think that the Bill will help us to take the next step on that journey. I have consistently said, from the fifteenth anniversary of the Good Friday Agreement, that, yes, we need to review it; yes, we need to reform the institutions; and, yes, we need to revitalise our peace process.

However, I have said all along that any major changes to what was agreed by the people of Northern Ireland through referendum should be put to the people of Northern Ireland to pass at a referendum. It is their agreement, it was the people's agreement, and it should not be changed without the people's consent. Much of this would require Westminster legislation, and I would call on the Secretary of State to ensure that the public's consent be sought before we would seek to radically reform the institutions created under the Good Friday Agreement.

We have seen a referendum in Scotland that re-energised politics. We have seen a public vote in the Republic of Ireland on the thorny issue of equal marriage, although I do not believe that it should be a thorny issue. For me, it is a no-brainer, but what could be seen as a divisive issue was tackled maturely when the public view was sought. We also have a forthcoming referendum on our position in the European Union. I do not believe that you can ever have too much democracy, but I believe that, in Northern Ireland, we risk having a democratic deficit each time we tinker with the Good Friday Agreement without going back to the people.

Unlike the SDLP, perhaps, I am not opposed to major reform. I think that it is needed. It was the right agreement and the right deal to get us to this stage, but we need change to get us to the next stage and to get us through the next phase of our peace process. However, we must bring the people with us in doing that. That said, we can never use the current structures as an excuse for poor governance, but it is clear that those structures make it more challenging. The structures allow for the dysfunction that is displayed when one Minister takes another to court and, in that regard, they need reform. There is no excuse for the poor record of this Executive. I think that we have an opportunity to improve the vehicle through which we provide governance in Northern Ireland. In that regard, I welcome the Bill, I commend the sponsor, Mr McCallister, and I look forward to it passing through its various stages in the Assembly.

Mr B McCrea: There was a time — I remember it well — when talking about opposition was radical, new, and something that everybody got quite excited about. In fact, I think it was the first time that I hit the public eye in 2007, when, just before a UUP conference, I said, “Having listened to a Budget debate, we might as well not have been in the Chamber. This is ridiculous. We ought to go into opposition.” I have had a look through some of the papers since then, and there is a very interesting bit in ‘The Irish News’ where it says:

“the DUP moving firmly into the ascendancy, but the UUP annual conference ... still managed to highlight some significant issues.”

It mentioned the fact that I thought we should go into opposition.

A few months later — this is when I am grateful that I have got my colleague Mr Allister here — he and I are quoted in December 2007 as saying that issues discussed included the sustainability of a mandatory coalition, and Jim Allister was clearly against it, though it says that he did not offer an alternative. That was the debate then: Mr McCrea repeating comments that he had previously made of the idea of the UUP going into opposition was also clearly on the record. You fast-forward a few years to 2010 and, just to show that we are covering the whole of these lands, the ‘Derry Journal’ ran with the headline, “Will UUP go into opposition?”. The article says:

“Basil McCrea ... claimed the party’s presence at the Executive ... was now no more than a fig leaf for the DUP, who were excluding the UUP from most of the key decisions.”

I said it then, and I stand by it now. What was interesting about that document — it is a pity that Mr Lunn is not here with us — is that it went on to say:

“With David Ford’s elevation to Justice Minister on Monday, the Alliance Party, which had previously described itself as the opposition, is now within the ... Executive”.

Now, as time goes on, not only is it not the opposition but it has two Ministers in the Executive, which is why it was quite interesting to hear the overtures from Mr Lunn to Mr McCallister, “Would you not like to join us?”. I am not sure whether Mr Lunn was making himself available to be Speaker but, certainly, there was a meeting of minds.

If we move on a little later to December 2010, when —

Mr Deputy Speaker (Mr Dallat): Order, please. I am looking forward with tremendous excitement to the Member talking about the Bill.

Mr B McCrea: Mr Deputy Speaker, this is an opposition Bill, and this is outlining what I was saying about opposition. I am at a loss as to what —

Mr Deputy Speaker (Mr Dallat): I have no doubt that the Member is not in any way challenging the Speaker. I will endeavour to give you all the flexibility that I believe you deserve. I am simply hinting that, at some stage, you might return to the Bill.

Mr B McCrea: Obviously, I was in no way challenging you. I was just seeking clarity on the matter. I do think it is worthwhile saying that the discussion about opposition has been ongoing for some considerable time.

4.30 pm

Some Members have alluded to the fact that it is to Mr McCallister’s credit that, at least, he has been able to bring this particular Bill to the Floor of the Assembly. I think that that is a reasonable position to state, but I want to go on and talk about some of the issues that might have been addressed. My point in all of this is that — and here, again, I agree with Mr Allister — it could have been a lot more

radical and incisive. We could have tackled some of the outstanding issues.

I note from the Bill and from Mr McCallister’s speech that he has decided not to deal with the thorny issue of d’Hondt, because apparently we are not able for it. Actually, I think that d’Hondt is a travesty. I know that other Members here agree. I also note that Mr Agnew, in his contribution, highlighted our problem in having no way of holding Ministers, whom we do not appoint, to account. In fact, if you look at the fundamentals of the Belfast Agreement, you might say that the decision to put all the Executive powers in Ministers, who are then unaccountable to this place, is actually at the root of our problems in trying to produce good government. Again, I think that this is a point that Mr Allister made.

If you look at some of the radical issues that need to be dealt with and that remain outstanding, when it comes to the Stormont House Agreement, item 73 states that:

“The participants in the talks are very conscious that the integrity and credibility of this agreement is dependent on its effective and expeditious implementation. Accordingly, progress in implementing the provisions of this Agreement must be actively reviewed and monitored.”

I was at a meeting that Mr Lunn attended a few days ago, and it was put to him — and I think he was a little surprised by it; he can clarify if he wishes — that only the Alliance Party and, I think, Sinn Féin have ratified the Stormont House Agreement, and that nobody else has agreed to that agreement.

Mr Lunn: I thank the Member for giving way. The way it was put to me was that we were the only party that, through our internal party structures, formally ratified the agreement. Others appear to have ratified it without actually saying so, or to some measure, but we are the only ones who ratified it formally through a process within the party.

Mr B McCrea: Thank you for that, Mr Lunn. It brings me to the point in relation to the Bill about opposition arrangements. In response to an earlier question, I think Mr McCartney mentioned item 59 of the Stormont House Agreement, which states:

“Arrangements will be put in place by the Assembly by March 2015 to enable those parties which would be entitled to ministerial positions in the Executive, but choose not to take them up, to be recognised as an official opposition”.

So, quite a lot of what we are talking about in the Bill is covered by the Stormont House Agreement. It also mentions — and again, it is mentioned in the Bill — the provision for financial and research assistance. They are trying to keep the costs neutral, but, actually, in this particular part of the Bill, the costs are to be additional.

There are some other questions that I would like to ask about how we might deal with something that is a little bit more radical. Many Members have long called for a civic forum. In fact, it was part of the Belfast Agreement — item 34. I would like to see a more radical approach to how we might bring in an opposition. Perhaps, if we were dealing with an opposition, we could look to Dublin and the Seanad. We could look to the way that they actually

have another House, with people with different levels of responsibility and expertise. They would actually give some guidance to this place. My fear about an opposition is that it fundamentally comes down to numbers.

Simply saying to somebody that you are in opposition or that you are going to get a wee bit more money is not going to change the basic electoral mathematics. Unless you have a fundamental change in structure, you are not going to see any difference. I would like, when the Bill goes through its Committee Stage, to actually start to look at some really radical amendments, because you have to have a change of function.

While we are on the point that Mr Agnew mentioned, if we are going to have a fundamental review, should we not put it to the public? When I voted, I did not really read the agreement. I was not a member of a political party; I was not in politics. I looked at it and said, "I'd like to move forward. I'd like to put the past behind me. I'd like to do something different", but I did not look at any of the detail. I did not understand what it meant. There is a challenge, however: if you put any Bill to the public of Northern Ireland at the moment and said, "This is our plan for Stormont", I am not sure that you would get any votes for it from anybody, such is the state that we have got ourselves into. Maybe that is the point that Mr Agnew was making: that we need a form of radical engagement with the population. Politics is not something that you leave to people up here on the hill, which goes on here behind closed doors and which people ignore; it is something that we have to get people engaged in. That is one of the issues that I would like dealt with.

I also look at the Bill's point about smaller parties and how we might deal with some further representation. People have talked about technical groups and suchlike. I thought that it got a little bit confusing as to what you would be in a technical group for or why. If you are an independent — in the South, 18 Members are independents — what if you do not want to participate in a technical group? Why not just stand up and represent your own mandate?

I would also be more convinced by the arguments from around these Chambers if, when you look at the existing speaking rights for those of us on these Benches, you did not introduce rules in the Business Committee that prevented us from speaking. This is a decision not of the Westminster Parliament, the Secretary of State or somebody else; the Business Committee of this place makes it the case that Mr Allister is 35th, Mr Agnew is 36th and I am 37th, and that you cannot get to speak in a one-and-a-half-hour debate. It is an attempt to silence the people who have a dissenting view. Politics suffers because of that. Those of you who have votes on the Business Committee do not have to wait for this Bill. You do not have to search around; you only have to change your own rules and let proper democratic debate take place in the House.

I move on to the issue of financial support. Again, I am not sure whether the sponsor of the Bill has gone into the full detail of it. When he is talking about additional resources, does that include special advisers (SpAds)? Is the leader of the opposition going to have a SpAd? Is he going to be on band B, which is £92,000? Let us face it: if you are trying to hold to account the First Minister, who, I think, has four SpAds, or the deputy First Minister, who, I think, has four SpAds, we should have a SpAd for the leader of

the opposition and the deputy leader of the opposition. Is that what we want? Do we really want to be putting more resources into those issues, or do we need a fundamental review of all that? The public will not wear it if we try to make changes in that manner.

If we are looking at reviewing things for an opposition, I like the fact that, in Westminster, they present to the public the names of every single SpAd and how much money they earn. That seems to be the open and democratic position that we want. Perhaps the Member will take that on board.

I want to come to what is perhaps the most interesting issue for me. That is the concept of cross-community designation. Those who follow these things will know that that issue vexed Mr McCallister and myself a few years ago. There was an issue, and we in NI21 decided that, all things considered, it would not change my position on the constitutional issue, but I dislike labels and do not want to be labelled by other people about who or what I am. Designation is a fundamental mistake in the democratic proceedings of the Assembly. I said it then, and I say it now.

I think the quote by Mr McCallister was that it would put us:

"right into no man's land with the Alliance Party."

Yet, we are now saying — I hear it collectively, I hear it around — that designation is a bad idea. Why do you need to have some stamp on you that says "unionist" or "nationalist"? Is it not obvious from what you say and do and the motions that you table? Do you really need that to happen? It enshrines some form of sectarian politics. We ought to do more about that, and we ought to do it now.

When the Bill goes through the Committee, and we have lauded the sponsor for having the foresight to table the Bill, I hope that we really deal with the technical issues that we have to look at. I want to see what an opposition really means and whether it can be done here when perhaps only six people would provide an opposition. Is it really the case that, if you get to be a Minister with untrammelled ministerial powers, you will give that up to be in opposition? I do not think so.

Debates are taking place elsewhere. If you look at the Chamber, which is, thankfully, a little fuller than it was earlier, you will realise that it is not the decision-making body. We can talk all we like in the Chamber, but it will not change anything. Unless we find some resolution, we will lose the confidence of the people of Northern Ireland. I agree with Steven Agnew that things have got so bad with the people's perception of this place that nothing short of a renegotiation and another referendum will restore the credibility of the institutions of Northern Ireland.

Ms Sugden: First, I congratulate Mr McCallister for tabling one of the most important Bills since the Good Friday Agreement. I am disappointed, although not surprised, that its gravity is not being acknowledged in the way that it should. On one side of the House, the largest political party has decided that its dirty, inconsistent mess is more important than moving Northern Ireland forward. Directly opposite, the second largest party is fearful of breaking the mould of the Good Friday Agreement because, perhaps, Northern Ireland might stand a chance.

We should break the mould of the Good Friday Agreement. I am reluctant to say that, because it has served its purpose in bringing an end to violence and, although we

have come far, we still have a way to go in addressing our troubled past. Indeed, it is not my intention to undermine the Good Friday Agreement. It was necessary and was the only way at the time given the intractable differences of those involved. However, I hope that, in 17 years, we have grown and learned. Although the differences clearly remain the same, we are, thankfully, very different today than we were in 1998. That is why I think that we need to break the mould of the Good Friday Agreement. It has served its purpose, but it does not show where we can go from now.

The Good Friday Agreement had its failings. Of course it did. It was not perfect, but the political nonsense that is making fools of us all as Members of the House is the outworking of those failings. Ultimately, there is a lack of accountability. We made those concessions for peace and, rightly or wrongly, we now ultimately have peace, but now is the time to start making Northern Ireland work on a structural level.

4.45 pm

Subsequent agreements cast in the Good Friday mould are not working. The latest — the Stormont House Agreement — has yet to be even removed from its box or wrapper. We need something different that puts the people of Northern Ireland first. I take Mr Agnew's point that perhaps we should take this to a referendum. The Good Friday Agreement was decided upon in a referendum, and maybe such a change now needs the substance of the people of Northern Ireland behind it, because the House certainly does not have the substance of the people of Northern Ireland behind it.

I am not saying that we should throw the Good Friday Agreement or any of the work that we have done until now into the bin. It should remain a very important part of our history, but now is the right time to create something new. Mr McCallister's Bill is a start. It is not perfect. There are aspects that I certainly disagree with, particularly in respect of the Speaker and how we elect him, but, one day, I will advocate that we break the mould that he is trying to put before us today to create something better in Northern Ireland, and that is what we should strive for. We should always be striving for something better. That does not mean changing what has passed; it means building on it, and I think that that is essentially what we are doing here. We need to be brave today and in the coming stages of the Bill.

The essence of the Bill is scrutiny. After representing the people, the role of a Member of the Legislative Assembly — that is an MLA, for those of you who do not know — is to scrutinise effectively the work of the Northern Ireland Government, the Executive, to ensure that they are making the right decisions on behalf of the people of Northern Ireland. The House does not scrutinise the Northern Ireland Government effectively — it cannot. The most effective scrutiny that comes from the House is in this corner of the Chamber. Since becoming an MLA, I have asked more questions than any other MLA in Northern Ireland, which I am very proud of. Wee independent Claire from East Londonderry has done her job 100% more than any other Member of the House. Added to that, I have asked more questions than all the other MLAs of my constituency put together. We can do the job if we want to.

We have three private Member's Bills — a fourth when Mr Allister tables his next week — coming from this corner. What unites us? What is the success of this corner? It is because we are not in government. We have the integrity that we can challenge, without prejudice, and that is important in getting the truth for the people of Northern Ireland so that we can move forward and make things better. Even the Ulster Unionist Party has been more effective since coming out of government, and let us hope that it stays that way.

I will not go into detail on all aspects of the Bill because we will have the opportunity to do that at Consideration Stage. On the technical groups within the opposition, yes, I would quite happily work with most of the men in this corner — all of them. That is because, as an independent, I am always the last to speak on an issue. The debate will go back to John when I finish, so it has made things difficult for me. There are issues in my constituency that I have been unable to speak on because I am always the last to speak. I have been timed out long before the debate gets to me. That is not fair. The 3,003 first-preference voters entrusted to me by my predecessor deserve a voice, and I think that the current mechanism does not allow for that.

Mr B McCrea: Will the Member give way?

Ms Sugden: Yes.

Mr B McCrea: Will the Member, just for the record, explain that, because constituents will ask why you are not speaking out on issues? I think that people need to understand that it is because you are prevented by Standing Orders from being able to speak. I think that you should make the point clear.

Ms Sugden: Thank you for that contribution. Yes, it is entirely true. People say to me, "Claire, I haven't seen you in Stormont today. What are you doing up there?", and I say, "Well, I am doing a lot more than one particular party in the Assembly". Truth be told, more often than not, I prepare speeches and contributions but am timed out. Sometimes, it is not even worth having an opinion, so I do it in other ways. I do it in questions. Just think what I could do if I had a realistic opportunity to table motions that I could get onto the Floor of the House. We would probably be here a lot longer than we are currently.

Speaking rights tie in with the technical groups: would being part of a technical group give us more opportunity? People will ask why I would want to work with people who do not necessarily share my views. It is based on structure and on having a voice. If a technical group provides for that, I am quite happy to do that. I think that one of the biggest failures of Northern Ireland politics is that people think that challenging someone in your own party is seen as a failure. It is not; it should be a strength. If you can challenge someone from within your own party and move forward, it makes you stronger. I wish that other parties would see that, because we might start getting some truth out of here.

The Bill's proposal on the naming of the First Minister and the deputy First Minister is quite controversial. I agree that we should perhaps call it what it is. Martin McGuinness is as equally the First Minister as Peter Robinson, or Arlene Foster currently is. It may spare a few blushes next year, when Martin McGuinness is likely to be the leader of the largest party in Northern Ireland and take the First Minister's role. That is reality; it is where we are.

I agree with Mr Allister; I think that the Bill could go further. Indeed, I am looking into tabling amendments that will hold Ministers to account. Certainly, I look forward to working with Mr Agnew, if he wishes to table those amendments, so that we can hold to account Ministers who are currently perverting their Pledge of Office when they take on that role.

To conclude, I welcome the Bill. I think that it could go further, but we can do that later. It is certainly a start. I look forward to the Consideration Stage.

Mr McCallister: I am grateful to colleagues for participating in the debate. In opening the debate, I said that this, to my mind, was a carefully thought-out package. When you put it in as a whole, it works, because you have the collectiveness of a Government working together. You have an opposition, and you have a place that you can hang the rights for Members in opposition.

Mr McCartney talked about linking into d'Hondt, and he said that you could do some of this, or maybe most of it, by Standing Orders. That goes back to what he said in response to my point about the 1929 changes to the electoral system. It becomes much harder to change Standing Orders if they are based in primary legislation. Therefore, we guarantee those rights of the Assembly and of any opposition that we create flowing from this. Mr Kennedy also mentioned those. Those are some of the changes that, I think, would be welcomed. I think that it is very important that they are based in primary legislation.

Mr McCartney and, I think, Mr Rogers talked about Good Friday Agreement-proofing the legislation. As a supporter of the Good Friday Agreement, I do not have a problem with that. I firmly believe that what I propose in this is based around the principles of inclusivity, but not only in government through the d'Hondt process. I accept that I want to set a threshold on that and give people enhanced rights in opposition, but that is inclusivity in the political process. That is vital. Therefore, I am confident that the Bill will meet the test he is setting.

One of his colleagues made a point to me about Sinn Féin's role as an opposition party in Dáil Éireann. During the recent debate about water, Sinn Féin ended up with an average of something like four seconds in which to address each amendment that its Members had tabled. That is when an Executive has too much power over the legislative branch. That should not happen, and it should not happen in this Chamber. Therefore, I think that the way in which Sinn Féin has been using opposition in the Dáil is a good example of holding a Government to account.

Mr Rogers very much welcomed the Bill. He welcomes the proposals on topical questions, the Chair of the Public Accounts Committee and funding, and very much welcomes the policy on d'Hondt. Again, he mentioned the Good Friday Agreement and inclusivity. Without repeating what I have said, I think that it is as important to be included in the political community as it is to be included in government. He talked about being nervous about changes to community designation, but I think that he was open to that debate. I very much welcome his comments around that. Again, there was some nervousness around the size of technical groups. He used a quote from Seamus Mallon, a former deputy First Minister, about being at peace with ourselves and setting out integrity and vision. That is what the Bill is about. It is setting out

a vision for how we address not just the bugbears that always come back to bite us, but all of the problems, be they around educational underachievement or economic reform — all of the things that we have to do, and do significantly better.

In welcoming the Bill, Mr Kennedy talked about the power to vote a party out of government. I agree with his point that the Assembly has not evolved at the speed or pace that society has in 17 years; we may even think that the Assembly is probably significantly behind society on many issues. Rather than bringing people in, the structures put people off. I agree with Mr Kennedy because not only do we put people off and voter engagement is low, but even those of us who are in our second term here and those who have served longer will know that engagement by lobby groups and charities is not nearly as significant as it was during my first term.

Mr Kennedy rightly made the point about revitalising the Assembly. He referred to Lord Empey's attempts in the House of Lords and about rights that are based in legislation. That is why the Bill is here: it bases those rights in legislation and makes it very difficult for a future Executive or Government to take them away, as indeed was Mr McCartney's worry. That is why it is good and useful to have that legislation. He mentioned technical groups in the opposition and looking at resources. He also mentioned the sectarian nature of the OFMDFM headcount but was supportive overall of reform of the Assembly and Executive. Indeed, as a Minister of almost five years' service, he is probably well placed to comment on it.

I turn now to Mr Lunn, who welcomed the Bill. I agree with him that it will test the Assembly. There are challenges in there around the petition of concern and community designation. He welcomed the opposition and questioned the need for a Government. I think that the point was well made by Mr Agnew that, sometimes, we do have a Government and an opposition; they just happen to be all the same people. That is the really disappointing thing and what gets us into such difficulty with making decisions: everyone is in government and in opposition. Those should be two very clear, distinct roles.

The Deputy Chair of the Committee for Finance and Personnel, Mr Bradley, in an intervention, talked about the Budget process. I have to say that I agree with Mr Lunn and with Mr Bradley's intervention. Mr Cree is in the Chamber. During my opening speech, I mentioned that the financial process has been a longstanding bugbear of his. We have to do everything and end up doing it by accelerated passage. We get information at the last minute. My hope, and why you would separate out the Budget process and have a Budget Committee and a Finance Committee, is that the Finance Committee could handle all the other stuff, such as rating policies, personnel and voluntary exit schemes, but the Budget Committee would focus on the Budget process. The Budget process changes that have been long talked about and championed by people like Mr Cree would come to some sort of fruition at this stage. Most people in the Chamber seem to agree that the Budget process is wholly inadequate now.

Mr Lunn also talked about getting maturity and growing up. Northern Ireland is coming close to 100 years old. I am not quite sure that we have really grown up. We still seem

to look somewhat of the teens and early twenties; not long left for university, still have the apron strings fairly tied to them, and do not want to do much without somebody giving support or sending money. I am sure that some of you who have young people at university get the call every once in a while to send more money across. That, essentially, seems to be where we are stuck.

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

5.00 pm

We have never matured into the politics of grown-up government and actually dealing with the issues or, indeed, coming up with policy innovations that would tackle that. Our one policy agreement seems to be that London should send us more money; what we would do with it would be anybody's guess. It is time — the Bill presents the opportunity — for Northern Ireland to come of age, grow up, govern ourselves and meet the challenges of government.

Mr Allister, obviously, was somewhat surprised that we would need a debate on having an opposition. He said that of course there should be an opposition and at least the Bill is moving in the right direction. I could have comfortably predicted that the one area he would denounce me for would be staying wedded to d'Hondt. I sometimes wish that we were in a position to move away from it, but d'Hondt guarantees parties of a certain size their entry into government. It is then up to those parties to accept that responsibility. There is a responsibility in being in government. In certain ways, it is easier to be in opposition and always saying, "This is terrible", or, "That is no good", or whatever. Being in government carries a huge responsibility; being a Government Back-Bencher must be a terrible burden, with not many perks in the job and all the criticisms. That is why, if you use the d'Hondt system, parties must face up to the challenge, negotiate a Programme for Government and move on.

I very much welcome Mr Allister's support for moving away from the tribal nature of designation. He rightly pointed out that he was a member of a technical group in the European Parliament and that the Dáil has one. Newry, Mourne and Down District Council has a technical group which is the third-largest grouping in the council. There are no political affiliations among the members involved, but it includes an independent republican, the Alliance Party and a couple of other independents. They qualify for extra speaking time in the council, which is something to be welcomed.

If the six of us or any collection of six people wanted to do that and trigger extra rights and a seat on the Business Committee, it does not mean that we are signing up to agree with each other on anything. It is simply a mechanism to make sure that your opposition in a technical group is of a certain size so that it can access enhanced speaking rights and membership of the Business Committee. That is why it is welcome. It could certainly change the dynamic and it answers the points made by Ms Sugden and Mr McCrea in that it would guarantee Members in this corner a speaking slot in every debate. That changes things quite dramatically. On many occasions, Mr Deputy Speaker, you and your colleagues do your level best to include as many people and as wide a cross-section of views as possible but, on very many occasions, it is not possible to include anyone from this corner. Indeed, during a certain

Budget debate, which was time-limited, because I tabled an amendment to it I was possibly the only one from these Benches who got to speak.

I am pleased that Mr Allister agrees with the renaming of OFMDFM. He made a point about giving real effect to this in getting a lot of the schedule passed. The things that we can do here are great for the opposition. The prize of getting so much of the schedule through is that we change how our Executive works; we challenge that and we build in collective Cabinet government.

We remove community designations, put in a threshold and change the dynamics of how this place works. I think that that is vital.

Mr Agnew was quite right when he opened and said that many people probably told me that I could not do this. You are right: I heard that quite a few times. They said, "You can't do it. How do you get round the competencies? We need Westminster". As I said when opening the debate, I think three different debates in the House of Lords nailed that firmly down. Baroness Randerson, speaking on behalf of the then coalition Government, and Lord McAvoy, speaking on behalf of the Labour Opposition, made it quite clear that they would not act without the Northern Ireland Assembly and Executive being the initiator of that action. This Bill is the way to initiate that; it is the vehicle with which to do it.

On the legislation not being required for all, I think that when basing it on Standing Orders and in primary legislation, then that means that it is about much more than just the grace and favour of the Executive arm of government. It makes sure that the Government are listening.

Mr Agnew is in favour of collective responsibility. I think that you have only to look at many Government policies to quickly see that they read like a set of football results. That is why we have to move away from that. We have parties in the Government voting against the Budget. That would bring down Governments in other places, but parties can do that without taking any great responsibility because they know that the big two have enough to carry the Budget. That is not being a responsible party in a Government. That is why I think that a collective Cabinet and a change in culture are needed.

Too often in the House, when Members and Ministers get up to speak about the Government, they do so as though they are thinking about London or Dublin; they do not think that they are the Government of Northern Ireland. So, there needs to be a sea change. I agree with Mr Agnew, in that I am quite keen to hear it being referred to as the Government of Northern Ireland in future.

On the ministerial code and the issue of accountability, I think that Mr Agnew is well placed on the Standards and Privileges Committee to look at that. I certainly welcome anything like that. I think that Ms Sugden mentioned it as well. Anything like that is to the good.

Mr Agnew is right about petitions of concern. He knows that I have often said to him, "You do know that when you sign a petition of concern, Mr Agnew, your vote does not count?". Neither does Mr Lunn's vote count, and I think that this is inherently wrong. The votes of nine Members in the Chamber do not count at that point. We, therefore, need to move and change that.

I am not overly convinced about Mr Agnew's point on holding a referendum. I thought that 71·25% of the population voting yes in 1998 had settled the issue, with everybody turning round and saying, "The people have spoken. Isn't it great?". But, we have spent the 17 and a half years since the referendum fighting about it. So, I am never entirely convinced that it is entirely appropriate to have a referendum on, at times, quite technical changes. Ms Sugden brought that up as well. If somebody wants to hold a referendum and thinks that that is a good idea, I would not be opposed to it, but I am just not convinced, in a representative democracy, that this is the place to do that.

Turning to Mr McCrea's contribution, I gathered that he was wanting very much to say that he had invented opposition.

I will quote two things to him initially. This is from his launch speech for the leadership of the Ulster Unionist Party in 2010:

"Pledge 1 – No ministry until party success assured

I intend to lead the party on the basis that the leader of the UUP will be the First Minister. Until this goal is achieved I will not accept any other ministry. I will review this commitment after the next Westminster elections. I am determined to turn this party around."

And so on:

"Pledge 2 – The UUP will take the Education Ministry as first choice".

I am not sure that that is entirely consistent with what he said. He went on:

"The foundation of any value added economy is education and training."

That is fine, but those two points certainly nail the myth that Mr McCrea invented opposition.

Mr B McCrea: Will the Member give way?

Mr McCallister: Yes, certainly.

Mr B McCrea: Will the Member inform the House that, when he tried to bring a private Member's Bill through on procurement, he came to me and asked if I would take it over so that he could bring forward this private Member's Bill?

Mr McCallister: I am happy to confirm that, and I look forward to an update on how he got on with his public procurement Bill.

Mr B McCrea: Will the Member give way? Would the Member like an update?

Mr McCallister: No, I will not take one now.

Mr B McCrea: If you are looking forward to an update —

Mr McCallister: You will get your chance.

Mr McCrea also made some comment about designation being important to me. I think that, if the record is checked, we will find that Mr McCrea is still designated as a unionist. It was obviously such a pressing thing to change in May 2014 that he could not even get that done.

Mr B McCrea: Will the Member give way?

Mr McCallister: I will in a second.

Mr Deputy Speaker (Mr Beggs): I ask the Member to come back to the Bill.

Mr B McCrea: On a point of order, Mr Deputy Speaker. Can you inform the House as to at what stages you are able to change designation in this place?

Mr Deputy Speaker (Mr Beggs): I ask the Member to seek advice outside the Chamber. I encourage all Members to come back to the Bill that is in front of us.

Mr McCallister: I am grateful, Deputy Speaker. On the issue of community designation in the Bill, I will quote from the Member's party website, which was up until the end of March or the start of April this year. It said:

"We have said repeatedly that as we are required to designate as 'unionist', 'nationalist' or 'other' in the assembly ... we will designate as unionist".

I do not know what changed his mind. I think that he well knows the issues that NI21 floundered on.

I am surprised that he is not as supportive of technical groups. It is not compulsory to be in a technical group. If he did not want to be part of that, he would not have to be. Indeed, if anyone did not want him to be part of it, he would not have to be either. He asked about financial support and a SpAd for the leader of the opposition. I think that financial support on these matters is best left to a review panel. I did say, when opening the debate, that if you were to move and wanted to keep it as cost-neutral to the Assembly as possible, you could quite easily move to the Departments paying all or a percentage of the ministerial salaries that they are responsible for, rather than the Assembly paying it all. That costs the Assembly £767,000 a year by the time you add in National Insurance contributions and pensions.

He also mentioned giving up ministerial office and power. That is why there is a threshold built in; d'Hondt is your way in. I am surprised at him talking about d'Hondt being such a travesty. I expected that from Mr Allister, but not from Mr McCrea. He will well know that we are not in a position to move away from d'Hondt. He will well know that I respect all the parties here and their mandate.

I expect that d'Hondt will be used for a considerable time to come as people's right to a place in the Government. I am not about trying to gang up on any one party to put them out of the Government. The challenge is to respond, be responsible and act like you are in the Government. Therefore, I will defend sticking with d'Hondt.

5.15 pm

I have no great issues with the suggestion for a civic forum. This place has to be the supreme seat of representative democracy in Northern Ireland. Could a civic forum add value to it or some ideas? Absolutely, of course it could.

As for the point about renegotiating all, we have effectively been negotiating all my life, and not just my adult life. I was born in February 1972, and we have been negotiating for all of that period. We have been negotiating since Sunningdale, when I was a small boy, to constitutional conventions and rolling devolution in the 1980s, to the Hume/Adams talks here in the early 1990s, to the ceasefires and the Good Friday Agreement. We have an agreement named after almost every country estate in the

United Kingdom. We have the St Andrews Agreement, the agreement at Hillsborough, the Stormont House Agreement, Stormont Castle agreement — we have them all, and where are we at this point?

This Bill provides a vehicle and a timely way to vote yes or no at some point. We have to decide whether we want to reform this place or continue in the way we have been going. We have to decide. It is up to every one of us and our parties to decide whether we want to continue with what we have had over past years, with indecision and constant crisis, with one crisis here and another one there or whether the Assembly and Executive will survive until next week. We have to decide whether we have had enough of that brinkmanship. We have to decide whether we want to do government. Do we want to be responsible for ourselves and our own future and our children's future? The crux of this Bill is deciding whether we can have a future in which we work together, that demands partnership in government, scrutiny from an opposition and provides an alternative.

There is nothing in the Bill that says that opposition parties have to work together. There is nothing that says that the UUP as an opposition has to work with the SDLP, Alliance or any of us. However, the electoral advantage of starting to work together and look like an alternative to the Government changes the dynamics in here and the way that people think.

One reason that so many people predicted that we might have an election by now or in November or at any time is because so many people knew that nothing would change. An election would make not one jot of difference. It would be largely the same faces and same parties. A few seats might change here and there, but we would come back to face the same problems.

How do we deal with all these issues? This Bill provides a mechanism to do that. I accept that the Government may have to park some issues that cannot be dealt with, but get on and do the stuff that we can agree on, and do government, not endless peace process negotiation. What we have had for the last 18 years is government by peace process negotiation.

By next May, the peace process will have the first people casting their votes — if they can make it out to a polling station — who were born after the Good Friday Agreement and are of that era. So, the first truly post-conflict generation is coming of age to vote. This Bill is a chance, by the next Assembly term, to change the dynamic of our Northern Ireland Government and Assembly and make them fit for purpose.

Use the Bill as the vehicle to make that change happen and get on and give real purpose, direction and meaning to what a Government does, with the robust challenge and scrutiny that an opposition can bring.

Question put and agreed to.

Resolved:

That the Second Stage of the Assembly and Executive Reform (Assembly Opposition) Bill [NIA 62/11-16] be agreed.

Assembly Business

Assembly and Executive Reform (Assembly Opposition) Bill: Committee Stage

Mr Deputy Speaker (Mr Beggs): This motion will be treated as a business motion, and, therefore, there will be no debate.

Resolved:

That, as provided for in Standing Order 33(1), the Assembly and Executive Reform (Assembly Opposition) Bill [NIA Bill 62/11-16] stands referred to the Assembly and Executive Review Committee. — [Mr Weir.]

Private Members' Business

Equal Pay

Mr Deputy Speaker (Mr Beggs): 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 wind. 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 wind. All other Members who wish to speak will have five minutes.

Mr Cree: I beg to move

That this Assembly notes the inequality of treatment that has arisen for staff in the PSNI, the Department of Justice and the Northern Ireland Office in terms of the equal pay settlement; recognises the genuine hurt and hardship that have been caused as a result; and calls on the Minister of Finance and Personnel and the Minister of Justice to take urgent steps to recognise their moral obligation and to ensure that staff affected are not financially disadvantaged and receive the equivalent payments awarded to their colleagues in other Departments.

I am pleased to move the motion today in yet another attempt to resolve the inequality and unfairness of the situation with the equal pay settlement for police support staff in the PSNI and those seconded from the former Northern Ireland Office, now the Department of Justice. The matter has been dragging on since 2009 and was the subject of a debate in the House in June 2013. Many questions about the equal pay issue have been asked in the House, and it was the subject of a County Court judgement on 7 March 2013. The judgement held that there had been pay delegation in these cases and that the staff involved fell outside the equal pay settlement as the Department of Finance and Personnel was not responsible for their pay. That is the legal position, but there remains the issue of fairness and, I believe, the moral position. These people are entitled to the extra pay that their colleagues enjoy. We know that £26 million had been ring-fenced for that purpose within the PSNI alone. Some will say that the money was reserved just in case the judgement went the other way, but clearly a case had been made on the quantum.

I do not wish to apportion blame to anyone, but the fact remains that there are concerns about why adequate business cases were not provided and why the unions did not press their respective employers to ensure that all their members received equal pay for equal work. Back in 1996, there was some assurance about rights for the members of staff involved from the then head of the Civil Service, but the court decided that that was not contractually binding. However, whilst the judge found that there was no legal duty to pay, he had some sympathy with the moral issue, which was deemed to be for others to decide. The then Finance Minister, Mr Simon Hamilton, appeared to share that view and estimated that a figure of between £32.5 million and £50 million would need to be set aside. He stated that he would put a recommendation to Executive Ministers on that basis early last year and said:

“there is a need to recognise the very strong moral argument that has been put forward.” — [Official Report (Hansard), Bound Volume 96, p23, col 1].

I believe that the issue remains in the Executive with no decision made. There is a high moral argument to resolve the outstanding matter without further delay. I trust that the House will support the motion and that the Executive will make a decision without any more delay.

The Sinn Féin amendment attempts to lay the blame on the British Government, but, as the posts were devolved and had pay delegation, I cannot see the logic in the amendment and therefore do not accept it.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. I beg to move the following amendment:

Leave out all after the first “Justice” and insert

“, the Northern Ireland Office and a number of arm’s-length bodies in terms of the equal pay settlement; recognises the genuine hurt and hardship that have been caused as a result; and calls on the Executive to address any areas of responsibility that they have and to make representations to the British Government, who were the employer for many of those affected, urging them to recognise their moral obligation and to ensure that staff affected are not financially disadvantaged and receive the equivalent payments awarded to their colleagues in other Departments.”.

At the outset, let me say that we have no real issues with the main motion. If Mr Cree had read the amendment, he would know that we are not apportioning blame to anyone. We are saying that the British Government were the employer at the time through the NIO and that representations should be made to see if they have anything to address in this issue. It is not about apportioning blame, so I hope that, in light of that and of some of the remarks that we will make, perhaps dividing the House will not be necessary because the composite motion will deal with the issue.

The issue has been dealt with in a number of ways in the last number of years. Indeed, on 4 June 2013, there was a debate here in the Assembly, and I stated on behalf of Sinn Féin that:

“For us, this issue is about equality of treatment and fairness.” — [Official Report (Hansard), Bound Volume 85, p364, col 2].

That remains our position. I said then that none of us could predict the outcome but it was an issue that was not going to go away until it was addressed. That has come to pass. Indeed, a quick look at the Research and Information Service’s pack on the issue shows that it has been raised by all the parties. Something like 42 Members, across the variety of instruments open to us — plenary debates, the Committee for Finance and Personnel, the Justice Committee, Assembly questions and questions for oral answer to both Ministers — have ventilated all the issues, but there has been no resolution to this. Therefore, it remains unresolved and at its core is an issue around the equality of treatment of civil servants who were public service workers and have provided a service.

There is no doubt that a big rupture in the matter was the legal case, where it was ruled that there was no legal entitlement. In many ways, from that, the issue has proved very difficult to resolve. I agree with Leslie Cree in the wording of the motion. A legal judgement is binding, and nobody doubts its binding nature, but it leaves space.

When the judge spoke at the judgement, he said that there was a sense of grievance and a lack of fairness, but he could rule only on the legal entitlement.

The issue has been brought in front of the Justice Committee, which I sit on, and, on a number of occasions, departmental officials have tried to explain the complexity. These were people who were once in employment. There was a pay delegation that they were treated separately when they were employees of the NIO and the old Police Authority. That aside, there is absolutely no doubt that, when the equal pay settlement was realised and accepted across a number of Departments and, indeed, across a range of civil servants, there was a group of people who were left outside. They still carry that sense that it was not addressed in a proper way.

5.30 pm

I do not want to be unkind, but what we have seen since the Assembly debate in June 2013 is like a game of ping-pong, where responsibility is thrown from one Department to the other. In fairness to them, both Departments have said that this is an issue that can be addressed, but still there is no resolution. That is why we believe in some attempt to break the logjam. Our motion clearly does not bring it down to two particular Departments; we say that it is an issue for the Executive and remains so.

Mr Allister: Will the Member give way?

Mr McCartney: I will indeed.

Mr Allister: You make it sound as though it is no one's fault. Is it not the situation — certainly, answers that I have suggest that it is — that a paper from the Finance Minister has been waiting in the in-tray of the Executive for 18 months and that Sinn Féin has blocked discussion of the issue at the Executive? Is that not the truth of the matter, and is it not why this matter has been blocked and there has been failure to reach a settlement on it?

Mr McCartney: No. I disagree. One of the reasons why there has been no settlement is because the two Departments have not taken responsibility for which of them is wholly responsible. I think that it is wrong to say that. As Mr Allister often does, he looks for the bogeyman, and Sinn Féin is the easy one. It is easy for him to play that out there. This is an issue that is broader than trying to put the blame on one particular party. This issue needs to be resolved in the interests of those who lost out on the equal pay claim; but there are issues for the Executive that the Executive need to address. As I say, this goes back to 1996, when the NIO took a decision that these civil servants would be in its remit and under its terms and conditions. The NIO has walked away from it.

Therefore, what we are doing in relation to the motion and the amendment is saying that the Executive should open up discussions with the British Government to see what their responsibilities are, and, if they have responsibilities — in our opinion, they do — it is up to them to address it. In times past and in other situations, in very generous settlements for other state agencies, the Government were not found wanting, with sums of a quantum far higher than these civil servants want.

Let me state it very clearly: I, personally, and Sinn Féin, believe that the British Government have a responsibility in this and, up to now, they have abdicated it. That is why we

tabled the amendment. We realise that the Executive have a role to play and, in our opinion, they should not be found wanting, but the British Government cannot walk away from it either.

Mrs D Kelly: I and other members of my party have spoken about this clear inequality in the equal pay claim over the last number of years. Whilst I have a lot of empathy, and, indeed, sympathy, the fault lies with the failure of the British Government to honour not only the commitment to these people but many other commitments, not least to victims in the North. Indeed, where legacy cases are still outstanding, EU courts have found against the Government.

However, I look forward to what the Minister has to say about the proposals that are firmly on the table, as opposed to some that might well be in the ether. Having had discussions with some of the people impacted upon, I understand it to be the case that a bird in the hand is worth two in the bush. There is more certainty around a proposal that, I believe, is with the Executive and which has been held up for a considerable time, for whatever reason. Therefore, I see the proposal from the Ulster Unionist Party as something that falls far short of meeting the needs and aspirations of the people who are most impacted upon by this failure, but, as others have said, there is no legal obligation on the Executive. There is, however — I think that all of us are agreed — a moral obligation. However, we live in constrained times, and there is some proposal that will assist the majority of people who have made equal pay claims right away if the Executive agree the paper from the Finance Minister. That is my clear understanding, and discussion of it is something that I look forward to. I note that the Sinn Féin amendment goes further and talks about staff seconded from arm's-length bodies.

To the best of my knowledge, that is a new addition; it is something that I was not as aware of as of those civilian staff in the broad justice system. However, these people have been making the case for a very long time, and I am sure that many of them would very much prefer to have some certainty about what is on offer, even though it falls short of their expectations and what true justice would give them. Nonetheless, there is an offer on the table, and it is my understanding that people are prepared to accept something less than that to which they had aspired.

I look forward to hearing some clarity on the position from the Finance Minister. We are hearing two conflicting views in relation to why the hold-up has occurred. Perhaps the Minister could bring us some certainty around that and some information on staff who have been seconded to arm's-length bodies, the impact on numbers, what the budget might be and whether or not the Executive will consider the needs of those staff, in addition to putting something on the table for those staff who have an offer potentially within their grasp.

Mr Dickson: I have been a trade union official for most of my working life, and I have represented people in and dealt with many cases like this. I have also, as a Member of this Assembly, received a great number of letters from constituents who have been affected by this matter. The reality is, however, that, when their trade union went to court, it lost the case. In those circumstances, it became exceedingly difficult, if not impossible, for Departments to make any ex gratia payments.

It is my understanding that the Treasury did set aside a sum of money for the eventuality of a win in the courts, but that money came off the table the moment the case was lost. Therefore, we are in a situation where people have a very strong sense of unfairness around the way in which they have been treated — of that there is no doubt — but there is no legal standing for unfairness. That leaves us in the situation where, effectively, we are asking the Minister of Finance to make an *ex gratia* payment by way of compensation in respect of these matters. Whether that will stand up to public scrutiny, and whether, ultimately, a Finance Minister who made that payment would be criticised by the Audit Office or others, remains to be seen.

I would also like the Finance Minister to comment on how she would propose to divide money between any claimants if she were to make an *ex gratia* payment by way of compensation for unfairness, rather than due to any court decision. Would it be an equal amount each? It is my understanding that, if she were to do that, some people would actually receive more than their entitlement if the court had found in their favour, and others substantially less.

The trade union has spent a great deal of time, money and effort fighting this valiantly on behalf of those it represents; that is its job, but I think the time has come for the Executive to deal with this matter finally and unequivocally. If the Minister can find and justify the resources, well and good. If she cannot, it is her duty to be open and honest with those people who may have a residual expectation of some form of payment.

Ms McGahan: Go raibh maith agat. I support the motion as amended, a *LeasCheann Comhairle*. Thank you for the opportunity to address the House on the issue of inequality of treatment that has arisen for staff in the PSNI, the Department of Justice and the NIO in terms of the equal pay settlement. Recognising, in the words of the motion before us, “the genuine hurt and hardship” caused as a result, I wish to acknowledge those very strong feelings among staff who have been affected disproportionately by the current equal pay settlement.

My party colleague Raymond McCartney has given a very comprehensive outline of our rationale for the amendment. As we have stated, this is a responsibility for the British Government. They need to step up to the plate as the employer of many of those affected to ensure that staff are not disproportionately affected. To conclude, approval must be given for a payment that would not be derogatory.

Mr Nesbitt: This debate is a bit more than one on the motion; it is also a debate about what we think characterises good government. Do we include values like fairness, openness and transparency? Do we value the ability to make tough decisions and stand over and justify the decisions that we make?

The history of this campaign by a section of our citizens for fair treatment is, I think, highly illustrative of the dysfunction of this round of devolution. This is about how we, as an Assembly and as an Executive Committee of that Assembly, do business on behalf of our people. I do not think that it is possible to sit with some of those affected by this issue and not leave the room determined to right a wrong. Earlier today, I heard of a woman with 40 years' public service who wanted to retire, whose health dictated that she should retire, but who could not bring herself to retire because she was afraid that, if she did

so, she would lose out if there were a resolution to this dispute. It may not be judged as a wrong in strict legal terms, but it is a wrong.

How can you look people in the eye who, during the Troubles, ran the same risks as members of the security forces — people working in police stations; people working in courthouses; people who had to check under their cars for fears of terrorist attack; and people who had to consider themselves and their families at constant risk — and then deny them the same rights as former colleagues?

How well have we done? There is a hefty volume, as was pointed out by the Member for Foyle, of records of debates, Committee hearings and Assembly questions, oral and written. Here is just a flavour of that debate over the past number of years.

Two and a half years ago, the then Finance Minister Sammy Wilson said:

“The issue of the payment to those who work as administrative assistants in the PSNI has been one that I have received a lot of correspondence on. I have some sympathy with the arguments that people have put forward”. — [Official Report (Hansard), Bound Volume 85, p79, col 1].

Tea and sympathy, but without the tea. Skip forward a year, and his successor Simon Hamilton said that the issue:

“should be resolved as a matter of urgency, given the widespread support that there supposedly has been for a resolution”. — [Official Report (Hansard), Bound Volume 96, p22, col 2].

That was in June last year. He said “supposedly”: was he pointing a finger at Sinn Féin? I doubt it, because Mr Flanagan of Sinn Féin acknowledged that:

“a large number of retired civil servants ... disgruntled that the settlement is a belated response for people who were discriminated against throughout their careers and who are still waiting for justice.” — [Official Report (Hansard), Bound Volume 96, p23, col 1].

From Sinn Féin's point of view, it is clearly core business. As recently as April of this year, the response to a written question to the First Minister and deputy First Minister asking the status of this plan as submitted by the Minister of Finance and Personnel, stated Executive business and all aspects of the Executive decision making process are confidential. So, tea and sympathy, without the tea or the sympathy.

It that a flavour of an open, transparent Government? Does that give a taste of a Government that cares? I am well aware of the legal case and the judgement of His Honour Judge Babington in March 2013. We could debate that ruling all day: was the case well made? Was the ruling solid? However, whatever the legal niceties, there is no question that there is a moral obligation to step in here.

I have heard it said by some former Executive Ministers that they accept the moral obligation, irrespective of what the courts have had to say. I agree that there is a moral obligation. It is not my idea of government to wash your hands when things go wrong. As I see it, the facts are pretty simple. People made a decision about their future employment without the full knowledge of the implications of that decision and they should have been given the full

knowledge of the implications. They should have had that information, and the lack of it gives rise to a moral obligation; an obligation on us to do the right thing. You cannot listen to those who spent a lifetime in public service only to feel betrayed by what has happened.

Mr Deputy Speaker (Mr Beggs): Would the Member draw his remarks to a close?

5.45 pm

Mr Nesbitt: Mr Hamilton talks of a moral obligation. To me, a moral obligation is something that you talk about in terms of a full and final settlement, not a gesture. It is time for a full and final settlement for those people.

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

Mr Allister: The unedifying failure to resolve this long-standing grievance does not speak well of government. These were public servants who thought that they were doing the right thing, were assured that they were doing the right thing, were assured that they would be recompensed and took upon themselves the dangers, very often, that came with working in police stations, and now find themselves disadvantaged. That is a wrong that needs to be righted, and it should have been righted long since. The delay is quite unforgivable in many ways.

I would like the Minister to clarify a number of things for us, because I have listened to Sinn Féin in the debate suggesting that, really, it is no one's real fault what happened here. However, if I have followed the saga correctly — from the questions that I have asked the Finance Minister from time to time, I believe that I have, but I stand to be corrected — my understanding is that the Minister's predecessor, Mr Hamilton, drafted a paper of proposal to resolve this matter, for discussion by the Executive, 18 months ago. To this very day, that paper has never got before the Executive, because any paper to get to the Executive needs the imprimatur of both the First Minister and the deputy First Minister, and the deputy First Minister has refused to allow it onto the agenda. Can the Minister be emphatically clear: is that correct? If that is correct, then the finger is pointing back at Sinn Féin on the issue. Is its real problem the fact that many of those people dared to work in police stations? Is that its real difficulty in regard to this? Let us have some clarity on that issue. I look forward to the Minister making the situation very, very clear.

Will the Minister also clarify, for those long-waiting civil servants who have wanted to retire but have been fearful of retiring lest they lose out, and give a guarantee that they will not lose out, that that which has been accorded to them will continue and that they will be assured of payment?

Mr Dickson: Will the Member give way?

Mr Allister: Yes, I will give way.

Mr Dickson: I listened with interest to the Member's theories about the intervention of Sinn Féin. The Department of Justice wrote to the Justice Committee and, in correspondence, it said in responding on 8 August to Simon Hamilton, the newly appointed Finance Minister:

"The Minister has also noted the reference to ministerial direction which, although technically possible to be used, he would not be planning to do so in this case. DFP had no such plans."

That was in the event of the fact that he had no other legal route to make the payment. It may be blocked somewhere else, but the reality is that the Finance Minister himself, at the time, was simply not prepared to make a ministerial direction decision in respect of the matter.

Mr Deputy Speaker (Mr Beggs): The Member has an extra minute.

Mr Allister: One is not talking about a ministerial direction decision; one is talking about an Executive decision. Whatever is in the Minister's paper, it obviously requires Executive approval, and it is frozen until it gets before the Executive and gets approval. I am clarifying with the Minister whether the reason why it has not got to the Executive is because of Sinn Féin's obstruction of it. I think that we need to hear that.

Then we hear from Sinn Féin all this talk about the British Government meeting their responsibilities. Again, I am sure that the Minister can correct me, but surely the obligation — moral, legal or quasi-both — falls on the fact that these were civil servants seconded from within devolved institutions to the PSNI etc, and therefore the obligation does not lie with the British Government; the obligation surely lies with those from whom they were seconded with the assurance that they would not be prejudiced in making the move. If those were civil servants who came from Northern Ireland Departments to go and work in NIO posts, the body that was underwriting the assurance that they would not be prejudiced was surely the devolved Department. Therefore, is it not the case that the primary obligation rests on this occasion not with the British Government but with the devolved Departments, and that is who should find the money for it?

Finally, I think it would be shameful if those deserving people were to become some sort of pawn in a tug of war with the British Government in any negotiations about money. There is a wrong to be righted. Let it be righted forthwith.

Mrs Foster (The Minister of Finance and Personnel):

I welcome the opportunity to participate in today's debate on the moral argument for payments to be made to civilian staff who have worked for the Police Service of Northern Ireland — or, as it used to be, the Police Authority — or who have worked in the Northern Ireland Office, in those sections that are now in the Department of Justice.

I know that colleagues have talked about the background of the case, but, just for the record, I think it would be helpful if I briefly explain why the Northern Ireland Civil Service equal pay settlement did not apply to those staff. NIPSA brought an equal pay claim against the NICS on the basis that the, predominately male, technical-grade staff enjoyed a pay lead over the corresponding, predominately female, administrative-grade staff. A settlement was negotiated for eligible staff in the affected grades, which included an increase in pay and a compensatory lump sum.

During the period covered by the settlement, there were pay delegations in place for both the Police Authority and the Northern Ireland Office. A pay delegation means that these bodies could settle their own pay arrangements. Because of the pay delegation, staff in both organisations were unable to use the Northern Ireland Civil Service (NICS) staff as comparators. No internal equal pay liabilities for either the Police Service or the NIO similar to

those upon which the NICS settlement was based were identified. Staff were therefore unable to bring equal pay claims.

However, as a result of the equal pay settlement, those groups did implement any corresponding increases in pay where they followed NICS pay rates. Indeed, as I understand it, the Police Service voluntarily followed the NICS pay upgrade, whilst the NIO and the Department of Justice implemented different scales.

NIPSA lodged a number of test cases in the County Court against the Northern Ireland Civil Service Departments, alleging a breach of contract caused by management not applying the complete terms of the settlement to those staff. As has been mentioned, those cases were dismissed by Judge Babington in March 2013. He found that the pay delegations were lawfully exercised and that there was therefore no legal entitlement for those staff to have access to the NICS equal pay settlement, except where they had service in the NICS.

So, the legal position is clear. I think that is accepted right across the House. Mr Cree mentioned the £26 million being ring-fenced in the PSNI budget, but, of course, once the legal case was lost, that money was no longer ring-fenced and the legal liability was no longer there, so, just to be clear, that money is not there any more.

The legal position is important, because the Northern Ireland Civil Service cannot pay out money to staff without a legal basis to do so. NIPSA, the union, despite having lost the legal argument, has continued to encourage staff to lobby MLAs for a payment on the basis of a moral argument. The moral argument put forward is that, if those organisations had not been given separate delegation powers and had fallen within DFP pay determination powers, the staff would have been included in the equal pay settlement.

I have listened to staff and met many of them. They have written to me and spoken to me. They have sometimes got to me by some unorthodox methods, which I will not go into today, and I have heard what they have had to say. Their representatives have written to me and, indeed, to my predecessor, and from right across the Chamber as well, so I understand very well the arguments that are made and the strength of feeling behind them.

Staff believe that they should not be subject to differences in financial outcome for having served in what have been very difficult areas at times right throughout the Troubles.

I place on record my thanks to all staff who worked in those areas during very difficult times for this country. The difficulty in finding a resolution to the issue is no reflection of the esteem in which those staff are held.

If the issue is to be dealt with in the way suggested by staff and their representatives, it is essential that the matter be considered by the Northern Ireland Executive. I hear what Mr Dickson said about an *ex gratia* payment based on a direction from the Minister of Finance and Personnel, but it is clear to me that this is a novel, contentious and cross-cutting issue. Therefore, it should come to the Executive, and that is what we propose to do. There would need to be legislation to provide a route for payment. Indeed, his colleague, the Minister of Justice, in response to the paper submitted to the Executive, made that very point: how would the payment be made? Would it be made through

the Financial Assistance Act, or would we need other legislation? That point has been made. We need legislation if we are to go down that route, because Departments cannot pay out without the legal cover to do so. There would need to be legislation —

Mr Allister: Will the Minister give way?

Mrs Foster: Yes.

Mr Allister: Why can it not be paid through the Financial Assistance Act?

Mrs Foster: As I understand it, they have looked at the Financial Assistance Act. They believe that they do not have the legal vires to pay it through that and would need other legislation. I am not saying that that is a problem; I am just saying that we would probably need to put in place other legislation to make the payments. Most fundamentally —

Mr Cree: Will the Minister give way?

Mrs Foster: Yes.

Mr Cree: Thank you very much, Minister. I do not know whether you are aware of this, but the Social Security Agency had pay delegation as well, but it got the full terms of the settlement.

Mrs Foster: All I can say to you, Mr Cree, is that it must have been decided that its pay delegation would follow the NICS route. The Police Authority did not decide to go down that route, and neither did the NIO and, later, the DOJ.

Mr Hussey: Will the Minister give way?

Mrs Foster: Yes.

Mr Hussey: Sorry, Minister. I am confused, but, as you know, that happens quite a lot. The delegation with the Policing Board was that it could have made a decision. The advice received from DFP on 22 February 2011 clearly affirmed the DOJ's understanding that:

"the pay and grading delegation that had been granted to the NIO in 1996 was to include the Northern Ireland Policing Board, formerly PANI, and that that pay delegation had not been rescinded."

Was the pay delegation still in the realm of the Policing Board?

Mrs Foster: The pay delegation remains with the PSNI. I think that some Members had a discussion about a business case coming to DFP through the Department of Justice. The pay delegation remains with the PSNI, so it will be with the Policing Board now.

Clearly, any agreement on the basis for the calculation of payments, setting out precisely who would be entitled to such a payment and where the money to make any payment would come from, has to be reached at the Executive table. All of you in the House will be very aware of the difficult budgetary situation facing Northern Ireland and the Executive. Therefore, we would need to agree together where money for this expenditure would come from in order to deal with the issues. It is no small issue, financially speaking. The full cost of paying staff amounts equivalent to the equal pay settlement would be over £30 million. The cost of including arm's-length bodies, which, of course, is in an amendment today, could mean a further

£10 million. Those are not insubstantial sums, particularly in the difficult financial climate that we are experiencing.

Mr Allister asked about the Executive paper, and, of course, he deserves an answer. It is my understanding that Sinn Féin has prevented the matter getting on to the Executive agenda. Obviously, from a First Minister's point of view, it is a paper from a DUP Ministry, so we want to have the matter dealt with, but we have not been able to have that discussion around the table.

The amendment from Sinn Féin does not add anything to the original motion; in fact, it underlines some of the difficulties that I have mentioned with making a payment to PSNI and NIO staff. Including "a number of arm's-length bodies" widens the potential groups for consideration for payment. That, frankly, is not helpful to people who have been looking for the payment for a considerable time.

I could, of course, consider referring the matter to the Westminster Government, as was suggested. However, Westminster made money available for the original NICS equal pay settlement on the basis of clear legal advice on liability; not because they were responsible for what had happened but because the sum of money — £130 million at the time — was so huge that we needed to access money from Her Majesty's Treasury to meet the liability. It is not, unfortunately, the same for the staff in question; we have heard that there is no legal liability in relation to the matter.

6.00 pm

The Executive need to move on the issue. You will all be aware that my predecessor, Simon Hamilton, wanted to find a way in which we could recognise the moral argument. He took the first step in getting the issue considered by circulating a paper outlining a recommendation that could, if agreed, achieve a resolution for the staff. The paper has been circulated; it has not been tabled for formal consideration, although a number of Executive colleagues have given their views on it. I referred to the Justice Minister's views on the paper, and the Ulster Unionist Regional Development Minister at the time said that he wanted very clear eligibility criteria to be set for budgetary matters. So, certain comments have been made about the paper.

It is a very complex issue, and a number of risks would need to be considered. There is a risk that a payment to that group of staff could undermine the original equal pay settlement if there was a differential in the amounts paid, which was Mr Dickson's point. There is also the risk of the potential repercussions for other groups, such as the arm's-length bodies, and how differences in pay rates between the NIO and the NICS would need to be taken into account in any payment. We have to consider all those issues in the round, or, frankly, we will end up in court being challenged by another group or whatever on the issue. The Executive will need to be very clear about any eligibility for the recognition of a moral argument and would need to consider any payment for that group of staff in relation to a range of issues, including budget, grades and the time period affected, to avoid an extension of the moral argument and associated costs to other groups of staff. I wish that I could come to the debate with a firm, positive answer for the staff, but, in the current political and financial climate, I am concerned that there is no immediate or, indeed, clear route to an outcome.

On Mr Allister's point that there are people who are fearful to retire in case they are not able to take up an offer if it were to come through, I can only say what I believe: ultimately, it will be for the Executive to decide on eligibility, but I would be very sympathetic to looking at the issue of those who retire now and miss out if a payment were to be made later. However, as I said, it is matter for the entire Executive.

I hope that the paper that Minister Hamilton circulated can reach the agenda of the Executive soon and that a resolution is found through cooperation and agreement. I will not mislead people. It will not be an easy issue, but they can be assured that they have my sympathy and, indeed, understanding as to why they should be considered for a payment.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. One thing that the debate threw up was that a lot of people agreed on many things. One of the first things that was said was that it needed to be resolved and that it was an issue of equality and fairness. Everybody said that there was no legal route and that the judge had made the decision. They also said that there was a moral argument, and everybody was sympathetic.

As the Minister said, we have all received letters over a period of years about the issue. I take issue with Jim Allister, who said that we had difficulties with the issue: we have absolutely no difficulties with the issue. It is essentially an issue of equality.

Mr Allister: Will the Member give way?

Mr Lynch: No, I will not. I have only five minutes.

Mr Allister: Are you blocking it going to the Executive?

Mr Lynch: No.

I want to cover a number of issues that were outlined. Mr Cree moved the motion and talked about equality and fairness. He said that many questions had been asked over the years, including questions for written answer, and that there had been debates and representations made to the bodies. He said that the people were entitled to their payments and that the judge had ruled that it was a moral issue and more or less left it open for others to decide.

I disagree with him about our amendment, which states that it is clearly the responsibility of the British Government and the NIO. These people were originally employed by them; therefore, they should pay. My colleague Raymond McCartney made that point: the British had employed these people and were therefore responsible for equality of treatment and fairness. What Sinn Féin has done about it in the past is on record. The issue is not going away; it has been about for a long time, and it has been raised by all parties.

I am on the Justice Committee, and officials came about a month after the judgement to outline the restraints that they faced. The issue had come to their table and they could not resolve it. I agree with the Minister that it is not easy; it is a complex issue. Nobody is saying any different. Raymond McCartney continued by saying that the debate was in 2013; it went to the Department, and there was a logjam. As our amendment states, this is an issue for the Executive to go back to and on which to lobby the British Government. I think that the Minister gave a figure of £30

million, which is a fair amount of money, wherever we get it from.

Dolores Kelly spoke about fairness and equality; she was interested in what the Minister would say and in getting some clarity. I do not know whether the Member got clarity. She said that there was a moral obligation.

Stewart Dickson dealt with similar issues, probably in a different role. I do not know whether that was in the Assembly or not. He said that the reality was that the case was lost in the courts. He questioned how the Finance Minister making a payment would work. I think that the Minister herself outlined that.

Bronwyn McGahan said that the hurt was to those who are affected. Mike Nesbitt asked how we do business on behalf of the people we represent. Jim Allister said that the delay is quite unforgivable. We agree in that sense for those who have been affected.

To conclude, I ask people to support our amendment.

Mr Hussey: My thoughts have been quite hazy this afternoon, listening to some of the comments made here. I begin by welcoming members of the Civil Service who are here to watch the debate and hear what is going on in the Chamber in support of them. I thank the Minister for coming to give us some answers, but I am disappointed that some of her party colleagues did not come to show support to the Northern Ireland civil servants who are affected by this.

We have had a debate where everybody has agreed that there is a moral argument. Moral arguments will not put money into the pockets of the civil servants concerned. In 2011, when I stood for election to this House, I met many people throughout the constituency who were concerned about this issue. It is sad to reflect that, so many years later, we still have not resolved it.

When is a civil servant not a civil servant? That is the sort of question that we should be asking here today. Who employed you in the first place? The point was made by several Members, including Mr Allister, that you were employed by the Department of Finance and Personnel and then allocated to a Department. I know that the Police Service of Northern Ireland put forward a business case for discussion in October 2010. This is where I get confused: the Police Service of Northern Ireland put forward a business case to the Department of Justice that was turned down by the DFP, because it then goes back to the delegation. Who had the delegated authority? Was it the Police Authority, the Policing Board or the Department of Finance and Personnel? That is an issue that will have to continue to be discussed.

Everybody agrees that this payment should be made in some way or another, but who should make it? I am sure that the civil servants concerned do not care where the money comes from; they want what everybody agrees is morally theirs. The sad reality is that we are playing ping-pong; the sad reality is that somebody is blocking this from getting to the Executive table.

The Minister has made it very clear that proposals were put forward by Simon Hamilton. Those proposals have not yet got to the Executive table. They are being blocked. If they are being blocked by Sinn Féin, shame on Sinn Féin. If they are being blocked by Sinn Féin, I suggest that you stop it, because you cannot sit in a corner and say that you

support equal rights, you support the payment and you think they have a moral argument, and then say, "But it's the Brits who have to pay it." A moral argument is a moral argument, regardless of who has to pay.

Mr McCartney: Will the Member give way?

Mr Hussey: No, I will not give way. If there is a moral argument that we all agree on, why, for once, can we not just say "OK"? Everybody agrees that this payment should be made. It is wrong to block it for any reason. Let the paper go to the Executive and discuss it, at least. If it is being blocked by Sinn Féin — I say "if" — remove that blockage and let it be discussed in the Executive. I will go no further than that, because I do not know what happens in the Executive. I doubt very much whether Mike Nesbitt will ever appoint me to be a Minister to find out, but, if you are sitting there, I suggest that you stop the blockage. There is a moral argument for this payment to be made. Everybody has agreed with it. There are no difficulties; it is an equality issue, but there is a feeling that it is everybody's fault but ours. If it is being blocked, remove the blockage and pay it.

There are civil servants sitting up there who have served this country loyally for 40 years and more; civil servants who worked in police stations when the terror threat against them was as high as it was against any police officer; civil servants who were locked into police stations because that station was under attack; civil servants who were attacked because they opened a courthouse. I could go on, because I have met these people. They have made representations to me, my party members and, indeed, Sinn Féin members. So, for once, let us get the nonsense out of the way. There is a moral argument here, and the moral is simply that we pay up. That is what I want to see happen. This evening, I call on Sinn Féin to remove any block that it has on this going to the Executive table. I support the motion.

Question put, That the amendment be made.

The Assembly divided:

Ayes 28; Noes 36.

AYES

Ms Boyle, Mrs Cochrane, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr McAleer, Ms J McCann, Mr McCartney, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Lynch and Ms McGahan.

NOES

Mr Allister, Mr Anderson, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mrs Foster, Mr Frew, Mr Girvan, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr G Robinson, Mr Somerville, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Hussey and Mr Kennedy.

Question accordingly negatived.

Main Question put and agreed to.

Resolved:

That this Assembly notes the inequality of treatment that has arisen for staff in the PSNI, the Department of Justice and the Northern Ireland Office in terms of the equal pay settlement; recognises the genuine hurt and hardship that have been caused as a result; and calls on the Minister of Finance and Personnel and the Minister of Justice to take urgent steps to recognise their moral obligation and to ensure that staff affected are not financially disadvantaged and receive the equivalent payments awarded to their colleagues in other Departments.

Adjourned at 6.24 pm.

Northern Ireland Assembly

Tuesday 13 October 2015

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

Members observed two minutes' silence.

Committee Business

Workforce Planning Review

Mr Speaker: The first item of business is a motion from the Committee for Health, Social Services and Public Safety on its review of workforce planning. The Business Committee has agreed to allow up to one hour and 30 minutes for the 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 wish to speak will have five minutes.

Ms Maeve McLaughlin (The Chairperson of the Committee for Health, Social Services and Public Safety): I beg to move

That this Assembly welcomes the Committee for Health, Social Services and Public Safety's review of workforce planning; and calls on the Minister of Health, Social Services and Public Safety to ensure that workforce planning is fully integrated with the implementation of Transforming Your Care.

Go raibh maith agat, a Cheann Comhairle. I welcome the opportunity to take the motion to the Floor of the Assembly today on an important piece of work around staffing requirements and workforce planning in the delivery of health and social care.

Since the publication of Transforming Your Care in December 2011, the Health Committee has carried out extensive scrutiny of various aspects of the policy and the proposals for implementation. We have looked at Transforming Your Care through the lens of health inequalities, learning disability, supported living for older people, outcomes frameworks and, most recently, workforce planning.

Transforming Your Care aspires to place the individual at the centre of health and social care services, with a shift left from hospital-based services to more community-based services. The strategic implementation plan for TYC acknowledges that achieving that shift left will require substantial workforce planning to ensure that the appropriate staff are in place to deliver that new model of care. Therefore, in light of the importance of workforce planning for the implementation of Transforming Your Care, the Committee decided to conduct a review of the workforce planning model in that context. We wanted to find out what level of progress had actually been made on workforce planning at regional and trust levels. We were also very interested in scrutinising some of the original assumptions in relation to workforce planning, specifically

the notion that implementation of Transforming Your Care would require a 3% reduction in the overall workforce. The review looked at the difficulties around recruitment and retention of staff and whether those issues were being addressed by the Department at a strategic level. We also examined the Department's approach to involving staff, professional bodies and staff-side organisations in workforce planning and whether that approach has been appropriate or, indeed, effective to date.

In the course of the review, the Committee took evidence from a wide range of professional bodies representing staff across the health and social care sector, the unions, the health and social care trusts, the Department and the regional workforce planning group that it chairs. We also did a videoconference with officials from the Scottish Government, who provided us with very interesting assumptions on workforce planning.

I would like to refer to the situation regarding recruitment and retention of GPs. There have been 18 recommendations as a result of our inquiry. This was highlighted in the evidence from the BMA, and the Committee heard that GPs are increasingly choosing to leave or retire due to unreasonable workloads. The BMA advised that it has no evidence that investment has been shifted from hospital settings to primary care. It pointed out that there has been no additional investment in GP training places to allow for GPs, as a workforce, to take on new work that has traditionally been carried out in secondary care settings, as envisaged by Transforming Your Care. The Committee is deeply concerned that, while a number of successive reviews have recommended an increase in GP training places, this quite simply has not been implemented by the Department. The Committee therefore recommended that the Department implements the recommendation of the most recent review to recruit an additional 15 GP training places.

Secondly, I wish to highlight the Committee's concerns about the projected size of the workforce under Transforming Your Care. Specifically, the Committee wished to scrutinise the Department's original assumption that the implementation of Transforming Your Care would require a 3% reduction in the overall workforce. That assumption was contained in the public consultation document on Transforming Your Care, which clearly stated that a 3% reduction in the workforce, representing 1,620 staff, would be required for implementation. However, during an evidence session with the Department, the Committee was advised that the 3% figure had only been a working assumption at that time. It had been produced by the Health and Social Care Board, and the Department

could not provide details of how the figure had been calculated.

The Committee wrote to the Department on two occasions to ask how the 3% figure had been arrived at, but, as yet, has not received a clear answer. The Committee asked again, in a further evidence session with the board itself, and was surprised by the response from board officials that they simply did not know where the figure came from.

When the Committee asked the professional bodies that gave evidence whether a 3% reduction in the workforce was feasible or realistic, the unanimous opinion was that it was neither. In evidence sessions with the Department, it became apparent that not only was the 3% reduction no longer a working assumption but that it was likely that an increase in the workforce would be required. However, the Department was unable to give an estimation of the size of that increase. In correspondence with the Committee, the Department advised:

“Going forward, no overall target for either an increase or decrease is being set for the HSC workforce as that would be arbitrary and would serve no useful purpose.”

Given the increasing growth in demand for services over recent years, we welcome the fact that the Department is not working towards a 3% reduction in staffing as a target required to implement Transforming Your Care. However, we find it somewhat surprising that the Department was not able to advise us exactly how and why that figure was ever in a public consultation document on Transforming Your Care.

Given that it is now more than three years since the publication of Transforming Your Care, and the number of workforce reviews that have been carried out, the Committee finds it difficult to understand why the Department is unable to provide a figure for the size of the required workforce. The Committee therefore recommends that the Department produces an estimation of the percentage increase or decrease in the workforce required to implement Transforming Your Care.

Speaking as a constituency MLA, I would say that workforce planning is central to implementing Transforming Your Care. Staff are our most valuable resource. They are the foundation of our health service, and we need to work with them to bring forward the improvements and changes we all want.

This, today, is another sad indictment of the fact that we do have the DUP in the Chamber to listen but we do not have the DUP Minister at his desk, when evidence after evidence tells us that in terms of our staffing requirement we are heading for the rocks. Nor is he at his desk to respond to the clear recommendations that the Committee brings forward today.

I ask the Assembly to support the motion. Go raibh maith agat.

Mr McKinney: As SDLP health spokesperson, I welcome the opportunity to speak on the motion and give my party's support to the review into workforce planning by the Committee for Health, Social Services and Public Safety.

I concur with the remarks of the Chair. I find it ironic that we are discussing workforce planning when the Minister is not at his desk and the Chief Medical Officer is double-

jobbing as head of the Belfast Trust. I am disappointed that the Minister is not here.

The health service employs almost 55,000 staff, who are dedicated and professional, and who are working to achieve the highest standards of care for patients in often difficult and stressful circumstances. Their commitment, energy and compassion must receive the highest praise. It is important that we acknowledge that. The pressure they are under is intolerable and the reason for it is systemic failure.

We are here to discuss the key strategic direction of workforce planning in relation to the Transforming Your Care plan. That plan foresaw the strain on the health service, particularly on the expense side, with a growing older population, growing long-term health conditions and a growing need to reach into communities with meaningful health interventions to avoid, as much as possible, people having to go into hospital and essentially racking up big bills.

10.45 am

What did TYC say about workforce planning?

Recommendation 79 called for measures to be put in place to ensure that staff are able to work in a manner that supports TYC. Recommendation 95 called for the development of new workforce skills that shifts care towards prevention, self-care and integration to the home. Recommendation 97 called for integration of workforce planning into the commissioning process.

The Committee heard views on these articulated by many substantial representative organisations in the system. The Royal College of General Practitioners said that TYC sets:

“key priorities and performance indicators ... but there has been no outline of how we get to where we want to be ... in two years ... four years and ... six years.”

Systemic failure. The unions told the Committee:

“Even though we have asked for it three times, we have not yet seen a breakdown of where the £25 million [for implementing TYC] was spent, how it was spent and where it was applied.”

That is the considered view of leading health unions four years into the process. It reinforces the fact that the public have not yet benefited from the implementation of TYC and have scarcely seen its implementation. Worryingly, the BMA advised that it has no evidence that investment has been shifted from hospital settings to primary care. The Royal College of Nursing also pointed out that there has been decline in the number of community nurses over recent years, which similarly seems to be out of step with the direction of shift left under TYC. So, we were getting an absolute chorus of key representative organisations saying the same type of things albeit in slightly different ways.

Mr McCarthy: I am grateful to the Member for giving way. Does he agree with me that we are now faced with added pressures in that a new contract is being talked about for our junior doctors, and they are most unhappy about its direction of travel?

Mr Speaker: The Member has an extra minute.

Mr McKinney: I thank the Member for his intervention. We have all been receiving correspondence in this regard; I am sure that the Member has too. While it is not within the confines of this discussion, the new terms of that contract

would bring about a complete removal of the GP training service, cut junior doctors' pay by 30% or 40% and stretch the working week at a time when there is a shortage of GPs, A & E and psychiatry trainee doctors, which once again underlines the irony here and the fact that there is not proper strategic planning. We, as a party — I am sure that other parties are too — are concerned that the proposed changes will dissuade medical students from going into the profession, or from staying here if they have gone into it, at a time when we need more of them.

The consensus is clear. These views point in only one direction, which is towards a plan that is simply not being implemented. I should know. I have spent the last two years constantly asking questions about its implementation, only to be fobbed off with obfuscation. First, we were given assurances that it was being implemented and that there were targets in the plan. Then, as the questions piled up, the evidence conveniently disappeared. In the end we had the Donaldson review, which basically called it as it was: a failure of leadership, a failure in commissioning and a failure to deliver. It is the workers, the patients and the public who suffer as a result, and they all deserve better.

The response of the Department and the absentee Minister is even more concerning. During the inquiry, the Committee heard that the plan is not so much a plan any more, rather it is a philosophy. We all love to have a philosophy, but, if you do not have some strategic plan to work to, you are going nowhere. The Health Minister, according to himself, has diluted it even further. It is now about the "principles of TYC" and some vague ambition for world-class healthcare. I remind the Minister that the TYC document made one very important point. It said that to fail to plan for the future would lead to unplanned and haphazard change that will not be in the best interests of patients. So it has come to pass.

Mr McGimpsey: I support the motion on the review of workforce planning and our way forward. I note, as others have, that the Minister is absent, although I will make a prediction here: I think that we are about to see a U-turn, and I have no doubt that the next time that we all stand up to do such a debate, the Minister will be in place and the gag will be off George Robinson, for example, and his party colleagues will be allowed to take part in the debate.

This is an important issue. It is about having the right people in the right place at the right time, with the appropriate skills to address the needs of patients. It is clear that our health service is under enormous stress. We have a plan that we talk about, TYC, Transforming Your Care, which we used to call, in the Department, "shift left" and still sometimes do. That is about moving care increasingly into the community. The principle of moving care into the community was that patients will do better. Patients who are looked after in their own homes will do better, will be happier and will live longer. Their life expectancy will be longer if we can manage to provide that care in the community, as opposed to a hospital setting. The hospital setting has been very much the traditional way that we do things.

The problem, of course, is how you move from one to the other. That needs front-loading and investment. You cannot simply say, "We are not taking them into hospitals. We are keeping them at home," and move staff from

hospitals into the community. It cannot work like that. This needs a lot of planning. It needs different

skill sets for our staff. The very first thing that you have to do is engage with staff side — BMA, RCN and all the workforce. The representatives must understand what is happening, must not feel that they are being taken by surprise and must feel that they are part of the move. Like others, I was somewhat surprised to discover that the regional planning group excluded staff side and the trade unions. I found that very difficult to understand because, in my time at Health, I had regular engagement with staff side. Sometimes it was quite uncomfortable for me, but we did that on a regular basis. I took the view that, if the trade unions were not on board, whatever you wanted to do would be very difficult.

The big thing that you have in your favour when you are talking to the trade unions is that the health service is essentially their creation, so they want to make it work. They are onside, as are RCN and BMA, so it is not a conflict situation. It is always a situation of partnership. That is the very first thing that I want to see. As we move forward, I want to see re-engagement with staff side, otherwise we will continue in this sort of discussion with the deaf.

We also need to invest in our staff. For example, we talk about planning. The planning is there. The Health and Social Care Board, which I established with a cap of 350 members and no more, is the essential management tool of the health service. When I left there were 335, and it is now over 500, which is an increase of around 40%. When I asked Jim Wells why there was that increase, he said that 70 staff had been recruited specifically for TYC. So we have a TYC workforce in there doing the work. They know what they need to do. They have the plan. I think that they need to share it with us. I am not quite clear that any of us really understand what the plan is. The plan will have benchmarks, not least a time frame.

There are a number of issues here. A much greater burden will fall on general practice and primary care, so the investment needs to be there. We are told, for example, and it is true, that we have the lowest cover as far as GPs per head of population in Northern Ireland as opposed to the other home countries. Also, a percentage of our GPs now are heading towards the end of their career and looking forward to retirement. They need to be

replaced. They need that sort of investment. Like many of us, I was shocked to discover that, last year — again, Jim Wells told us — 50 young doctors who graduated from Queen's elected to go and work in Canada and Australia. Each one of those cost the health service £600,000 to train, and away they went. It seems to me that that is a fundamental problem. We have to hold on to our staff. We provide fabulous training. We have the plans, we need the investment and we must hold on to our staff.

Mr McCarthy: As a member of the Health Committee, I fully support the comments made by the Chair and other members who have spoken on this very important issue. Again, however, I express disappointment — indeed, it is shameful — that no Health Minister is present in the Chamber to listen and, more importantly, take action on what is a very important topic. We should be really committed to the pathways outlined in the 'Transforming Your Care' document and backed up by the review

commissioned by the Department and delivered by Sir Liam Donaldson.

Our health service is experiencing extreme difficulties, as the permanent secretary reported at the Health Committee last week. Some people say that we are in a crisis; I suggest that the health service, at this time, is in a total and absolute shambles, given the ever-increasing waiting lists. Look at this headline from last week: my constituent has been waiting for two years for hospital treatment — she is one of 373,000. What a shame. Not only that, we have people waiting on vital drugs, and, indeed, there are many other inequalities in our present-day health service, which leave so many people to continue suffering in agony.

This is not what this Assembly is about, and the sooner a Minister gets back to work to overcome the shambles, the better. Let me say loud and clear at this juncture that I, the Alliance Party and everyone in the Chamber have the highest regard for every person engaged in providing our community with an excellent health service, from cleaners right up to the consultants and the highest in the profession. The problem is this: how do we get our constituents to receive this fantastic treatment within a reasonable time frame?

Our report has been a very useful exercise. It arrived at 18 recommendations in total, which, if implemented, would allow our patients to receive the necessary health provision as and when required. One of our terms of reference was:

“To examine the Department’s approach to involving staff, professional bodies and staff side organisations on workforce planning in support of the implementation of Transforming Your Care”.

We had nine evidence sessions, and we are grateful to all the witnesses who appeared and for the written submissions received, which resulted in the Committee coming up with the recommendations that I mentioned. I take this opportunity to thank the Committee staff for the work that they did in helping us to produce this report.

One disappointing outcome was the delay in the publishing of the work of the regional workforce planning group. That group started work in August 2012, and its report was only published in April this year. One could be forgiven for questioning why there was such a delay and wondering what opportunities may have been missed.

One of the key outputs of the group is the regional workforce planning framework, which is described as:

“key to moving forward, as it sets out the respective roles of the Department, of the HSCB and the Public Health Agency (PHA) as commissioners, and of the trusts.”

Our Committee expressed concern that the RWPG had not been as inclusive as it should have been, thereby missing out on the views of experienced people, such as the Royal College of Nursing, trade unions, the allied health professionals and others.

We recommend that our Health Department asks the board to produce an annual workforce plan as part of its annual commissioning plan and also to consider taking a longer-term approach to workforce planning, rather than the proposed five years.

The Transforming Your Care pathway, now regarded not so much as a plan but as an ethos, has been running for a number of years, from 2011. It would appear that money has not been transferred to places where it ought to go, thus the slowdown and perhaps stoppage in the workings of Transforming Your Care, giving us the shambles that we are presently experiencing.

Workforce planning must surely be an essential component in making best use of all the staff within our Health Department. I believe that our Health Committee has done an excellent job in producing this report. I sincerely hope that, despite having no Minister at the helm — at this time, indeed, we simply do not know who is actually in charge of the Department — progress will be made on behalf of all our constituents who are presently ill or on a waiting list.

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

Mr McCarthy: Staff are the backbone of our health service and are central to delivering the best. They must continue to play a pivotal role. I have every confidence that staff —

11.00 am

Mr Speaker: Thank you. I call Mr Daithí McKay. Your time is long up.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I speak in support of the motion, obviously. It is ridiculous that we find ourselves once again addressing an empty chair across the way. I see that Mr Robinson is the sole representative of the DUP today; perhaps he would like to sit in the Minister’s chair, so that we can have some semblance of a real debate and a response from the other side of the House. This is getting beyond ridiculous.

(Mr Principal Deputy Speaker [Mr Newton] in the Chair)

A Phríomh Leas-Chathaoirleach, having just come on to the Health Committee, I am not across the full work of the report, but the importance of workforce planning to productivity, better outcomes, better health outputs and, indeed, the improved health of staff within the health service itself is clear to anyone. From the Committee recommendations it is clear that there are a number of serious concerns that the Department needs to address in terms of Transforming Your Care. These include, for example, the number of GP training places, which has not been implemented by the Department. The Committee is recommending that the Department implement the recommendation of the most recent review to provide an additional 15 GP training places.

The Committee is also concerned that the regional initiatives on normative nurse staffing have not been completed or implemented and by the potential impact that this may have on patient safety. It also recommends that the Department consider how primary care services can be reconfigured across a range of health and social care professionals to deal with the increasing demand for GP appointments.

Recommendation 21 is interesting. As the Chair has already stated, it calls on the Department to produce an estimate of the size of the workforce that will result from Transforming Your Care. This should really be a given. It is surprising that the Department, at this stage of Transforming Your Care, has not carried out this very

basic exercise. There are also some real concerns about how the VES (voluntary exit scheme) is being carried out. Such a sizeable movement of staff needs to be a core part of the workforce planning group's work. These need to be strategically aligned urgently to mitigate negative impacts on service delivery.

There also needs to be a common understanding of what TYC is. Is it an ethos? Is it a realisable objective? There seem to me to be a lot of mixed views among stakeholders responding to the Committee. In the Committee's view, the approach to Transforming Your Care of not working to a measurable, costed plan raises key concerns and questions in terms of monitoring, governance and funding. How can an organisation work towards key objectives if there is not a shared view on what they actually are? There is no certainty about what the specific aims and objectives actually are. These are some fundamental basics lacking here, in my view.

There is no doubting the potential in Transforming Your Care. There is no doubting the benefits that there are to be gained. In a situation like this, we need clear leadership and we need clear direction. That would instil confidence in the workforce about where the health service is going and when and, until we get that, we will continue to have all sorts of problems.

It goes without saying that we need a Minister in post to give that leadership and direction. Again, we have a situation where we do not have someone at the helm to respond to the needs of our communities and our workers. This is people's health; this is people's lives; this is a crucial issue for the people whom we represent. Mr Hamilton should really step aside if he is not going to do the job. A lot of people out on the street and around the country would tell you that they would get sacked on the spot if they were not to turn up to work on a Monday or Tuesday morning, as the Minister has been doing for the past few weeks. Of course, Ministers are responsible for billion-pound budgets, so it is a reasonable point made by people that Ministers responsible for those kind of things should be just as accountable as anybody else working in our society.

I have just noticed this morning that it has been noted that the Enterprise Minister is still at work. You have a situation where the Enterprise Minister has been at work, officially, for the past four days, and the Health Minister has not. I do not know what the priorities are within the DUP, but it is becoming increasingly clear that the Department of Health is not a number-one priority. There seem to be concerns that the Enterprise Minister needs to be in post to do his job and to sign off on certain things, but it is not as important that the Health Minister be in post.

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McCarthy: I thank the Member for giving way. Does he agree that it is disappointing to hear the present Minister — I do not know whether he is present or not — dismissing the fact that, because he was not there, progress in the health service would not be affected in any way?

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

Mr McKay: The Member makes a very important point. Some will argue that the Health Minister has one of the

most important jobs full stop. Making the argument that it is perfectly acceptable for that post to be left vacant for a few weeks or a few months is absolutely ridiculous.

If the Minister does not want to do his job, let somebody else do it. Let somebody else from the party or someone else in the Assembly do it. There are plenty of capable people across all parties here who should take up the mantle if he is not going to do it, because this is people's health that we are dealing with. The DUP may be more concerned about wind turbines and wind energy at the moment —

Mr Principal Deputy Speaker: I ask the Member to conclude his remarks.

Mr McKay: — but it should be more concerned about hospitals and waiting lists.

Ms McCorley: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Cuirim fáilte roimh an rún seo inniu, agus aontaím le gach rud atá ráite ag na daoine eile. I welcome the debate today and agree with everything said so far by other Members.

TYC was brought forward as a new policy direction for the delivery of health services by the then Minister in 2011. At that time, it was anticipated that £83 million was to be spent and that the shift left would move services from hospitals to community settings in what was seen as a positive move to reflect the changing needs of our population. Agus d'aontaigh muid uilig go raibh athrú de dhíth. We all agreed that change was needed.

The reality is that our health service is constantly under pressure and often in crisis. We live in the context of a growing ageing population; an increase in long-term illness; a constantly growing demand on hospitals and services; a continual drive for greater productivity and value for money; and a workforce that is changing in profile all the time. TYC was heralded as the right direction to take. It was always a requirement that, given such a major change in how services were to be delivered, there would be significant implications for staff in terms of training, work location, job profile and skill sets.

In that context, the Committee agreed to undertake a review of workforce planning to support the implementation of TYC, taking evidence from a wide range of stakeholders. D'fhoghlaim muid cuid mhaith ó na daoine siúd, ach is cúis díomá é an dul chun cinn go dtí seo. We learned a lot from those stakeholders, including that progress to date has been disappointing. The evidence given to the Committee shows that there is a lack of clarity in the planning timetable for implementation. There were failings in the communication between the Department and staff bodies. The regional workforce planning group was set up in 2012, but we learned that, by April 2015, all it had succeeded in doing was producing a planning framework. At a time when we would have expected to have seen many changes bedded in, it seemed an unnecessary delay to be still at the planning framework stage.

A couple of years ago, the Minister said:

"my aim is to have a health and social care system that is safe, resilient and sustainable into the future. For that to be the case, it is essential that we take decisions that will ensure that our services are fit for purpose for the challenges that lie ahead. To achieve that vision,

we need to look at how we can improve our health and social care and, in so doing, reshape how we interact with all those who use our services.” — [Official Report (Hansard), Bound Volume 78, p95, col 1].

Cad é a tharla ó dúradh sin? What has happened since that was said? The allied health professionals and the Association of Social Workers told us that they were unsure whether new service models were even being planned for their workforce as part of TYC. Further to that, there was no clear picture of whether a new model operating in one trust area would happen across all trust areas. To illustrate this, the allied health professionals said that, under TYC, some trusts have introduced a practice that enables paramedics to assess, treat and discharge. That is a positive development, but it does not apply across the North as a whole, and they do not know whether it is planned to be so in the future.

Similarly, the BMA advised that it has no evidence that investment has been shifted from hospital settings to primary care. The Royal College of Nursing pointed out that there had been a decline in the number of community nurses over recent years, which seems to be out of step with the shift left under TYC.

During the review, we also heard from trade unions that represent healthcare staff in relation to the impact of the shift left on the workforce. They told us that most organisations were not aware of how that had affected staff on the ground. Having been told earlier by the Department that £25 million had been spent to date on TYC, the trade unions further stated:

“Even though we have asked for it three times, we have not yet seen a breakdown of where the £25 million was spent, how it was spent and where it was applied.”

Níl aon bhriseadh síos go fóill ar an chaiteachas go dtí an pointe seo. There is no breakdown yet on what has been spent to date.

We also know that there is a looming GP crisis if steps are not taken soon to address very serious concerns. Our GPs are the valued first point of contact for most of us in the health service, yet we have the lowest number of GPs per head of population here compared with other regions. It is the oldest GP workforce, with 24% over the age of 55 —

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Ms McCorley: — and we have an ageing practice nurse population. Finally, I would like to refer to the recommendations of Claire Keatinge, the Commissioner for Older People —

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

Ms McCorley: — which are still sitting on the Minister’s desk a year after they were recommended.

Mr Principal Deputy Speaker: The Member’s time is up. I call Ms Jo-Anne Dobson.

Ms McCorley: I call on the Minister to immediately get back to work and implement the workforce review.

Mrs Dobson: I also welcome the opportunity to speak on this issue. Unfortunately, however, as my colleague Michael McGimpsey said, it appears that Mr Hamilton once

again has decided that he has better things to do than to be held to account by the Health Committee. Of course, this is the same Mr Hamilton who thought it appropriate four weeks ago to neglect the plight of the 373,000 people waiting for a first outpatient appointment, a diagnostic test or an inpatient treatment at hospital. Then, last week, he failed again to respond to the Ulster Unionist debate on cancer and the SDLP motion on autism. So, today, it has come as no surprise that he thinks it is acceptable to avoid some of the most pressing issues facing his staff across the health service.

The Assembly has spent considerable hours discussing Transforming Your Care. Much of the debate has been constructive, although some of the rest has been less so. Few people will object to the overall objective of the plan, not least in ensuring that Northern Ireland’s health and social care system meets patients’ needs well into the future. Unfortunately, however, the initial report also made a number of errors. Its comments regarding 50% of statutory care homes were unnecessary and utterly took away from the value of it. Of course, the decision by some of the health trusts to equate the phrase, “at least 50%”, to effectively mean 100% was totally disingenuous and caused very real hurt. I well remember meeting scared and frightened care home residents in my constituency, so I think that policymakers need to be much more sensitive when formulating their words.

Of course, aside from that, the implementation of TYC has been completely bungled. As was highlighted in the Committee, the Department could not even give a proper answer on how the £25 million, so far, had been spent. My party has always warned that seeking to move in excess of £80 million from secondary to primary care, at a time of growing pressures, was always unlikely. The Department effectively left the future of TYC at the mercy of monitoring rounds.

Members, demand is changing. As recently revealed by the Northern Ireland Statistics and Research Agency (NISRA), the number of people aged 85 and over has grown by over 1,000 each year in the last decade. During that time, the population aged 85 and over increased by 41% — six times faster than the population aged under 85. Whilst that is very welcome, it ultimately has an impact on the health service as it adapts to supporting more people with chronic conditions for longer.

However, the Department is failing even to plan for the present, let alone the future. There are serious staff shortages across our GP service, with many over 55 set to retire next year in radiology and emergency medicine, to name just a few. If people cannot see their GP on time, many of them will be forced to attend A&E, which, in turn, will cause further delays there. That led to our recommendation for the Department to prioritise the recruitment of an additional 50 GP training places.

11.15 am

So TYC was broadly heading in the right direction, albeit with those few issues that my party would like changed, but it was never given the attention that it deserves. The last number of Ministers have referred to it in high-level terms only, as if it was a convenient strategy to use as a fig leaf when they were challenged on what they were doing in regard to the growing problems across our health service. I hope that the Department will read the Committee’s report,

but if it is not followed up with action then, ultimately, it has been a waste of our time, a waste of their time and a waste of time for the staff and organisations that contributed so openly to it.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I first want to thank the Members for their contributions today. Suffice to say that all of the Members who spoke reflected on the fact that we have an absentee Health Minister. Particularly in the hugely important and very human remit that is health, it is nothing short of a disgrace that, when we are debating critical issues like workforce planning, we have no one to act, listen and respond accordingly.

First of all, I want to refer to a number of Members' comments. Fearghal McKinney highlighted the lack of strategic planning in relation to Transforming Your Care, its implementation and its investment, and referred to the clear consensus that we were actually moving towards a plan that was not being implemented.

Michael McGimpsey said that the system does, of course, need a lot of planning and that part of that engagement has to be proper and meaningful engagement with staff. He specifically referred to the regional planning group, which had excluded the staff side, and called for immediate and proper re-engagement with the staff side.

Kieran McCarthy talked about the extreme difficulties that the health service was experiencing, and said that what is happening in our health service is actually a shambles. He stressed the need for staff involvement in workforce planning.

Daithí McKay is surprised that the Department has not carried out an estimate of workforce requirement. That is a critical piece of learning that has come from the review and the need for a common understanding around Transforming your Care. He questioned whether it was a policy direction or simply an ethos. There was no certainty on what the objectives were. He said that, if the Minister does not want to do his job, he should simply step aside.

Rosie McCorley talked about the reality of the health service, which is currently under extreme pressure. Again, there is a lack of clarity on the way forward. All that had been produced over the period of years was the planning framework. She questioned why so much more had not been implemented.

Jo-Anne Dobson referred to the fact that, given the last number of weeks and our in-out Minister, it is no surprise that the former Health Minister finds it acceptable not to turn up today and respond to the needs of our staff. She also questioned the 50% target for closure of residential homes that was contained in Transforming Your Care and the fact that the report needs to be followed up by actions.

I just want to refer to another few points in terms of the review. As many have stated, the review contained 18 recommendations, and much has been said in relation to GPs. Critical to that, however, is the entire primary care workforce. As my colleague Rosie McCorley said, that means addressing issues around allied health professionals and, indeed, front-line community and district nursing. We heard very specific evidence from the BMA and the college of GPs. They certainly threw into question the Department's commitment to the goal of Transforming Your Care in terms of leadership.

Both organisations — we should not lose sight of this — referred to a crisis in general practice that cannot be ignored. The BMA and the college of GPs highlighted their concern — again, some Members mentioned this — around the number of GPs. The college said:

"we have the lowest number of GPs per head of ... population ... the oldest GP workforce, with 24% of our GPs over the age of 55; and an ageing practice nurse population."

It went on to refer to the:

"three workforce reviews since 2006, with each highlighting the need to increase the number of GPs."

I suggest that those concerns have, quite simply, fallen on deaf ears.

In conclusion, I thank the Committee members and the staff and researchers for their very robust work on the inquiry and recommendations. Three years into Transforming Your Care, the very benchmark of the delivery of TYC, namely our staffing requirement, is not yet resolved. It is simply not good enough that while, over the last three years, 1,620 staff posts were under threat, now, in the last number of months, we have been told that that was simply a working assumption.

Mr McCarthy: I am very grateful to the Member for giving way. We all recognise the problems that she is indicating. You will know that the junior doctors are facing an immense plight: their contracts are up for renewal, and there are proposals, as Fearghal McKinney said, to reduce their pay. What would you, as Chairperson of the Committee, say in view of the fact that we have just conducted this very important inquiry about workforce planning? Where are we going if that junior doctor contract is allowed to go ahead in the way that they are talking about across the water?

Ms Maeve McLaughlin: I thank the Member for his intervention. He is absolutely right. The very clear message is that, at a time when we need to be supporting primary care, which means addressing issues like recruitment and retention, it seems that the most vulnerable end of the system is being targeted. It is a sad indictment that we do not have a Health Minister at his desk to ensure that those changes to contracts are not implemented here and that we protect the rights and entitlements in the contracts of junior doctors.

In conclusion, our health service needs radical reform. That view is not just from me or the Health Committee and most members on it. It has been well documented by many sectors, including professional and staff sectors. The system is complex and overly bureaucratic and it lacks accountability. We need a Minister, for workforce planning and many other issues, to deliver that blueprint. We need a Minister for health, not a Minister for half an hour.

Question put and agreed to.

Resolved:

That this Assembly welcomes the Committee for Health, Social Services and Public Safety's review of workforce planning; and calls on the Minister of Health, Social Services and Public Safety to ensure that workforce planning is fully integrated with the implementation of Transforming Your Care.

Private Members' Business

Human Transplantation Bill: First Stage

Mrs Dobson: I beg to introduce the Human Transplantation Bill [NIA 64/11-16], which is a Bill to make provision concerning the consent required for the removal, storage and use of human organs and tissue for the purpose of transplantation; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Mr Principal Deputy Speaker: That constitutes the Bill's First Stage. It shall now be printed.

Civil Service (Special Advisers) (Amendment) Bill: Second Stage

Mr Allister: I beg to move

That the Second Stage of the Civil Service (Special Advisers) (Amendment) Bill [NIA Bill 61/11-16] be agreed.

In other circumstances, a Bill such as this would not be necessary, but the absence of self-restraint, self-control and self-regulation makes this Bill essential. Over recent times, the provision for and the remuneration of special advisers has got wholly out of control. I say that in the context of the benchmarks created by the provision for special advisers in the other devolved regions of the United Kingdom.

We are the smallest of the devolved regions, yet we have 19 special advisers. Wales, with its greater population, has eight, sometimes nine, but essentially eight special advisers. Scotland has 14. Not only that, but we pay them sums of money that are excessively out of kilter with those which are applicable elsewhere in the devolved regions. In Northern Ireland, the latest figures show that, last year, our 19 special advisers cost the taxpayer £2,016,362. That is an average cost of £106,000 per special adviser. That is what the average package per special adviser costs.

The figures for 2013-14 in Scotland and Wales paint a very different picture. They show that, in Wales, the average cost, in contrast to our £100,000-plus, was £58,500 each. That rose the following year because of an increase in number, which seemed to have been temporary, to £69,000, which is still well shy of the £100,000-plus cost in Northern Ireland. In Scotland, with its 14 special advisers, the average cost is £73,000. What is it about special advisers in Northern Ireland that makes them so special that they have to cost the taxpayer in excess of £100,000 — currently £106,000 — a year, in contrast to £50,000, £60,000 or £70,000 in the other devolved regions?

Yes, there is a role for special advisers, and the more specialist they are — some are and some are not — the more that role perhaps is to be valued, but there is something seriously wrong when, within this jurisdiction, we are overpaying in terms of the benchmark that exists elsewhere. That has been contributed to by deliberate political action in Northern Ireland. A freedom of information request, finally answered after two years, indicated that, in 2011, at the start of the mandate, there was a deliberate political decision to raise phenomenally the top line of special advisers.

11.30 am

Special advisers in Northern Ireland, supposedly in financial terms, fall under two bands — band A and band B. Band A embraces a salary range of between £37,000 and £53,000 a year. Band B embraces a salary range of between £59,000 and £92,000 a year. It evolved to £92,000 a year because of a political decision by the First Minister and the Finance Minister at the start of this mandate, in July 2011, when it rocketed from just over £80,000 to £90,000. That, at a time when senior civil servants, and special advisers are civil servants, were subject to a pay freeze. Also, at the very time when senior civil servants were subject to a pay freeze, a political decision was taken by the Finance Minister to break that

freeze as far as this brand of civil servants was concerned, to give them a 10% increase and take them to the dizzy heights where they are today.

The freedom of information (FOI) information is very interesting, because it reveals that it was indeed the First Minister. A memorandum written by the Department's director of corporate human resources at the time indicates that, in May 2011, there was concern. The Minister had been asked by the First Minister how the maximum for the upper pay band for civil servants could be increased. That document from the director of corporate human resources advised that pay rates for special advisers (SpAds) were linked to changes in Civil Service pay bands and were based on the average pay increase agreed for civil servants.

The civil servant who wrote this document went on to say:

"I made clear that these arrangements had been agreed by the Northern Ireland Executive in May 2007. I pointed out that Senior Civil Service pay had been frozen for two years and there was to be no increase either in the Senior Civil Service pay reference points or in the base pay between April 2010 and March 2012."

So, the situation was that, back in 2007, the Executive agreed that any pay increase for special advisers would be in line with the arrangements applicable to senior civil servants. However, come May 2011, the First Minister intervenes to see, with the Finance Minister, how, despite that, pay increases could be obtained. The documentation on the FOI goes on to record the fact that on 14 July that year, another civil servant — having been told that the Minister was minded to give the phenomenal increase, to break the pay freeze as far as these civil servants were concerned — wrote in a memo:

"I indicated I had serious reservations about this particular issue, considered that the Minister should reconsider, given the decision taken by the Executive and the recent events surrounding special advisers and wanted the Minister to reflect on the matter."

The civil servant added:

"Nothing could happen because it was a holiday time, and I wanted to reflect on this issue, as I considered that it conflicted with the code of ethics which I was required to follow".

That is a senior civil servant advising the Minister that what they were being asked to sign off for special advisers potentially conflicted with their Civil Service code of ethics and urging the Minister to reconsider. Did he? No, he did not. In July 2011, at the height of the holiday season, the Minister slipped through a top-line increase for special advisers from over £80,000 to £90,000 a year. It breached the attachment of increases to those in the Senior Civil Service.

One of the purposes of the Bill is to protect against further flagrant breaches of that nature and to bring a very defined legislative attachment between the pay of this brand of civil servant — special advisers — and other senior civil servants. Of course, once the salary band had been increased to £90,000, events took their natural course, and, lo and behold, we discovered that, until Ms Pengelly resigned as a special adviser, all three of the First Minister's special advisers were on the £92,000 top line of band B.

The evolution from 2011 to 2015 is most interesting. In the first days of this Assembly — the 2007 Assembly and the 2011 Assembly — there was, as you would expect, a spread of special advisers across band A, the lower band, and band B, the higher band. However, by last year, every one of the 19 special advisers — surprise, surprise — was on band B. There was no one left on band A. Indeed, it was not until the Minister of the Environment changed his special adviser — in July 2014, I think — that a special adviser, again, fell within band A. So it is clear, and should be clear to the House, that the idea that this matter can be left to self-restraint and self-control is a myth. Every opportunity has been taken by some to exploit the situation and cream off from the taxpayer the maximum special advisers' remuneration.

What of the number of special advisers? We have 19, compared with eight in Wales and 14 in Scotland. Indeed, the office of the joint First Ministers has the same number of special advisers — eight — as the whole of the Welsh Government. That is how preposterous and out of hand this matter has got. The Bill proposes that, there being no self-restraint, we should restrict the number of special advisers in the Office of the First Minister and deputy First Minister.

The formula that is suggested — and I am not wedded to this formula whatsoever — is that the three special advisers that the First Minister and deputy First Minister each have presently should be reduced to one and that the junior Ministers have one each. The junior Ministers historically did not have special advisers. That was a creation of 2007, when it was decided to add to the number of special advisers and to give the junior Ministers in OFMDFM a special adviser each. Before that, there were three for the First Minister and three for the deputy First Minister; a total of six. By that method, it became eight. My ambition and suggestion in this Bill is to reduce the number to four. Whether that is done, as the Bill stands, by reducing the number for the First Minister, deputy First Minister and junior Ministers to one each or by reducing the number to two each for the First Minister and deputy First Minister and taking away the provision for the junior Ministers to have a special adviser each, which apparently was not needed before 2007 — I do not really have a strong view. I think that it can be done either way.

It is preposterous that the Office of the First Minister and deputy First Minister needs the same number of special advisers as the entire Welsh Government and pays them something like 50% more than they are paid in Wales. Even in the whole United Kingdom Government, which is one that deals with the full range of governmental issues and international issues, the average cost of a special adviser in Westminster is more than £20,000 less than the average cost in Northern Ireland. On the latest figures, the package for a special adviser in Westminster costs £83,500. In Northern Ireland, a special adviser's package costs £106,000.

Whether you make the comparison, which I think is the relevant comparison, with the other devolved institutions, or whether you make it even with the national Government — and take upon yourself all the pretensions of such a comparison — it is totally out of kilter. Since it has got there by deliberate political meddling in the setting of the bands to push them ever higher and to decouple them from the natural progression of any increases that come within the Senior Civil Service pay bands, and since it has

been that political meddling that has ignited the increase, I am saying to this House that it should get a grip on this thing and should itself legislate to put a ceiling on the runaway costs of special advisers.

I suggest that we link them properly and permanently to the pay scale of a relevant senior civil servant. I suggest that that would more than adequately be met by attaching special advisers' pay to the pay scale that is applicable to assistant secretaries — grade 5s — in the Civil Service. What is that pay scale? Currently it starts at £65,422 and maxes out at £78,275, so it ranges from £65,000 to £78,000. I am not saying, and the Bill does not say, that that should be the pay of every special adviser. I anticipate retaining bands A and B. I remind you that band A starts at £37,000. What this legislation will do is say that, in every case, special advisers' pay is capped at the grade 5 Senior Civil Service pay rank. In other words, no one could earn more than £78,000 as a special adviser, which still keeps them handsomely ahead of what their counterparts in Wales or Scotland are paid.

11.45 am

It is not a matter of being mean to the Northern Ireland special advisers. This legislation is still generous to them, but in a way that restores some element of accountability in pay structures. It removes the potential for political meddling such as we saw in 2011 in the massaging of those pay structures and it puts us on something of a par with what you would expect elsewhere.

The Bill tackles the number of special advisers and, if there is a reformulation of Departments, those numbers will, naturally, fall in consequence of a reduction in the number of Departments. However, that does not address the primary irritant, when it comes to a common-sense approach to the issue, of OFMDFM being oversubscribed with special advisers. The Bill seeks to address that and seeks to bring some reasonable measure to the pay issues.

The third thing that the Bill does — since special advisers are civil servants — is to address the problem that arose on foot of the Red Sky affair, where an independent, fact-finding investigation by the Department of Finance and Personnel into a DSD special adviser Mr Brimstone recommended that there should be a disciplinary process in respect of him. What happened? His Minister, who appointed him, quashed it. He stepped in and said that it was not needed and that there would be no investigation. It is not the purpose of a Minister to determine when there should or should not be a Civil Service disciplinary process. Civil servants are civil servants and it is for the processes of the Civil Service to apply to him and to them all. Special advisers cannot expect to gain from all the benefits that come from being a civil servant, such as the pension scheme and all that, but dodge and evade the disciplinary possibilities that come as to their conduct. The Bill, on that third limb, would make it abundantly clear that the normal disciplinary processes of the Civil Service would also apply to these civil servants who are special advisers and would expressly prohibit any ministerial meddling in that. That, I think, is right.

I respectfully suggest to the House that, because of the failure to self-restrain in all these matters, legislation is now necessary on this matter and that what the Bill contains is not a punitive but a measured response to the

situation. I trust, on that basis, that it will find favour with the House.

Mr McKay (The Chairperson of the Committee for Finance and Personnel): Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I thank the Member for outlining the general principles of the Bill and his rationale for bringing forward the proposed legislation. I also welcome the opportunity to contribute to the debate on behalf of the Committee for Finance and Personnel, which, presumably, will scrutinise the Bill's provisions should it pass Second Stage today.

I note that the main provisions, as outlined by Mr Allister, are: first, to ensure that special advisers are subject to the Civil Service disciplinary code; secondly, to limit their remuneration to the Senior Civil Service grade 5 scale, which is £65,422 to £78,275; and, thirdly, to reduce the number of special advisers or SpAds in OFMDFM from eight to four.

Whilst I was unable to attend last week's Committee meeting, I understand that members received a useful briefing from Mr Allister, which provided an initial opportunity to tease out the policy intentions of the Bill and related issues. I also noted the significant media interest in the discussion. If I may, I will summarise and reflect on some of the main points covered at last week's session that perhaps will help to inform today's debate.

The proposer of the Bill set out the policy context of the current special adviser arrangements and the associated cost, especially during this time of austerity. He pointed to the potential for the Bill to make "modest but significant" savings to the public purse. Members were advised that over 98% of the 150 respondents to the policy consultation were in favour of the Bill. However, it was noted that the responses were from individuals, as opposed to representative groups, and some members also queried the extent of information provided in the consultation document.

On the absence of views from representative groups and other bodies, I can advise that members subsequently agreed that, subject to the Bill passing Second Stage, written and oral evidence will be sought from key stakeholders, including the Department of Finance and Personnel, the trade unions, the Equality Commission and the Human Rights Commission. I also anticipate that the Committee will issue a wider call for evidence, which would be published on the commencement of the Committee Stage.

A further issue that the Committee explored with Mr Allister was the rationale for setting the special advisers pay scale at the level of NICS grade 5. I expect that members will wish to give further consideration to the setting of this particular scale and associated pay progression, the job evaluation used to grade a special adviser post as well as the logistics of setting this salary. Members may also wish to explore further the mechanism for agreeing the starting point for a special adviser and whether this should change in the future. Members were also keen to explore the extent to which the position of special advisers here can be compared with that in other devolved Administrations, including other multi-party Governments. In particular, the question was raised as to whether additional skill sets and requirements arise from the particular political divisions and complexities of our power-sharing arrangements here,

including the nature and extent of negotiations that are undertaken and, obviously, are always ongoing.

A further question that was raised during the session was around how we can ensure that the right calibre of person is attracted to the special adviser post and that the salary is commensurate with their level of skills and qualifications. Reference was made, for example, to the role of the special adviser in the Department of Health, Social Services and Public Safety. There was also some discussion on the possibility of including a speciality clause in the Bill, which would enable particular professional requirements for SpAds in given Departments to be defined and as regards what the remuneration may be in such cases.

Other points discussed during the session with Mr Allister included the impact of the restructuring of Departments on the number and role of special advisers, the fact that the provisions of the Bill would not take effect until the beginning of the next parliamentary mandate and that there will be no issues with contractual obligations or retrospective application and whether the Civil Service disciplinary procedures would need to be amended, either via the Bill or administratively, to enable their application to special advisers.

Subject to Second Stage being agreed, the Committee will want to give detailed consideration to the Bill. Whilst this will take place against an already very heavy work programme, I am sure that the Committee will do its very best to ensure that it concludes its deliberations within a reasonable time frame.

To conclude, I believe that the evidence session that the Committee had last week with Mr Allister was useful in providing an initial opportunity for members to explore the principles of this Bill and the related considerations. Today's debate offers a further opportunity for that, and I look forward to hearing Members' contributions in that regard.

Mr Lyons: I welcome the opportunity to put my party's views on the Bill on record. I am speaking on the subject further to Mr Allister's appearance before the Finance and Personnel Committee last week.

If I were to bring a private Member's Bill to the Assembly, I would seek to maximise the opportunity for support. I would speak to other parties, listen to concerns and try to find a way for my original objectives to be incorporated in a Bill that could gain the support of the House. The lack of consultation and cooperation with other parties, along with Mr Allister's words and tone this morning, suggest that the Bill is more of an opportunity for him to grandstand than to provide better government for Northern Ireland. In my opinion, he should have followed the example set by the Member for South Down Mr McCallister in how to consult with good grace on a private Member's Bill.

The Bill is short, touching on three main issues. However, I believe that each of the three main issues in the Bill has its weaknesses, and, in concern, I want to address those. The first one is in relation to discipline. The Bill completely removes the power of Ministers in those matters. It ignores the fact that a special adviser is a temporary political appointee who is appointed by, and supports, the Minister in his or her duties in a way that permanent civil servants cannot. To remove Ministers from such decisions is out of

step with the practice in the rest of the UK, and it seems illogical for Ministers not to have authority in those matters.

Secondly, the Bill attempts to change the pay band for special advisers by linking it to the pay scale for an assistant secretary at grade 5 in the Civil Service. However, there seems to be no justification for it being tied to that level. Mr Allister mentioned that grade 5 is the level at which some special advisers would communicate with people in the Civil Service, but I do not think that this is an appropriate way in which to tie it. Mr Allister was pressed on that a couple of times in Committee, and I do not believe that proper justification has been given. What are the duties required in that job? What are the necessary skills that are comparable to those for a grade 5 in the Civil Service? We are not arguing that the pay levels of special advisers should not be reviewed. However, setting pay scales has always been a matter for the Executive and the Minister of Finance, and I do not believe that it should be specified in legislation.

Finally, the Bill seeks to cut the number of special advisers. Mr Allister stated today, and when he was before the Committee, that he believes that the cost of special advisers is too high, that government is too big and that we need to cut down. I could not agree more: we do need to do all those things. That is why I am pleased that my party has led the way on the reform of government in Northern Ireland. As a result, we will cut the number of Departments from 12 to nine next year and, as a result of that, we will have at least three fewer special advisers. In addition, we will cut the number of MLAs by the 2021 election. I would prefer that to happen sooner; I would prefer it to happen next year. I think that 108 is too many.

I do not think that we need that many. We are more than happy for that to be brought forward if other parties agree.

12.00 noon

Let us take all the different reforms, such as cutting the number of Departments, SpAds and MLAs, as a whole. These are significant reforms that will help to tackle the concerns that many people have about the cost and size of government in Northern Ireland. However, the problem with the Bill is that it seeks to cut the number of special advisers in OFMDFM without taking into account the ongoing discussions on the size and functions of the new Executive Office. It is inconceivable that the number of Ministers and special advisers in that new Department would not be up for discussion as a result of the removal of functions from that new Executive Office to other Departments. To change in legislation and specify the number of special advisers that a Department should have while those discussions are ongoing would tie the hands of the Executive, and it is much more preferable, in my opinion, that we work out what the functions and responsibilities of that Department will be, and then decide what support is needed for Ministers.

Much has been made of the comparison between Northern Ireland and Scotland and Wales, as other devolved nations in the kingdom. In my opinion, we cannot compare them. Scotland and Wales are one-party Governments. I am sure that Members will have read the written evidence that was submitted to the House of Commons Public Administration Select Committee on political special advisers when it held its inquiry at Westminster. The evidence is clear that the nature and role of SpAds are

different in a coalition Government in comparison with in a one-party Government. That shows us that they cannot be directly compared. Similar statistics from New Zealand, which has operated with multiparty Governments over the last number of years, show the same thing. Yes, there is perhaps a need for greater advice, as Mr Allister indicated during his evidence to the Committee for Finance and Personnel. I want to be very clear; I am not saying that OFMDFM, or the new Executive Office as it will be called, should be protected from reductions in the number of SpAds, and it is very likely that we will see reductions, but cutting it to a single adviser for the Ministers in that new Department does not seem appropriate to me when you consider the difficulties and problems that exist in Departments such as those.

Even taking that into consideration and understanding that there are differences between Scotland, Wales and Northern Ireland, let us just consider Scotland for a short period. I am sure that Members will be familiar with the Research and Information Service pack that was provided for this debate. If Members were to read that, they would see that the First Minister of Scotland has six special advisers who answer only to her and are responsible only for her Department. In addition, her chief of staff, Liz Lloyd, is also responsible to the First Minister and works the majority of her time for the First Minister, but she also works on a temporary basis for the Cabinet Secretary for Culture, Europe and External Affairs. I argue that there is a difference between Northern Ireland and other devolved regions such as Scotland, but it is very clear that, even in a one-party Government, there is a requirement for special advisers. I am not saying that they should be protected in the new Executive Office; I am saying let us make a rational decision on what is required in that Department.

In summary, the Bill changes the role of SpAds in the Department in terms of the disciplinary procedure, and it would be to the detriment of the Minister and the effective running of the Department if they were brought closer into line with the Civil Service. There is also no justification given for linking the pay of special advisers to grade 5 in the Civil Service. The Bill ignores reforms that are already taking place, and the number and cost of SpAds are going to be cut.

Mr Allister made a point very clearly at the start of his presentation to the Committee for Finance and Personnel that the reason for the Bill was to cut the cost and number of SpAds. We say very clearly that that is already taking place. That is happening through the reforms that have already been discussed, negotiated and agreed. I am pleased that we can stand here towards the end of this Assembly term and say that we have gone further in this mandate than in any other in terms of reform of the Assembly and the structures here. I want to see further reform. I hope that that will happen but we have made good progress and that should be welcomed by everyone in the Chamber. As a result of those issues and what I have said, we make it clear that we will be opposing this Bill.

Mr D Bradley: Go raibh míle maith agat, a Phríomh-LeasCheann Comhairle. Tá mé sásta éirí anseo ar maidin le tacaíocht a thabhairt don Bhille seo a fhéachann le leasú a dhéanamh ar phá agus ar dhisciplín na gcomhairleoirí speisialta.

I support the Bill at this Second Stage, albeit with some reservations. Mr Allister is fast becoming the special

adviser to the Assembly on special advisers, although he may not be rewarded with the same level of remuneration that is average for existing special advisers. Nonetheless, the SDLP welcomes this Bill and the areas that it seeks to probe and amend.

Mr Allister came to the Finance Committee last week and outlined the reasons behind tabling his Bill, those being the controversy surrounding the number, cost and disciplinary regime applicable to SpAds. Clause 1 aims to amend the Civil Service (Special Advisers) Act (Northern Ireland) 2013 to make special advisers subject to the prevailing Civil Service disciplinary process. That would require the code of conduct to provide that special advisers are subject to the processes and procedures of the disciplinary code operative in the Northern Ireland Civil Service. As was pointed out earlier, that would prevent Ministers from blocking attempts to discipline special advisers. As Mr Allister pointed out, the genesis of this seems to be an incident that arose in relation to the Red Sky affair.

Special advisers are classified as temporary civil servants. As such, they are supposed to be subject to the NICS code of ethics and a special adviser-specific code of conduct. In relation to special advisers being subject to Civil Service disciplinary proceedings, I asked Mr Allister if there was any need to change or amend the existing disciplinary code to include the work of SpAds. He thought that the code could still apply. I would welcome the opportunity to explore this area in more detail, perhaps at Committee Stage, with the advice of the head of human resources in the Civil Service or, indeed, the head of the Civil Service. Although special advisers are classified as temporary civil servants, they have a different role from civil servants and are not the same. We must ensure that that difference in role is reflected in the Civil Service disciplinary code in order to accommodate them.

Clause 1 also requires the code for appointments to prescribe that special advisers must not be remunerated above the rate applicable to grade 5 civil servants, which is between £65,000 and £78,000 approximately. Mr Allister pointed out that the collective current cost of special advisers is in excess of £2 million and that the average individual cost is around £103,000. That certainly is a high salary. Ironically, in some cases, special advisers are paid more than the Ministers who they advise and work for. We are all led to believe that the buck stops with the Minister, but, with a salary of this magnitude, one wonders whether it should stop with the special adviser rather than the Minister. It seems ridiculous that special advisers are paid more than the heads of Departments, namely the Ministers.

A question arose about the comparisons that Mr Allister made between Northern Ireland and Scotland, Wales and Whitehall. Some Committee members believe that he was not comparing like with like. Once again, that is an area that can be explored in more detail and with more evidence at Committee Stage. I note that 98% of respondents to the consultation carried out by Mr Allister said that the salaries of SpAds should be reduced to bring them into line with what is paid in other devolved institutions, although we have heard some aspersions cast on Mr Allister's consultation that it did not throw the net widely enough, most of the respondents were individuals and no public or corporate bodies responded. Maybe Mr Allister would like to respond to that when he sums up this debate.

He explained during the Finance Committee meeting that his rationale for setting special advisers' pay at grade 5 of the Civil Service pay scale is that that is the level of civil servants with whom special advisers engage. Whether or not that should be the determining factor could also be looked at in more detail. I questioned Mr Allister at the Committee as to the savings that would be made through the enactment of his Bill. For obvious reasons, he was unable to give precise sums, but he did say that a substantial amount of money would be saved each year. When we look at the average cost of a special adviser at around £103,000, we see that substantial savings would be made were that to be reduced to a maximum of £78,000. At this time of austerity, we need to make all the savings that we can.

Clause 2 seeks to amend the Civil Service Commissioners Order to reduce the number of special advisers in OFMDFM from eight to four. Under the current system, each Minister of the Executive, including junior Ministers, is entitled to make one appointment, but the First Minister and the deputy First Minister can appoint three each. That, again, is higher than is the case in Scotland and Wales, where they have 14 and eight special advisers respectively across all the Government. Even with the reduction in OFMDFM SpAds from eight to four, we would still have more special advisers than Scotland and Wales. In OFMDFM, we have junior Ministers to advise and support the First Minister and deputy First Minister, and we also have SpAds to advise and support the junior Ministers. That seems to be a little bit ridiculous.

12.15 pm

I note that, during the consultation process, 98% of respondents to the consultation on the Bill agreed that the number of SpAds should be reduced. Some 92% said that it was reasonable to reduce the number in OFMDFM from eight to four.

At the Committee, Mr Allister was asked how he could be sure that the roles and responsibilities of SpAds in Scotland and Wales were comparable to those of SpAds in Northern Ireland, especially in relation to complexities arising out of political divisions here. His response to that was that the fact that four special advisers are afforded to the First Minister and deputy First Minister more than allows for those special circumstances and possible complexities. The SDLP agrees, as I have said before, that there should be a reduction in special advisers. We believe that eight SpAds for a single Department is extremely excessive.

Mr Allister was also asked about how the restructuring in Executive Departments would impact on the need for special advisers. He said that if the number of Departments decreases, the number of special advisers will go down accordingly. That would have an added impact on the cost reduction of special advisers.

The SDLP is happy to support the Second Stage of the Bill, in the knowledge that, at Committee Stage, we will have the opportunity to explore some of the issues that we have raised in more detail and in the context of evidence from a wider selection of individuals and public bodies than Mr Allister had access to.

One of the points that I raised with Mr Allister at the Committee was the nature of the speciality that these advisers lay claim to. Since his Bill contains the word

“special”, should his Bill not have reflected what degree of speciality special advisers should have? He replied to me that he was open to looking at any amendment that might seek to define “speciality” in relation to advisers.

Ag an phointe seo, ba mhaith liom a rá go bhfuil mé sásta gur phléigh mé leis na mór-phointí a eascraíonn as an Bhille seo, agus, mar a dúirt mé cheana féin, beidh deis agam ag Céim an Choiste na rudaí seo a iniúchadh níos mine. As I said, I look forward to the Committee Stage of the Bill and to examining some of the issues in more detail. Go raibh míle maith agat.

Mr Cree: At this stage, the difficulty is always that nearly everything has been said, but, seeing that I have written it out, I will say it anyway.

Mr Allister's Bill is really straightforward and very simple, as referred to by many Members. There are three distinct clauses. The first deals with special advisers — this is my order of priority — and stipulates that these advisers should be subject to the processes and procedures of the disciplinary code that applies to the Civil Service in Northern Ireland. The second is remuneration, a subject well ventilated today. There is logic in having a cap and a scale, and, therefore, I do not see any difficulty with that. The third clause deals with the reduction of the number of advisers in the Office of the First Minister and deputy First Minister.

Mr Allister referred to the Red Sky investigation. Following that, a special adviser was subject to a fact-finding independent investigation by the Department of Finance and Personnel. The Department recommended the instigation of a disciplinary investigation. As Mr Allister pointed out, the relevant Minister was able to override that, and I think that that was wrong. Special advisers are civil servants and, therefore, should be amenable to the existing disciplinary code.

We heard a lot about the number of special advisers, a subject fairly well trotted over. There are 19 in Northern Ireland, costing £2 million at the last count, which is an average salary of £103,500, as I have it, though I heard figures of up to £106,000 mentioned. Wales has only eight SpAds — the same number as employed in OFMDFM — costing £58,000. Scotland has 14 SpAds, whose average earnings are £73,000. The question is this: why do we in Northern Ireland need so many special advisers? The eight SpAds in OFMDFM certainly have not improved the performance of that Department.

The third objective of the Bill is to set a salary scale and a cap to control the cost of special advisers. Mr Allister pointed out that this is necessary, and I believe that, too, particularly in these difficult financial times. Unilateral action was taken by the Minister to upgrade the salaries, but that should not be at the whim of a Minister.

Much has been made of the necessary qualifications of advisers. We discussed at the Committee what were the necessary qualifications, if any. There is a contrast between the salaries that can be commanded in the private sector and those in the public sector. My view is that this is a red herring, as individuals decide their career structure, and the qualifications and job specifications for special advisers set out the terms for the respective posts.

In 2011, the First Minister — I learn now that it was only the First Minister, though I have written down that it was

the First Minister and deputy First Minister — increased the salaries of special advisers from £80,000 to £90,000 during a period of pay freeze, which is certainly not a very good example.

It seems to me that action needs to be taken to control the numbers and costs involved, and, therefore, on behalf of the Ulster Unionist Party, I am satisfied to allow the Bill to proceed to the next stage.

Mrs Cochrane: On behalf of the Alliance Party, I welcome the opportunity to speak on the Bill, which seeks to put in place stricter measures for the remuneration and accountability of special advisers, as well as to amend the number of special advisers who can be appointed by Ministers. Others have covered a number of the points, so I will try not to repeat them. Also, because I have a very sore throat, I will keep my comments shorter.

I support the principles of the Bill. When it comes to spending public money, any measure that seeks to improve transparency and efficiency should be welcomed, especially as we are keen to try to make savings in other areas. As others said, the Bill focuses on three key areas. First, it ensures that special advisers are subject to the processes and procedures of the disciplinary code that operates in the Civil Service, and, given that a SpAd is treated as a temporary civil servant, that seems like a natural step.

Secondly, the Bill looks at the salaries of special advisers and makes proposals to limit them. Currently, as others have said, a SpAd can earn between 25% and 90% more than an MLA and in and around the same figure as senior civil servants. To some, this would appear to be excessive, given that they can be appointed without abiding by typical recruitment rules and the principle of merit, nor are they democratically elected. Others acknowledge the capabilities of many special advisers and argue that they work at a level that should attract current salary scales. I think that the Bill gives us a good opportunity to consider this issue, and I look forward to discussing this further in Committee Stage to ensure that fair and appropriate measures and remuneration guidelines are in place.

Thirdly, there is the proposal to reduce the number of special advisers that exist in OFMDFM. We have said that there are currently 19 special advisers overall in the Assembly, and clause 2 deals specifically with cutting the number in OFMDFM from eight to four. Again, I welcome the opportunity that the Bill provides to consider this important issue. At face value, it seems that we are way out of kilter with other devolved institutions. However, I do think that the current proposal seems quite a blunt tool, and I think that more could be done in this area. We could be even more creative with it, so that the Bill actually becomes much more operationally effective. For example, in the past I have proposed that junior Ministers should perhaps be reallocated to the larger Departments with a greater spend, such as the Department of Health. Perhaps there is an opportunity to put in place stricter rules to ensure that we have different levels of special advisers with varying salary scales and appropriate skills to ensure that they are better utilised to help deliver better public services, because that is what we are actually here for. So, I look forward to exploring this issue also at Committee Stage.

In closing, I support the passage of the Bill today to Committee Stage, but I think that there is work to be done on it to make it a really operationally effective Bill.

Mr McCartney: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. Thank you very much, Mr Principal Deputy Speaker. I suppose that, in one respect, some of the issues in the Bill do require some sort of public focus. That is fair enough, but we do not believe that the legislation is the vehicle to do that. Indeed, in terms of reductions in salaries, Daithí McKay, the Chair, who has already spoken, on behalf of Sinn Féin on a number of occasions has put the challenge out that perhaps there should be a 15% reduction across the board, but even the sponsor of the Bill did not reply to him. I suppose that it is no surprise given that Sinn Féin is the party that proposed this.

I think that even in principle this Bill is an amendment to the Civil Service (Special Advisers) Act 2013, which we believe was bad and discriminatory. Indeed, in our opinion, that Bill was vindictive and targeted at a republican ex-prisoner, who subsequently had to leave that particular post. We do not see this Bill as in any way materially different. There may be a popularity around this. Mr Allister is well known as an opponent of these institutions, and he takes every opportunity that presents itself to attack them.

I even look at the consultation, and our points have been made. It is a very poor consultation document, even in terms of the disciplinary code. There was one single question and no explanation of the need or rationale. Indeed, he describes them as “other civil servants”. SpAds, whatever you think about them — and people are entitled to their opinion — are not “other civil servants”. The legislation is very clear: they are temporary civil servants. They are not recruited by the Civil Service, and they do not go through the same procedures. Indeed, we would have difficulties with how the Civil Service recruits, because, again, we believe that it is discriminatory, and even putting someone into the realm of that disciplinary code could create the situation where other people would be asked to leave their position. We would certainly never be in a position to support that.

Mr Beggs: Will the Member give way?

Mr McCartney: Yes.

Mr Beggs: Why does the Member defend, in a time of austerity, the significant increase in SpAd pay from the £80,000 cap to £93,000? Can the Member explain and justify that increase in pay to a level well above an average wage?

12.30 pm

Mr McCartney: I certainly could not, nor will I. There has to be a discussion around that. People can vote with their feet. We proposed a 15% reduction in all regions in times of austerity. In this party, we know that, because we take the average industrial wage for our salaries, so perhaps if we had discussed this before Danny Kennedy left, then if his SpAd had been on a different band, the Member might have had a different position.

However, this idea of consciences suddenly being pricked about particular things in the absence of anything being done about them — whited sepulchres — will ring hollow with people. We will vote with our feet. We asked whether people wanted to make a voluntary contribution of a 15% reduction across the board. Sinn Féin tabled that as part

of a Budget, which people opposed. So, I will not take lectures from the Member on that.

As I said, there may be issues here that need some teasing out in the public domain. We do not think that legislation is the proper way forward. We do not think that the motivation of this particular Member is about the public good; it is more about attacking these institutions. He is on record as having done so: we have seen how he used the Special Advisers Act in the past to attack republican ex-prisoners in particular, and we will stand as gatekeepers to ensure that that does not happen in the future.

Mr Agnew: I welcome the Bill. To reiterate a point I made yesterday; it is good to see private Member's Bills coming forward in the absence of legislation coming from the Executive. For a number of weeks, sessions were finishing at 3.30pm, after ministerial questions. However, due to the debate on Mr McCallister's private Member's Bill yesterday, we had a full plenary session, and I anticipate that that will be the case again today due to this business. It is to be welcomed that, whilst the Executive may be failing, the Assembly and the Back-Benchers are showing leadership and ensuring that the House continues to do the work that we are paid to do.

I welcome the Bill and, in particular, the proposal to bring SpAds under the code of conduct for civil servants. Again, speaking to Mr McCallister's Bill yesterday, I expressed my concern about the lack of accountability for Ministers. Where there are perceived breaches of the code of conduct for Ministers, and this extends to SpAds, there is no formal mechanism for investigation. These people are paid through the public purse, and the public should, and do, rightly expect there to be transparency and accountability. Unfortunately, in the case that Mr Allister referred to, that accountability was not there. Accountability to your own party and to your own Minister is not sufficient. There must be independent investigation and adjudication, and that element of the Bill is very welcome.

In the Assembly, we cannot set the standards for society and somehow expect those standards to not apply to us. As an MLA, I am subject to the code of conduct; I am subject to independent investigation. The same should be true for Ministers and their special advisers.

I think that the sponsor of the Bill will find much sympathy with the cap on pay among the wider public. I am wary that, somehow, there is always an attack on high pay and we have to look at whether it is justified, but a pay cap of £75,000 would certainly not make victims of special advisers. I think that that is a fair cap. Mr Allister referred to other jurisdictions and the salaries paid there. I do not think that there is an argument to be made that, somehow, special advisers are required to work at a higher level here than in other jurisdictions, or that their job is somehow more onerous. I think that we can, and should, take evidence from elsewhere and base our salaries here on those findings.

Reference was made to the number of SpAds within OFMDFM. Mr Allister has said that he is not wedded to the formula suggested, and others have said that there may need to be more flexibility at the Committee Stage should the Bill pass today, and I hope that it will. The Committee can take time to tease those issues out.

It seems to me to be hard to justify having eight SpAds within the Office of the First Minister and deputy First

Minister. Due to the nature of that role, we do have two joint Ministers and not one, as Mr McCallister pointed out yesterday, and the junior Ministers that go with that, but to justify a total of eight SpAds seems difficult. Whilst four seems to me to be a sensible proposal, others seem to think that there needs to be more flexibility, and, of course, we need to have regard to the proposed changes in the number of Departments and the structure of the Assembly. However, under our current structures, a reduction from eight to four certainly seems to be a worthwhile proposal to consider, and I look forward to seeing what evidence comes out during the Committee Stage.

This is the second private Member's Bill on special advisers to come forward from Mr Allister. With his first Bill, I made a point about the recruitment of special advisers, and I will make it again now. Many have made the point that they are appointed by Ministers; and that appointment process should be examined as part of the scrutiny of the Bill. In bringing the pay and code of conduct into line with that of senior civil servants, I think that the recruitment method also needs to be brought into line with that of senior civil servants. I made that point during the passage of the previous SpAd Bill.

No one is sadder than me that Mr Sammy Wilson is no longer a Member of the House. Somehow, he made an argument that, "No, this is politics; you cannot recruit people from outside; you could not possibly have a DUP SpAd who was not a member of the DUP." That type of attitude feeds into the perception out there, which is that the political class believes itself to be a class apart and that, somehow, what we do is so different from any other profession, that it is right that we should be able to get around recruitment rules and legislation and can have something different for ourselves because we are different, and what we do is different here, and we run government, which is special.

I question that logic. Many professions require secrecy and require staff to access confidential information, whether they are workers in the health service with access to people's medical records, people in the justice system with access to criminal records, or those who work in banks with access to people's financial records. Processes are in place to ensure confidentiality, propriety and probity. Whilst those standards would be required in any special advisers recruited, I do not think that there is an argument to say that recruitment cannot be done with openness, transparency and accountability.

I use my own recruitment of staff as an example. I recruit openly and have recruited a number of staff from outside the pool of Green Party membership. Due to the nature of the work, many of them have then become members of the party, but if I am recruiting a researcher, I see no reason why that researcher has to be a member of the Green Party. Equally, I see no reason why special advisers should be appointed solely from within the pool of a political party and appointed without interview and merit criteria set and without that being done transparently. Possibly, Ministers do that: I do not know. Possibly, when they are appointing people, they set the criteria for what they are looking for; but it is not transparent and public money is being used to pay the wages of special advisers. It is a public role, and it is to serve the public good through advising the Minister on public policy.

So, I think we should have an open, transparent and accountable process, and the recruitment of special

advisers should be brought into line with that of other civil servants.

They have been referred to as temporary civil servants. Even in the case of temporary recruitment for Civil Service posts a recruitment process is required. I would certainly be interested in the Member's views, if that is something he has considered, and urge the Committee to look at that aspect of special advisers' employment.

Mr McCallister: I would like to begin by congratulating Mr Allister on getting to this stage; it certainly looks as if it will get through. There is agreement on the broad principles of various parts of the Bill from various political parties.

The key parts of the Bill are around the disciplinary code being applied when people are temporary civil servants. I think that is important. It is important to set a standard and have something to measure that standard. We would expect it of others, so why would it not apply to SpAds?

On the issue of pay, if I picked it up correctly at the Committee last week, it is actually a salary of £78,000. Bear in mind that it is £30,000 more than MLAs get paid, and probably close to four times the average salary in Northern Ireland. The Member proposing the Bill is not exactly restricting SpAds to a life of destitution. I would have thought that, at £78,000, he was setting the bar fairly high, with a decent balance between attracting people that we need into the specialist roles that a special adviser should fulfil and putting in a cap.

The very fact that average salaries in Northern Ireland are lower than in other constituent parts of the nation makes you wonder how on earth our settlement costs us, on average, £30,500 more per head than in Scotland and a staggering £45,000 more per head than in Wales. These are the difficulties that the Bill seeks to address. In a time of austerity, when Departments are struggling for cash — and when many are not entirely sure what their agreed budget line is at this stage of the financial year — we are spending significantly more on SpAds than our Scottish and Welsh counterparts, which are easy to use for a direct comparison because they are devolved Governments.

This may be a more powerful institution than the Welsh Assembly Government; it may have more powers. It does, of course, have a coalition form of Government, but so had the Scottish and Welsh Governments. The Scottish Government had a Lib Dem/Labour coalition from 1999-2007 and several First Ministers at that time. The Welsh, over that time, have had a mix between the Labour/Lib Dem and the Labour/Plaid Cymru coalitions. It is difficult to find much evidence for the idea that, somehow, there is a huge problem of negotiating between the SpAds, and that we therefore need huge numbers of extra SpAds and that they need to be so highly paid. It is also difficult to maintain that argument when you have the First Minister describing the Executive as dysfunctional. It is hard to say that having so many SpAds and paying them £92,000 a year is adding much to functionality.

12.45 pm

Mr Lyons, who is not in his place, lauded the DUP. I welcome the DUP to the debate. The fact that the farm lobby and Mr Allister have been the only two so far who could get the DUP to the Chamber sets the bar quite high. Mr Lyons made the argument that the DUP agrees with parts of the Bill but that much of it was already being done.

He said that the timing of the Bill was all wrong and that we should wait for the reduction of Departments that will deliver three fewer SpAds anyway.

I gave a warning last week at the Committee: we were to get rid of the Department for Employment and Learning sometime in the autumn of 2011, but it was then decided that a better time to do it would be the end of the financial year — it is still here, and, by the looks of it, is likely to be here for the rest of the mandate. It survived all that. There was a promise of jam tomorrow from Mr Lyons, when he said, "Look, we're taking care of all this". As Mr Agnew said, at least this corner of the Chamber is producing legislation that can change and reform and, in this case, restrict the excessive expenditure of the Government on itself.

I support, as I made clear in Committee, moving to an Executive Office and a reduced number of Departments. I have also made it clear on previous occasions that, when you take the departmental responsibilities out of OFMDFM and change it to being a much more coordinating body, there is no need for it to have eight SpAds and two junior Ministers. The two junior Ministers might be much better served by being in other places. There could be a junior Minister with responsibility for social care and another with responsibility for skills in the Department of the Economy. That would be a much better place for them to go, and it would be much better practice. If you follow through on the logic that junior Ministers would be an unnecessary addition to a future Executive Office, you will find it very difficult to say why on earth you had eight SpAds in it.

Not only is Mr Allister on to something with the Bill but the timing is right. We are looking at reforming government and reducing the number of Departments and special advisers. Indeed, my Bill is about reforming the way in which the Executive and Assembly carry out their business, so, in that sense, the Bill is timely.

Mrs Cochrane mentioned the skill set that particular advisers bring, and Mr Agnew talked about the recruitment process that he uses. Any time that I recruited in the last number of years, I went outside the narrow bounds and down the road of a more open contest. The process for special advisers, as well as being more open, should demand some evidence that a special adviser possesses the skill set necessary to advise in the Finance Department, the Health Department, the Department for Social Development or the Department for Regional Development. Instead, the perception is that, sometimes, it is more a case of, "Oh, we had better bring Joe in; it's his turn to be special adviser for a while". There is too much of that. It is not a good image for the Government and the Assembly, and Mr Allister's Bill can and should be used to address that. The great thing about its passage through Second Stage and going to Committee is that not only the Committee but Members can look at amending and possibly improving the Bill or addressing some of the concerns that they have about it. I certainly support the Bill's passage through Second Stage.

Mr Principal Deputy Speaker: The Business Committee has arranged to meet at 1.00 pm. 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 12.50 pm.

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

2.00 pm

Oral Answers to Questions

Environment

Mr Deputy Speaker (Mr Dallat): Questions 1, 3, 7 and 11 have been withdrawn.

Planning: Rural Communities

2. **Mrs D Kelly** asked the Minister of the Environment to outline the flexibility available to councils in relation to planning issues in rural communities. (AQO 8853/11-16)

9. **Mrs Dobson** asked the Minister of the Environment how the new strategic planning policy statement will assist in achieving sustainable populations in rural areas. (AQO 8860/11-16)

Mr Durkan (The Minister of the Environment): With your permission, Mr Deputy Speaker, I will combine the answers to questions 2 and 9.

The purpose of the strategic planning policy statement (SPPS) for Northern Ireland, which I published on 28 September 2015, is to assist in furthering sustainable development under the new two-tier planning system. In the context of development in the countryside, the regional strategic objective of the SPPS is to manage growth to achieve appropriate and sustainable patterns of development in support of a vibrant rural community, whilst, at the same time, conserving the landscape and natural resources of the rural area and protecting it from excessive or inappropriate development.

The SPPS pitches planning policy at a more strategic level than the planning policy statements that have been previously prepared by the Department. It enables councils to bring forward bespoke local policies for the development of the rural parts of their own plan areas through their local development plans (LDPs), which will address their specific economic, social and environmental needs. Such policies can reflect and complement the provisions of the SPPS and may involve recognising areas that are particularly sensitive to change and areas that have lower sensitivities and, thus, provide opportunities to accommodate sustainable development.

The SPPS recognises that the LDP process is the main vehicle for assessing future housing land requirements and managing housing growth across a plan area, both urban and rural, to achieve sustainable patterns of residential development that are consistent with regional guidance in the regional development strategy (RDS). In preparing LDPs, councils must bring forward a strategy for housing, together with appropriate policies and proposals that reflect the approach set out in the SPPS, which is to ensure an adequate and sustainable supply of housing across the plan area. As long as a council's local planning policy takes proper account of the SPPS and the objective —

Mr Deputy Speaker (Mr Dallat): The Minister's two minutes are up, unless he is asking for more time.

Mr Durkan: I would be most grateful if you could afford me more time, Mr Deputy Speaker. It is a composite answer to questions 2 and 9.

Mr Deputy Speaker (Mr Dallat): Right.

Mr Durkan: Councils may develop their own approaches to deal with the local issues they face.

In addition, due to the responses to the public consultation on the draft SPPS, my Department is now taking forward a full review of strategic planning policy for development in the countryside. That review will require significant additional research and consideration and extensive engagement with key stakeholders, which will give them an opportunity to influence the future strategic planning policy direction in that important area. My officials have commenced preparatory work on the scope and content of the review, including the time frame for completion.

Mrs D Kelly: I thank the Minister for a very good answer on sustainable development, the link across councils and regional planning policy. Sustainability, of course, has many interpretations and there is the need for sustainable populations in rural areas. In my constituency, under the area planning policy, white land is not to be developed across the whole of the Craigavon borough area until all the land that is deemed to be area plan policy 1 land is used. It is causing considerable problems in some rural communities. Minister, it would be useful if you could outline that, in some parts of the rural area, there are —

Mr Deputy Speaker (Mr Dallat): I urge the Member to get to a question.

Mrs D Kelly: — dispersed rural settlements. Perhaps you could outline why the dispersed rural settlement community is not included in the strategy.

Mr Durkan: I thank Mrs Kelly for that supplementary question, which might even have been longer than my answer to the previous questions.

As Members will be aware, PPS 21 allowed for the designation of dispersed rural communities. That approach was retained in the final draft of the SPPS, following public consultation, but I was ultimately unable to secure Executive agreement to its inclusion in the final document.

Although dispersed rural communities no longer feature in the SPPS, I am confident that the SPPS retains an appropriate degree of flexibility. As I have said, the SPPS enables councils to bring forward bespoke local policies for the development of rural districts in their area through local development plans that address their specific economic, social and environmental circumstances. As long as the council's local planning policy takes account of the general thrust of the government policy in respect of development in the countryside, councils are free to develop their own approaches to deal with the local issues that they face.

Mrs Dobson: The Minister will be aware of the concerns, as highlighted by his colleague there, across rural communities about the continued rollback of services, including GP surgeries and post offices. Indeed, schools in my constituency have certainly not been immune to it. Can the Minister give the House a commitment that the new strategic planning policy statement will lead to vibrant rural communities in the future and not continued rollbacks?

Mr Durkan: I thank Mrs Dobson for that question and certainly sympathise with communities in rural areas that are seeing an erosion of services available to them, often due to dwindling populations in those once vibrant communities. Although I cannot give her a guarantee that the SPPS on its own can address these issues, I am confident and can assure her that the SPPS gives councils the opportunity to address these issues through their own local development plans. It affords them the flexibility to do so. No one should be more aware of these issues and the impact that they are having on local communities than the councils and councillors. I am very confident that they will use the flexibility that the SPPS affords them to ensure the best possible outcome for their council areas and their communities.

Mr McCallister: I am grateful to the Minister for his replies. Minister, I think that you will agree that one of the concerns is the inconsistency with which councils sometimes view planning policies. At times, they are so inconsistent in the application that it causes great alarm among those applying for planning permission for development. Some councils are really struggling to meet any level of service to the public, and long delays are building up. Will he consider setting an Executive target for planning applications?

Mr Durkan: I thank Mr McCallister for his question. He referred to inconsistencies in interpretation of planning policy statements across council areas, and I can certainly sympathise with that. I often see inconsistency in the interpretation of existing planning policy statements among planners. Indeed, planning is not really black and white, and nor should it be. It allows different people to interpret policy differently. It does and should afford flexibility. Every application should be judged on its own merits. However, there should not be the glaring inconsistencies of interpretation to which the Member referred.

I have acknowledged previously in the Chamber that the transition period of the handover of the planning function to councils on 1 April and subsequently has not exactly been seamless. Nevertheless, I believe that, despite initial teething problems, the majority of councils are now coping admirably with what is, I have to say, a much-increased workload. I was speaking to planners in the Derry City and Strabane District Council area, and they are now dealing with 150 more applications than the same office was at this time last year. That is obviously indicative of an upturn in the economy, which we should all welcome.

However, if there are issues with particular offices or councils, I will certainly be happy to speak to the Member. I will also meet the chief executives of all the councils to see how we can make planning work better for people.

Mr Kennedy: I am grateful to the Minister for his replies. Will he undertake to review staffing levels at the new Newry, Mourne and Down council area? I am aware of significant pressure of work, which means that some assistance is needed to deal with the significant delays that are now occurring in the planning process?

Mr Durkan: I thank Mr Kennedy for his question — the first that I have had the pleasure of getting and the privilege of trying to answer. Employment levels in councils are clearly a matter for the councils. As I have said, I will meet the chief executives and chief planners in all the council areas in the coming weeks. Certainly, if Members here and

members of the public have raised issues with me about problems that they perceive to exist in certain areas, I will urge the council chief executives to pay particular attention to those areas. Often, the backlogs can be due to a multitude of factors: perhaps they are awaiting consultation responses from Transport NI, NIEA or other such bodies.

Planning Policy: Retail Sector

4. **Mr McKinney** asked the Minister of the Environment for his assessment of how current planning policy can support the local retail sector. (AQO 8855/11-16)

Mr Durkan: I recognise that our high streets continue to face difficult challenges. Whilst the planning system is not the panacea, I believe that it has a key role to play in allowing town centres the opportunity to retain and develop their retail base. The strategic planning policy statement (SPPS) that I published last month furthers that belief. It introduces new strategic planning policy to assist with supporting and sustaining vibrant town centres across the North through the promotion of established town centres as the appropriate first choice locations of retailing and other complementary functions, consistent with the regional development strategy 2035.

The SPPS recognises the wide range and complexity of issues that influence the development, role, function and success of town centres. It therefore encourages councils to work collaboratively with all relevant stakeholders to inform the preparation of local development plans based on robust and up-to-date evidence. Under the new planning policy framework, councils will define a hierarchy of centres, consider their role and function and develop a strategy for town centres and retailing that must promote town centres first for retail and other main town centre uses. In addition, a sequential approach will have to be adopted, with preference given to town centre sites and then edge-of-centre sites, before consideration is given to out-of-centre sites. Plans will also incorporate a new call-for-sites approach to identify available land to meet retail need.

I consider that more can be done to support town centres and the retail sector. My assessment is that the new strategic policy context and its key features can be a catalyst for facilitating successful, sustainable and attractive town centres.

Mr McKinney: I thank the Minister and welcome his comments around collaboration. Does he share the concern of the Northern Ireland Independent Retail Trade Association that the development of town centres and the retail sector requires a joined-up approach involving the Executive, councils and the sector?

Mr Durkan: I thank Mr McKinney for those very pertinent and timely questions. As I have said, going forward, more can and must be done to support town centres and the retail sector across the region. I wish to see closer working among Executive colleagues, who have key roles to play in the creation of the thriving town centres that we all want to see. Urban regeneration, the provision of public transport and other infrastructure, rates and effective town centre management are but some of the necessary ingredients to create the mix of uses essential to the continued attractiveness of our town centres. I also believe that, with a greater array of powers or functions, councils now have considerably more power to influence positively the shape, attractiveness and use of city and town centres.

The retail sector is one of the most important elements of our economy, and I am confident that it has the resolve to respond successfully to the present challenges and difficulties with which we are all familiar. Collectively, we can all bring about positive change, economic growth and a more sustainable future for city and town centres.

2.15 pm

Mrs Overend: What are the Minister's views on how the SPPS now fits with such proposals as the John Lewis development at Sprucefield?

Mr Durkan: I thank the Member for her question and remind the House that there is no application for or from John Lewis at Sprucefield or anywhere else in the North.

The purpose of the SPPS is to set out a clear regional strategic planning policy for the new two-tier planning system. This will allow the new councils to take account of the strategic direction in their plans and policies at local level. Therefore, it is not considered appropriate to include a specific site in the SPPS. Such issues should be and, I have no doubt, will be dealt with through the local development plan of the new council.

Sand Dredging: Lough Neagh

5. **Ms McGahan** asked the Minister of the Environment how he plans to address ongoing sand dredging in Lough Neagh. (AQO 8856/11-16)

Mr Durkan: Due to a recently instigated legal challenge in relation to the Department's ongoing enforcement case, I am limited in what I can say on these matters. By way of background, when the situation was brought to my attention, I instructed officials to seek a voluntary cessation of operations and to investigate and monitor any ongoing activity on the lough. Warning letters were sent to operators on 25 September 2014, advising that the unauthorised dredging activity constituted a breach of planning control and should:

"cease until this situation has been addressed".

On 27 May 2015, enforcement notices were issued to all relevant parties and were to take effect on 30 June 2015 unless appealed to the Planning Appeals Commission (PAC). The Shaftesbury estate appealed the enforcement notices on 24 June, and the five sand operators lodged appeals with the PAC on 26 June. No parties have appealed the environmental impact assessment (EIA) determination. The enforcement notices have ceased to have effect, pending the PAC's determination of the appeal.

The grounds specified in the appeal have also had the effect of passing statutory responsibility from the Department to the PAC for determining whether planning permission should be granted for the sand extraction activities concerned. The PAC, in considering its decision in the matter, will consider, inter alia, an environmental statement to be prepared by the appellants. Thus, responsibility for determining the status of enforcement action and whether planning approval should be granted for the sand-dredging activities concerned has passed to the jurisdiction of the PAC.

I am acutely aware that this is a complex issue involving important environmental and socio-economic considerations. In order to respect both the judicial

process and the independent appeals process, including the rights of the parties involved, I do not intend to comment further on these issues, pending the outcome of the procedures.

Ms McGahan: Go raibh maith agat. I thank the Minister for his response, and I appreciate that there is a legal case. Considering the recent concerns expressed by the fishermen who work on the lough, when does the Minister expect the case to conclude?

Mr Durkan: I thank the Member for her supplementary. I am aware of the concerns of the fishermen on the lough and the impact that this is having and has been having on their livelihood for some time. However, given that jurisdiction has now passed to the PAC, I could not even hazard a guess as to how long it will take. It is now the subject of a judicial review. Legal action has been brought by a third party who would like stop notices to be issued, which would, I suppose, satisfy the fishermen to some extent. That is currently the subject of a legal process.

The PAC has also received a request from the appellants to extend the time granted to them to submit environmental information until October 2016. I know that that has raised eyebrows and hackles in some quarters as well.

Mr McGlone: Go raibh maith agat, a LeasCheann Comhairle. Mo bhuíochas leis an Aire as a fhreagra ar an ábhar seo. I thank the Minister for his response to this question. Does he acknowledge that sand extraction on Lough Neagh directly supports 150 jobs and up to 500 jobs indirectly in the asphalt, concrete and precast sectors?

Mr Durkan: I thank Mr McGlone for that question. As I said in my response to the original question, I am acutely aware that this is a very complex issue involving a lot of extremely important environmental and socio-economic considerations. Industry estimates of the number of people directly employed in the working of materials from Lough Neagh vary from between 150 persons to 200 persons. Mr McGlone gave a more conservative figure, but I have heard that up to 1,000 people are indirectly involved or employed in the supply chain. As I said, a legal challenge has been initiated against my Department, and I am not able to comment further at this stage.

Mr Agnew: As the Minister outlined, he issued warning letters, but unauthorised sand dredging continued; he then issued an enforcement notice, but unauthorised sand dredging continued. Will he now issue a stop notice to make sure that unauthorised sand dredging cannot continue?

Mr Durkan: I thank the Member for that question. I gratefully accept his acknowledgement of the attempts that I have made in this regard. When the matter was first brought to my attention, I instructed officials to seek a voluntary cessation and to investigate and monitor ongoing activity on the lough. The warning letters were sent out over a year ago now, advising that the unauthorised activity constituted a breach of planning control.

Between that stage and issuing the enforcement notices, we had to go through a lengthy process of gathering sufficient evidence that work was ongoing. We had plenty of anecdotal evidence, but it had to be evidence that we thought was robust enough on which to defend an enforcement action. We now find ourselves having to defend that enforcement action. As regards the failure,

as Mr Agnew might describe it, to serve a stop notice along with, or now subsequent to, the enforcement notice, given the legal challenge that has been initiated, I cannot comment further on that.

Hydroelectric Schemes: Run-of-river

6. **Mr Ó hOisín** asked the Minister of the Environment when he plans to introduce guidelines and a design brief for run-of-river hydroelectric schemes. (AQO 8857/11-16)

Mr Durkan: An interdepartmental group has been established to take forward an agreed guidance and policy document for run-of-river hydroelectric schemes. The interdepartmental group comprises DCAL, the Loughs Agency, the Rivers Agency, DOE planning officials and the NIEA. The guidance and policy document will set out clearly the requirements for each of the various Departments. It is not the intention to provide a design brief for these installations. It is anticipated that the group will produce an interdepartmental guidance and policy document by summer 2016.

Mr Ó hOisín: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht an fhreagra sin. I thank the Minister for his answer. He will be aware that a design brief and guidelines exist in the other jurisdictions on these islands. Does he not agree that, given the numbers of hydro schemes being installed in rivers at the moment, it would be opportune to develop such guidelines in accordance and in consultation with angling clubs and groups?

Mr Durkan: Thanks to Mr Ó hOisín for that. I take on board the Member's comments or suggestions, and think that that is always useful, as it certainly will be in this case, to look at the practice in other jurisdictions. He also touched on a very important matter, which is consultation with river users who, primarily, are anglers. I get plenty of correspondence from anglers on this and many other issues. I know that many are very opinionated, but there is a great degree of expertise in the angling community that I believe that I, as Minister, and we, as a Department, should be availing ourselves of and utilising to get the best outcomes for our environment.

Mr Eastwood: The Minister will be very aware of the real concerns that the anglers on the River Faughan have with some of these applications. Can he give us an update on where those applications are at?

Mr Durkan: They are in the River Faughan. *[Laughter.]* I thank Mr Eastwood for that question. My Department retained three planning applications for hydroelectric power schemes on the Faughan and a further application associated with one of those schemes for the proposed installation of a fish pass. I recently issued a notice of opinion to refuse planning permission for A/2011/0237/F, a proposal at Crockahilly Road, Claudy on the grounds of the potential impact on nature conservation interests and the loss of active peat. The applicant can, of course, request a hearing before the Planning Appeals Commission if they do not accept those reasons. Consideration of the remaining applications is ongoing. I will be the final decision-maker and will fully consider all the relevant issues and all the relevant correspondence that I have received before deciding on the way forward.

Climate Change

8. **Mr Sheehan** asked the Minister of the Environment whether he has liaised with the Minister for Environment, Community and Local Government ahead of the 2015 United Nations Climate Change Conference in Paris regarding climate change priorities for the island of Ireland. (AQO 8859/11-16)

Mr Durkan: The overwhelming scientific evidence from the Intergovernmental Panel on Climate Change (IPCC) fifth assessment report highlights the dramatic changes to our climate and their causes. Pope Francis's recent interjections on climate change to EU and USA leaders helped to highlight the moral responsibility that we all have to protect the poorest and most vulnerable groups and regions from the dangers of climate change. I will be attending the Conference of Parties 21 (COP21) as part of the UK delegation, along with Ministers from Scotland and Wales. It is my intention to engage with colleagues from the devolved Administrations, Ireland and other countries to encourage and provide support for a comprehensive global agreement on action on climate change.

I am in regular contact with Minister Kelly in the Department of the Environment, Community and Local Government on a range of environmental matters. With the Paris summit on climate change taking place at end of November, I have agreed that a discussion on climate change will be held at the next North/South Ministerial Council (NSMC) environment sector meeting scheduled for 18 November. Furthermore, I am keen to frame my input to the Paris discussions from an island-of-Ireland perspective. To that end, I have written to Minister Kelly and representatives of the Council for Justice and Peace of the Irish Episcopal Conference to arrange a meeting to discuss common issues of concern to be taken forward at COP21. I believe that it is vital that we explore how together we can offer leadership on climate change matters for all the people of Ireland and provide hope to those beyond our shores who are especially vulnerable to the impacts of climate change but yet have done the least to cause the problem.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as ucht a fhreagra ansin. I am sure that the Minister will agree that, on such a small island, it is important that he liaises with his counterpart on the issue of climate change. I am glad to hear that he is going to have a meeting with his colleague at the next North/South Ministerial Council meeting on 18 November. Can he give a commitment that he will report back on the outcome of that meeting?

Mr Durkan: I thank Mr Sheehan for that supplementary question. As with all NSMC meetings, there will be a report back to the Chamber. A statement will be given, and questions can be asked.

Hopefully, I will not have to wait until that date to have those discussions with Minister Kelly. As I said, I am hopeful of convening another meeting or seminar of sorts in the interim, on which I will also be more than happy to report back to the Assembly.

2.30 pm

Mr Deputy Speaker (Mr Dallat): Order. That ends the period for listed questions. We will now move to topical questions.

Household Recycling Targets

T1. **Mr Allen** asked the Minister of the Environment whether his Department is on course to meet its household recycling targets. (AQT 2981/11-16)

Mr Durkan: I thank Mr Allen for that very important question, which is the first that I have received from him, and which many householders and business owners ask me on a regular basis.

Different councils deal differently with their recycling. As a consequence, different councils perform differently when it comes to the recycling rates that they achieve. Tomorrow, I will meet the waste programme board, which is the strategic oversight body for dealing with waste right across the North. That will give me a better insight into who is performing well, how they are performing well and who maybe needs extra help. My Department offers much assistance to councils in that regard through capital grants that are available to councils for plant and machinery to aid them in their recycling efforts.

In response, I suppose, more to the question, at last glance, councils were performing well, and we as a region are performing well. In fact, the quarter before last was the first time ever that we actually recycled more waste than we sent to landfill, which was quite a landmark achievement. However, we cannot afford to be complacent. We have to keep reinforcing the messages to and through our councils on the importance of recycling not just to our environment but to our economy.

Mr Allen: I thank the Minister for his answers thus far. Can he outline what engagement his Department is having with the Department of Enterprise, Trade and Investment to meet the target for electricity from renewable sources by 2020?

Mr Durkan: I thank the Member for that question. My officials are in regular contact with their DETI counterparts on that issue. We have a target set down for the outputs from renewable energy that we aspire to in the Programme for Government, and that is that 35% of energy should be produced from renewable sources by 2025. Currently, as things stand, and if we keep going as we are, we would hit about 33.3%, which is less than the target but is an admirable enough effort nonetheless. Other considerations, though, will now have to come into play following on from Minister Bell's statement in the Chamber two weeks ago on the Northern Ireland renewables obligations and the culling of subsidies to renewable energy providers. That will obviously have an impact on how much renewable energy is produced.

Volkswagen: Emissions Controversy

T2. **Mr Byrne** asked the Minister of the Environment to outline any action his Department is taking around the Volkswagen emissions controversy regarding the software that is misrepresenting pollution levels, which is receiving such strong publicity at the moment. (AQT 2982/11-16)

Mr Durkan: I thank the Member for that question, which is, indeed, very topical, and which concerns me as a Volkswagen driver — I know that you are one as well, Mr Deputy Speaker.

I strongly support the development of the European Commission proposals for real driving emissions standards legislation. The legislation, if adopted, will

require car manufacturers to ensure that real-world vehicle emissions comply much more closely with European emissions standards.

Mr Byrne: I thank the Minister for tackling the issue. What can the UK Government or this regional Government do to protect the interests of consumers and those who have purchased such vehicles and are concerned about the environment and about the miles per gallon performance of the vehicles?

Mr Durkan: I thank Mr Byrne for that supplementary, and I am sure that the Deputy Speaker is extremely concerned with miles per gallon. I am also sure that he will be equally concerned about the prospect of an increase in his road tax.

This is a matter for the Department for Transport, and, at this stage, I have heard nothing to indicate that there is any potential impact on future levels of road tax. In a statement on 2 October this year, the Transport Secretary advised that Volkswagen users and taxpayers, including those in the North of Ireland, will not incur higher vehicle excise duty if their existing vehicles are found to be fitted with illegal software that manipulates emissions tests.

Independent Councillors: Substitutions

T3. **Mr Eastwood** asked the Minister of the Environment to outline the procedure for substituting independent councillors when they resign their position. (AQT 2983/11-16)

Mr Durkan: The legislation that makes provision for the filling of casual vacancies on district councils, including vacancies arising as a result of resignation, is the Electoral Law Act (Northern Ireland) 1962. The 1962 Act was amended in 2010 to change the way in which vacancies and district council seats arising during term are filled. That provides, amongst other matters, for members who stood as independents when elected to be replaced using a list of substitutes provided by the member prior to the vacancy arising. As elections are an excepted matter under section 4(1) of and schedule 2 to the Northern Ireland Act 1998, this is therefore a matter for the Secretary of State.

I am aware that the Electoral Office here has issued guidance on the filling of casual vacancies. That states that members elected as independents may submit, to the Chief Electoral Officer after the election, a list of up to six substitutes who will be contacted in order to fill their seat in the event of that seat becoming vacant during the council term. On receipt of a notification of a vacancy from an independent member with a substitute list, the Chief Electoral Officer will write to the first-named substitute on the list, asking them to confirm in writing within 14 days of the request if they are willing and able to take the seat. If the first-named substitute is unable to fill the vacancy, the Chief Electoral Officer will repeat the process of contacting the named substitutes in order until the vacancy is filled or the list is exhausted. If the list is exhausted and no substitute has been declared returned, the vacancy will be filled by way of a by-election.

Mr Eastwood: I thank the Minister for that answer. Does he believe that it is acceptable for an independent to resign and then to nominate somebody who has professed to be a member of another political party as their substitute?

Mr Durkan: I thank the Member for that question. While it is not illegal or unlawful, it is certainly, in my opinion,

unacceptable. I think that it is an abuse of electoral rules, which may not be fit for purpose to begin with, and also an abuse of the democratic will of the people who might vote for a candidate as an independent without knowing who is on the substitutes list to which I referred earlier. Even now, the people who voted for independent councillors across councils in the North have no way of ascertaining who the six substitutes are. That is not open for public consumption.

Mr Deputy Speaker (Mr Dallat): Mr Fra McCann is not in his place.

Independent Environmental Protection Agency

T5. **Mr Lyttle** asked the Minister of the Environment to outline his plans for the creation of an independent environmental protection agency, for which he welcomes his long-overdue public support. (AQT 2985/11-16)

Mr Durkan: I thank Mr Lyttle, not just for the question but more so for the support. His party colleague and Chair of the Environment Committee, Ms Lo, has also been extremely receptive to the idea since I floated it, as she was to the work done in 2011 by my predecessor, when he had discussions and consultation on this very important matter.

It is my intention to attend the Environment Committee on Thursday to fill it in on my plans for how we proceed towards, hopefully, the eventual establishment of an independent environmental protection agency. I do not want to disappoint or upset Ms Lo by revealing those details here first.

Mr Lyttle: I thank the Minister for his response. I am glad that my colleague Anna Lo, as Chairperson of the Environment Committee, will get a front-row seat for the unveiling of his plans for the creation of the agency. How important is an independent environmental protection agency to safeguarding our natural environment? Does he anticipate Executive agreement for it?

Mr Durkan: I believe that it is very important. It is telling that every other region on these islands has gone down that road and has the model of an independent, or at least arm's-length, environmental protection agency, and most European nations have similar arrangements.

It will become even more important as we move to the new departmental structures, when most of the classic environmental functions of DOE will be amalgamated with those of DARD. That has caused a lot of concern for environmental NGOs, but not just them. We have to work with others on achieving or securing Executive agreement. Naturally enough, we have to make people aware — not just politicians but those in industry and agriculture — that they have nothing to fear from an independent environmental protection agency.

Ballyhornan Beach: Environmental Health

T6. **Mr Hazzard** asked the Minister of the Environment whether he and his Department are aware of the environmental health issues at Ballyhornan beach, given that he will know that, although we have corresponded about the recent marine litter survey, which was quite damning about the environmental health of beaches at Ardglass, Kilkeel and Ballyhornan

on the south Down coast, in response, there seems to have been a departmental focus on the good beaches around Newcastle, Murlough, Tyrella and Cranfield. (AQT 2986/11-16)

Mr Durkan: I thank the Member for the question. I am familiar with the marine litter survey. My Department has been active, along with the council, which retains ultimate responsibility for beach cleanliness, in working on all beaches in the south Down area. Where there are specific issues on specific beaches, I would be happy to meet the Member and have my officials meet their council counterparts to devise ways in which those can be best tackled.

In Ardglass, which is in the Member's constituency, a lot of work has been done with the fishermen. My Department continues to fund the Fishing for Litter scheme, which has had an impact on reducing the litter washing ashore on the beautiful beaches of south Down. I know that the Member has a particular interest in this, and, being familiar with the natural beauty of south Down, I cannot blame him.

A Member: Is that Margaret?

Mr Durkan: It is not Margaret. [Laughter.]

Mr Hazzard: I am sure that Margaret will be delighted to hear that. [Laughter.] I thank the Minister for that answer, but, when it comes to Ballyhornan, there is a specific reference to the continual pumping of raw sewage into the sea. That would not be accepted on the gold coast of north Down. Why should the people of south Down have to accept raw sewage being pumped into our sea?

Mr Durkan: I thank the Member for that supplementary. I have undertaken to work on this with him, the council and other Departments that clearly have an interest in and responsibility for addressing and eradicating the issue.

I do not know where in DRD's plans there might be plans to upgrade the pumping system there. However, if we can lend support to locals in that area in lobbying DRD, we will certainly do so, given the negative environmental impact that this clearly has.

2.45 pm

Finance and Personnel

Mr Deputy Speaker (Mr Dallat): Questions 3, 4 and 14 have been withdrawn.

Social Housing: Financial Transactions Capital

1. **Mr Ramsey** asked the Minister of Finance and Personnel to outline any discussions she has had with the Minister for Social Development regarding planned social housing to be built using financial transactions capital. (AQO 8867/11-16)

Mrs Foster (The Minister of Finance and Personnel): I have had no discussions with the Minister for Social Development regarding the use of financial transactions capital (FTC) for planned social housing. However, I am aware that there are a number of affordable housing projects exploring options to utilise financial transactions capital.

Mr Ramsey: There is a major crisis in social housing across Northern Ireland, and every Member would agree with me that we need many more housing developments of a social nature. Will the Minister ensure that she has that conversation with the Minister for Social Development to see how the Department of Finance could help to progress capital moneys to housing associations?

Mrs Foster: The current funding model for social housing utilises an element of public grant funding to try to lever in additional private finance. Even during the very recent housing turmoil, there was no problem in accessing private finance for social housing. If the social housing programme were to be fully funded through financial transactions capital, the rent that would be required to service the debt in relation to FTC would make it unaffordable for most social housing tenants. Now, if there are new ideas on using FTC for social housing, I will, of course, look at them. As I said in my substantive answer, we have been able to work with developers who are looking at affordable homes and to help them to build new homes. We have done that through a range of measures, including Get Britain Building, affordable home loans and the Empty Homes scheme. We have used FTC in that context, but, if there are new, innovative ways to use it for social housing, I stand ready to look at those as well.

Mrs Overend: Can the Minister provide details of any schemes under the control of her Department where financial transactions capital funding has been used in the past two years?

Mrs Foster: As I have just indicated, we have used FTC funding in a number of affordable home pilots. In 2012-13, we allocated nearly £12 million to Get Britain Building. In 2013-14, we granted £7.2 million to Get Britain Building, £5 million to affordable home loans and £3.7 million to the Empty Homes scheme. There was also money passed to affordable home loans and Empty Homes schemes in 2014-15. In 2015-16, £25 million has been granted to Northern Ireland Co-Ownership, and that has freed up £15 million of conventional capital, allowing it to be reallocated. We think that that is a good use of the financial transactions capital that we have access to.

Departmental Expenditure: Prioritisation

2. **Mrs Cochrane** asked the Minister of Finance and Personnel what consideration has she given to implementing a regular cross-departmental review of high and low priorities for expenditure in order to reallocate money across Departments to meet higher priorities. (AQO 8868/11-16)

Mrs Foster: Such consideration is given during the in-year monitoring process when determining whether it is necessary to apply reductions to Departments' budgets to fund pressures in other areas. It will also form part of the deliberations in the upcoming Budget exercise.

Mrs Cochrane: I thank the Minister for her answer. Does the Minister agree that it might bring some reality to some parties if demands for expenditure to do one thing had to be balanced by requisite cuts to something else, rather than just top-slicing across Departments perhaps, or, indeed, by having to consider increasing revenue?

Mrs Foster: This is the argument and discussion that we have every time we have a monitoring round. If people

are making bids for their Department, where does that money come from? Does it come from top-slicing other Departments, or do we reduce the allocation to other Departments?

Thus far, we have had those discussions and, obviously, we have used the Programme for Government to inform those discussions in and around our various priorities in that Programme for Government.

In the next Programme for Government, we will very much focus on outcomes and what is the best use of our resources to give us the outcomes that we desire for the people of Northern Ireland. I hope that all the parties will look to that outcomes-based process because I think that it will give us an even better outcome in the next Programme for Government round.

Mr Cochrane-Watson: I thank the Minister for her answers. Bearing in mind that the June and October monitoring rounds are now not likely to be carried out until December, how can our Departments be expected to balance their books, particularly on capital expenditure?

Mrs Foster: I wrote to the Departments on 1 June this year, indicating that they should not engage in discretionary spend and should engage only in inescapable spend because I knew that we were going to face difficulties. That was before we passed the Budget (No. 2) Bill. Departments know that they have to live within their means, otherwise we will breach our control totals, and that is certainly not a position that we want to be in coming into the new year. Of course, this is all going on in the context of the talks and the fact that we need to have welfare reform sorted out and the flexibilities that were agreed in the Stormont House Agreement. I can only hope that we get that sorted out in the very near future.

NAMA Portfolio: Documentation

5. **Ms Hanna** asked the Minister of Finance and Personnel, of the documents requested by the Committee for Finance and Personnel in relation to the sale of the National Assets Management Agency's local portfolio, how many have not been provided. (AQO 8871/11-16)

Mrs Foster: I can confirm that all relevant information held by my Department has been shared with the Committee to support its fact-finding review.

Ms Hanna: Can the Minister advise what documents, if any, the National Crime Agency (NCA) has requested from her Department?

Mrs Foster: I cannot, because it continues to meet the Department, and I think that it would be wrong if I indulged the Member in what has been discussed with the NCA. It is a criminal investigation, and I am sure that she respects that. We will have ongoing discussions with the National Crime Agency, but, as I said, all the information has now been forwarded to the Committee for its perusal, and I have no doubt that it will look through it and ask questions appropriately.

Mr Allister: In three recent written replies, the Minister advised me that no record had been kept of the ministerial meeting in March 2014 with Cerberus, that there were no records in the Department of the alleged briefings of Executive colleagues on the NAMA loan book and that she was unable to give any information about departmental

ministerial meetings with Ian Coulter, Frank Cushnahan and Gareth Robinson because it would be too difficult to collect the information. Why is there that culture of not keeping records? Is it so the Department can cover its tracks when it comes to NAMA?

Mrs Foster: No, it is not.

Mr Sheehan: Go raibh maith agat, a LeasCheann Comhairle. Does the Minister believe that Sammy Wilson and Simon Hamilton should now follow her example and cooperate with the Finance Committee inquiry to establish exactly what their dealings were with PIMCO and Cerberus?

Mrs Foster: I am unaware as to whether they have been asked to attend the Committee. I am sure that, if they are asked, they will consider the request as to whether they should attend to help the Committee in its investigation and whether they can be of use to the Committee in its investigation. It is up to them, at the end of the day, whether they attend, but I am not aware whether they have been asked to attend at this time.

Change Fund: Update

6. **Mrs Dobson** asked the Minister of Finance and Personnel for an update on funding allocated from the change fund. (AQO 8872/11-16)

Mrs Foster: Over 120 bids were received from across the public sector, with the total amount requested equating to approximately five times the value of the fund. Allocations were agreed by the Executive as part of the Budget 2015-16. The list of successful bids is published in the Executive's Budget 2015-16. All selected projects have received funding and are at various stages of implementation. A mid-year update on progress has been sought. Spend is being monitored in-year, and evaluations will be completed in 2016-17, as per the 'Northern Ireland Guide to Expenditure Appraisal and Evaluation' guidance.

Mrs Dobson: Is the Minister satisfied that the fund will achieve what it was intended to do during the current financial year?

Mrs Foster: I am very encouraged by the level of applications to the fund. I recall that, when I was in my previous role as Enterprise Minister, we were able to draw down a significant amount of money to deal with skills in relation to the workforce. So I am hopeful that it will deliver on the aims and objectives that were set out for the fund, which were, of course, to encourage innovation in the public sector; improve integration and collaboration between Departments, arm's-length bodies, the private sector and the third sector; support a decisive shift towards preventive spending with a focus on improving outcomes for citizens; and support transformational change required to sustain medium- to long-term efficiency measures. Those are the aims of the fund, and I am certainly hopeful that the money that we are spending right across the Northern Ireland Civil Service will help us deliver on those aims.

Arc21: Financial Transactions Capital

7. **Mr Allen** asked the Minister of Finance and Personnel for an update on the financial transactions capital funding allocated to the Department of the Environment to fund the Arc21 project in the financial year 2015-16. (AQO 8873/11-16)

Mrs Foster: The Department of the Environment was allocated £50 million of financial transactions capital (FTC) for the Arc21 waste facility project by the Executive in their Budget for 2015-16. The Member will be aware of the announcement by the Environment Minister on 24 September 2015 to refuse planning permission for the Arc21 waste facility at Hightown Road. DOE has now formally confirmed that the £50 million of financial transactions capital is now not required in 2015-16, and it is being surrendered for the Executive to reallocate.

Mr Allen: I thank the Minister for her response. My party repeatedly argued that the money should not have been allocated in the first place. Does the Minister now agree that the allocation of £50 million was premature, not least given the fact that permission was always uncertain?

Mrs Foster: The money was allocated after a request from the Department of the Environment. It now indicates that it does not wish to use that financial transactions capital. I accept and wholeheartedly agree that announcing a reduced requirement of this scale so late in the financial year is disappointing. However, there is no reason why it should be lost to Northern Ireland, and the Executive will consider reallocating the £50 million FTC, along with any other financial issues facing the Northern Ireland Executive and the block grant, through the in-year monitoring process, which I hope will happen after the talks are finished.

Mr D Bradley: Is it not the case that the amount of financial transaction capital that is available to Northern Ireland was oversubscribed? Does the surrender of this £50 million now enable those who did not benefit from it previously to benefit from it now?

Mrs Foster: That is not how it works. If it was oversubscribed last year, it does not just follow through into this year. We have to make yearly allocations. We will try to reallocate this money. As the Member is probably aware, we are setting up the Northern Ireland investment fund, and we may reallocate it to that fund. We can move forward on that basis. It is disappointing that it is so late in the year, but we will try to do our best to make sure that it is reallocated.

SmartPass: Funding

8. **Ms Maeve McLaughlin** asked the Minister of Finance and Personnel whether future funding for the SmartPass scheme will be ring-fenced. (AQO 8874/11-16)

Mrs Foster: The Executive have not made any decisions regarding Budgets beyond the 2015-16 financial year. The Department for Regional Development has responsibility for the SmartPass scheme, and any issue regarding its future operation should be taken up with DRD.

Ms Maeve McLaughlin: Go raibh maith agat. I thank the Minister for her answer. Given the importance of this to elderly people, is it likely that we will see this funding maintained in the longer term?

Mrs Foster: Well, certainly, the concessionary fares scheme remains an Executive commitment. It would be a very foolish Member of the Assembly who sought to do away with it. It has brought tremendous benefits to the older population and has proved to be very successful.

So, as she will know — in ring-fencing and moving forward — only front-line health and social care was protected in the 2015-16 Budget and, therefore, it really is for the Regional Development Minister to decide during this year.

I have no doubt that it will become a matter for discussion during the next Programme for Government discussions, and I predict, quite confidently, that we will keep the SmartPass scheme.

3.00 pm

Inescapable Financial Pressures

9. Mr Gardiner asked the Minister of Finance and Personnel for an update on the level of inescapable financial pressures facing the Executive. (AQO 8875/11-16)

Mrs Foster: Departments have registered pressures in the June monitoring round of £234.6 million on resource departmental expenditure limits (DEL) and £327.1 million on capital DEL. A recent high-level assessment by my officials indicates that over £100 million of these pressures are inescapable.

In addition to departmental pressures, failure to implement welfare reform has put at risk the budgetary flexibilities negotiated in the Stormont House Agreement, which included flexibility to repay the £100 million reserve claim in 2014-15 and the £114 million reduction to our Budget for non-implementation of welfare reform from capital budgets.

Mr Gardiner: I thank the Minister for her information. She has even replied to what I was going to put to her in my supplementary question, so I do thank the Minister for that.

Mr Lyttle: How is inescapable pressure defined, and how does her Department scrutinise such bids from other Departments?

Mrs Foster: As you can imagine, we have to go into quite some detail with accounting officers to find out which bids are speculative as opposed to contractual. That is the element — whether Departments are contractually obliged to deliver on particular issues — that we really look at. After that exercise, as I have indicated, we believe that the inescapable pressures, not the things that it would be nice to do, or good to do, would be in and around £100 million.

Rates: Monthly Updates

10. Mr Flanagan asked the Minister of Finance and Personnel whether she plans to publish monthly details of rates collected from both domestic and non-domestic customers, against targets. (AQO 8876/11-16)

Mrs Foster: There are no plans to publish monthly details of rate collection for domestic and non-domestic customers.

Mr Flanagan: I thank the Minister for her answer. She is really on form today in providing informative and concise answers, which is good to see, even though we do not always agree with the content of them. Does the Minister agree that the release of timely and accurate information would give the public a greater insight into the workings of government and increase the confidence of businesses in Land and Property Services (LPS) and how it works?

Mrs Foster: I do, absolutely. As he will know, LPS provides unaudited information to the Finance and Personnel Committee at regular intervals throughout the year. It makes every effort to support those who are struggling to pay, and we do recognise that there are a number of people who struggle to pay their rates bills, but it must also rigorously pursue those who do not pay, and that has to be taken into account. In the collection of rates against the target for 2014-15, a total of £1.175 billion was transferred to the Paymaster General against the target of £1.165 billion for 2014-15, which was £37 million more than 2013-14. So, last year was a good year for rates collection for Northern Ireland.

Mr Deputy Speaker (Mr Dallat): The Member will be aware that I have been encouraging concise questions, as well as answers, for years.

Public-sector Reform: Update

11. Mr Lunn asked the Minister of Finance and Personnel for an update on the work of the ministerial advisory council for public-sector reform. (AQO 8877/11-16)

Mrs Foster: The ministerial advisory council (MAC) was established in July 2014 and brings together an international expert advisory panel of practitioners, business people and academics to provide independent expert advice on public-sector reform, improvement and innovation in Northern Ireland.

The MAC has met on three occasions to consider and provide advice on a range of reform-related themes and initiatives, including the OECD review, staff reward and recognition and outcome-based measures. The most recent MAC meeting involved members working alongside senior officials from all Departments in a workshop format to explore the challenges and obstacles associated with addressing and implementing cross-cutting reform. The topic of ageing was used as a practical exemplar. Outputs from this work will help to inform future approaches to cross-cutting reform.

Mr Lunn: I thank the Minister for her answer. I am sure that the work of this body is very important and potentially fruitful, but it is a fact, I think, that it has not actually met since March. Is the Minister satisfied with that situation and satisfied with the general progress of the project?

Mrs Foster: I welcome the work that the MAC is engaged on. The meeting that was scheduled for 17 June was cancelled, not by the group but by me, because I was called to attend an urgent meeting at Her Majesty's Treasury in London. A second meeting was to take place on 10 September, but, if I can remind the Member, that coincided with the commencement of all-party talks, so there have unfortunately been two dates on which meetings have not been able to be completed. I look forward to chairing the next meeting of the ministerial advisory council on 3 December, when we will focus on communication and public engagement. I am sure that everybody in the House wants that meeting to take place.

Rates: Revaluation Appeals

12. Mr Kennedy asked the Minister of Finance and Personnel for an update on appeals against revaluations of non-domestic properties. (AQO 8878/11-16)

Mrs Foster: On 1 April 2015 and 30 September 2015, the district valuers within Land and Property Services received 2,334 challenge-type applications in relation to the revaluation of non-domestic properties. That equates to some 3% of the total number of non-domestic properties in Northern Ireland. Of the cases completed by the district valuers, 94 have proceeded to the next stage in the appeals process, with an appeal to the Commissioner of Valuation.

Mr Kennedy: I am grateful to the Minister for her answer. She will be aware of concerns from a great many of my constituents in Newry and Armagh, not only about the appeals process but the outcome of the revaluation. Is the Minister prepared to meet me to discuss these issues?

Mrs Foster: I am happy to meet the Member in relation to any specific issues that he has. I am a little worried that he has concerns about the appeals process, which I had hoped was pretty transparent. However, if he has particular issues in and around the appeals process, I am happy to speak to him. As he knows, the revaluation was carried out not to increase the amount of money raised but to redistribute it on modern rental evidence as there had not been a revaluation for some 12 years, and we had been through the highs and lows of the property boom by that stage. I am happy to have that meeting and look forward to discussing the issues with him.

NAMA Inquiry: DFP Permanent Secretary

13. **Mr McCartney** asked the Minister of Finance and Personnel whether the permanent secretary of the Department of Finance and Personnel plans to attend the Committee for Finance and Personnel to answer further questions on the National Assets Management Agency and Project Eagle. (AQO 8879/11-16)

Mrs Foster: My permanent secretary, David Sterling, provided oral evidence to the Finance Committee's fact-finding review into the sale of the NAMA Northern Ireland loan portfolio on 23 July 2015. Mr Sterling is available to attend a further oral evidence session should that be deemed necessary.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for her answer. One of the issues that surrounds the NAMA situation is the idea of claim and counterclaim: sometimes confusion but sometimes evasion. When the permanent secretary was before the Committee, he said that he could not answer questions because of the possibility of a criminal investigation. However, other people have said that he could answer some questions because they were not related. It is a good sign that he is coming back in, because I think that it is in the public interest that he clears up any issues that he can.

Mrs Foster: Indeed, I indicated to the Committee just last week that he was prepared to come back, and we await hearing from the Committee as to when they wish him to do so.

Mr Deputy Speaker (Mr Dallat): We have exhausted tabled questions to the Minister and can move on to topical questions.

Gareth Robinson/Ian Coulter/Frank Cushnahan: Ministerial Meetings

T1. **Mrs Overend** asked the Minister of Finance and Personnel whether she has met with Gareth Robinson, Ian Coulter or Frank Cushnahan in any of her ministerial roles and, if so, was NAMA ever discussed. (AQT 2991/11-16)

Mrs Foster: To answer the last part of the Member's question: no, NAMA was never discussed. Have I met Gareth Robinson? Yes, I have. Have I met Ian Coulter? It would be rather strange if I had not because he was chair of the CBI when I was the Minister of Enterprise, Trade and Investment. Have I met Frank Cushnahan in my ministerial role? I do not believe so. I have met him, but I do not believe that I have met him as a Minister.

Mrs Overend: I thank the Minister. Was the idea of fixers' fees of millions of pounds mentioned at any stage?

Mrs Foster: I am tempted to say, "Unfortunately not", but that may be construed wrongly. No, at no time were fixers' fees mentioned to me. As the Member will realise, I was the Minister of Enterprise, Trade and Investment up to May of this year, and at no time were those matters discussed with me.

Enterprise Zones: Update

T2. **Mr McGlone** asked the Minister of Finance and Personnel to state at what level of advancement negotiations on enterprise zones are proceeding with the Westminster Government and the Treasury, given that he knows that some research has been carried out, with a scoping exercise having been completed, either by her officials or other departmental officials. (AQT 2992/11-16)

Mrs Foster: As the Member knows as Chair of the Enterprise Committee, we were granted the prospect of having an enterprise zone, and Coleraine was put forward. The letter from the First Minister and the deputy First Minister has been sent to Her Majesty's Treasury to request that that is allocated as an enterprise zone.

On the wider issue of further work on enterprise zones and other matters, and I know that some of his colleagues have been raising issues in and around city deals, for example, and other issues, we are looking at all those issues in the round to see what is the best fit for Northern Ireland, particularly in regional disparity, and whether there are some other ways in which we can deal with those issues that are suited to Northern Ireland.

Mr McGlone: I thank the Minister for her response. Once those areas have been identified, has she any kind of timescale for when they might be advanced to the next stage of the body of work that is required, in the same way that Coleraine has been done?

Mrs Foster: First of all, it is a pilot, so we have to see how Coleraine works and give that a bit of time. However, that should not stop my Department, the Department of Enterprise, Trade and Investment and the Department for Social Development engaging. I had a very useful meeting with both those Ministers in the summer in and around how we could develop further the concepts that were there and how we could make the best fit for Northern Ireland as opposed to just copying what was happening on the mainland. I think that it is important to do what is right for Northern Ireland. Is it at an advanced stage? No, it is not,

but I think that we have to wait and see how the pilot works in Coleraine first.

Broadband Access: SMEs

T3. **Mr Rogers** asked the Minister of Finance and Personnel, in light of the developments with etendersNI, what steps are being taken to ensure that all SMEs have access to suitable broadband to ensure that they can complete online tenders. (AQT 2993/11-16)

Mrs Foster: I am glad that you asked that question after Mr McGlone's question. One of the elements that we are looking at in regional disparity is to make sure that everyone has access to good power supplies — that they have the level of electricity supply that they need — that there is good physical infrastructure and that good broadband infrastructure is in place. The Member will be aware that there have been many interventions from DETI to try to help businesses and homeowners to access broadband infrastructure. Indeed, I spoke to a business in my constituency over the weekend about the use of the SuperConnected Cities vouchers, which allow you to access up to £3,000 to connect to broadband. It is important that we all make our constituents aware of the different schemes that are out there to allow them to become connected, and then they can avail themselves of all the services that are going online.

Mr Rogers: I thank the Minister for her answer. I acknowledge the work that you have done to get broadband out to rural areas. As you know, in your constituency as well as mine, certain areas are miles away from the green box or the possibility of that green box. Is there any possibility of grants, so that those people could have satellite broadband to ensure that they can get on to etendersNI as well?

Mrs Foster: Really, that is what the SuperConnected Cities vouchers are about. It started as a scheme for Belfast, and then it was rolled out to Londonderry. Now, it applies to the whole of Northern Ireland. The voucher is technology neutral, if I can put it that way, and you can access different types of technology, whether satellite, line of sight or fixed line. The voucher allows you to apply and then to have that. It actually empowers businesses to engage in some negotiating with the private sector providers to allow them to get the best deal possible.

I think that it is working.

I am told that Fermanagh and Omagh are second only to Belfast in the uptake of SuperConnected vouchers. I think that it is very encouraging that such a rural area has achieved that level of uptake.

3.15 pm

Brexit: Contingency Planning

T4. **Ms McGahan** asked the Minister of Finance and Personnel what contingency planning her Department has completed in the event of the Brexit. (AQT 2994/11-16)

Mrs Foster: We have not done any contingency planning for that because we have our own difficulties to deal with. Whilst others might want to talk about European exit, we certainly do not want to talk about devolution exit. That is the problem that faces us at present. We need to concentrate on our own particular financial difficulties, sort

out welfare and sort out the rest of the Stormont House flexibilities so that we can move forward.

Ms McGahan: Go raibh maith agat. I thank the Minister for her response. Does she agree with me that a Brexit would destabilise our economy and undermine efforts over the past 20 years to market this region to foreign investors as a gateway to Europe?

Mrs Foster: No, I do not agree with that assessment. I think that a lot of our companies feel very downtrodden because of the amount of regulation that they have to face on a day-to-day basis. Recently, I met a delegation from the Northern Ireland Independent Retail Trade Association and was very alarmed to hear about the amount of form-filling that goes on in a small business with a couple of employees. One employee has to be allocated to fill out the forms. It is absolutely disproportionate. We need to tackle that, and I hope that we can do so through the red tape review. We also need to have a fuller discussion on the European legislation that really impacts local businesses here.

HSSPS: Budget Management

T5. **Mr Flanagan** asked the Minister of Finance and Personnel whether she accepts the comments made by her predecessor, Simon Hamilton, who talked about poor budget management in the Department of Health, Social Services and Public Safety and to outline any changes that have been made in conjunction with that Department to deal with that issue. (AQT 2995/11-16)

Mrs Foster: I think that we all accept that not all the growing pressures in the Department of Health relate to its budget. I am sure that he is aware of the demographic pressures. I was struck by the fact that NISRA, in some of its recently published statistics, was able to tell me that, by 2020, the population will grow to 1.9 million, but 50% of that growth will be older people. That brings with it particular pressures for the Department of Health, and we have to deal with that. How do we deal with it? I believe that we deal with it by doing things differently. I hope that, on the other side of the talks, we can have conversations about doing things differently. If you keep doing things in the same way, you get the same results. Therefore, we have to innovate in the health sector, and I know that the Minister of Health is very committed to that.

Mr Flanagan: Go raibh maith agat. The Minister did not really answer the question on that occasion. Does she now accept that her party has no credibility in the community, given the way its Ministers are coming in and out of office like 'Lanigan's Ball' and not dealing with scandalous waiting lists or other pertinent issues? Without a full-time Minister of Health in office, how will her party deal with the crisis in the health service?

Mrs Foster: I will certainly not take lessons on credibility from the Member for Fermanagh and South Tyrone who posed the question, which, coming from him in particular, is almost laughable. For almost two years, the party opposite has engaged in burying its head in the sand in relation to welfare reform. Yet we all know, in the House and outside it, what the situation is. Do not be under any illusion or try to distract from the fact that, because you have not grasped the reality of the budgetary situation here in Northern Ireland, we are losing £10 million from the Budget every single month — £10 million that could

do quite a lot in the health service. I think that it would pay for over 2,000 hip replacements or even more knee replacements, so I am not taking lectures from the Member on credibility, and certainly not on financial management.

Mr Campbell: The Health Minister in England —

Mr Deputy Speaker (Mr Dallat): Order, please. Up to now, Members have been extremely good and have not been shouting from sedentary positions. One Member has just joined us and is doing it. I ask him not to do it again.

NAMA/DFP Meetings: Minutes

T6. **Ms Maeve McLaughlin** asked the Minister of Finance and Personnel to clarify how many NAMA-related meetings involving her Department were not minuted. (AQT 2996/11-16)

Mrs Foster: The Member cannot expect me to have those figures in front of me. If she wants me to provide that information, I am quite happy to write to her.

Ms Maeve McLaughlin: Go raibh maith agat. I look forward to that detail from the Minister. Does she believe that it is highly inappropriate and questionable for Sammy Wilson and Simon Hamilton to have had un-minuted meetings and to have carried out actions relating to the National Asset Management Agency (NAMA) under the radar of their Department?

Mrs Foster: No, I do not accept that at all. We look forward to the evidence of the First Minister tomorrow at the Committee for Finance and Personnel.

Rate Relief Schemes

T9. **Mr Gardiner** asked the Minister of Finance and Personnel for an update on the number of rate relief schemes available to the domestic and non-domestic sectors. (AQT 2999/11-16)

Mrs Foster: As the Member will be aware, a wide range of rate-relief schemes is available to both sectors. The Department, at the time of local government reform, put in place a rate convergence system, which cost £30 million, to ease the burden of change that was coming to some ratepayers. The small business rate relief scheme has been hugely successful right across Northern Ireland; we have the empty property relief scheme and industrial derating as well, which has been very helpful to our manufacturing sector.

Mr Gardiner: I thank the Minister for her response. Does she intend to extend all those schemes into the next financial year?

Mrs Foster: We will be keeping those schemes for the current financial year. We are looking at the small business rate relief scheme, which was meant to be a short-term intervention. We rolled it forward into this year. We are looking with the Department for Social Development as to whether that is the best use of that money or whether it would be better to use it in a different way. Those are discussions that we will have. We will not just end it suddenly; it is something that we will do in consultation with the small-business community because, as I said, it has been hugely beneficial to that community.

Mr Deputy Speaker (Mr Dallat): That concludes Question Time. I should have said that question 7 from

John McCallister was withdrawn, question 8 from Alex Maskey was withdrawn, and question 10 from me — mise — was withdrawn. My question was withdrawn because I was chairing the sitting.

Private Members' Business

Civil Service (Special Advisers) (Amendment) Bill: Second Stage

Debate resumed on motion:

That the Second Stage of the Civil Service (Special Advisers) (Amendment) Bill [NIA Bill 61/11-16] be agreed. — [Mr Allister.]

Mr Allister: I am grateful to the Members who contributed to the debate. Some significant and constructive points were made, and I want to acknowledge that.

My starting point with the Bill is not to suggest for one minute that it has all the answers or that it is not capable of improvement. No Bill is ever in that category. The Members who raised issues about the need to widen the Bill to include matters such as the qualifications of a special adviser made useful points, and there were some others in the same vein.

It is clear, however, because of a Sinn Féin U-turn and an obvious deal that it has done with the DUP, that the cabal that controls the House has determined today to kill the Bill. I say "Sinn Féin U-turn" because, at the Finance Committee last Wednesday, it was abundantly clear from the contributions made by Mr Ó Muilleoir that he and his party appeared to be in support of the principles of the Bill. He did caution that he expected that my former colleagues might halt the progress of the Bill.

I think he was suggesting that there might have been a petition of concern, but they did not need it because it seems that Sinn Féin has ridden to the rescue and done a deal with the DUP on this.

Significantly, Mr Ó Muilleoir was not here today, perhaps out of embarrassment at the U-turn that has been done, but it was clear from what he said in Committee that the Bill was likely to meet with his and their support. Be that as it may, that deal has no doubt become part of the sticking plaster that has been utilised to stick together that which is necessary to cause these institutions to limp along a little bit further until the next crisis. It would appear that some arrangement of vested interest has been made in that regard.

Of course, it is in the vested interest of both parties to protect the very special unwarranted treatment that the current arrangements provide for their parties. Take Sinn Féin, for example. They tell us that their special advisers do not benefit from the full salary. The full salary is taken, but the balance above whatever is the current threshold for Sinn Féin members is donated, it is claimed, to the party. So, it is in the interests of Sinn Féin to continue to take from the taxpayer the tens of thousands of pounds that come to the coffers of that party through having a surplus of special advisers and overpaying them up to the level that they are paid. When Sinn Féin joins with the DUP, it is joining in that same vested interest. Between them, those two parties now have entitlement to 16 of the 19 special advisers. As I said, as a consequence of Sinn Féin's position, that means tens of thousands of pounds going into its coffers every year.

The DUP is, of course, in the business of protecting the useful vehicle that special advisers are for reward within the party and for maintaining that golden circle of special advisers who, given the quality of some Ministers, I

suppose are indispensable in running Departments. They are very much in the business of self-interest.

It is that vested self-interest of those two parties that appears, today, to be going to unite them to go through the "No" Lobby so that they can continue the squander at a level wholly out of kilter with expenditure on special advisers anywhere else in the United Kingdom, and continue with the squander of one Department having the same number of special advisers as the whole of the Welsh Government. It will also allow them to continue to make special advisers exempt from discipline, as we scandalously and shamelessly saw in respect of the Red Sky inquiry, when the appointing Minister was able to throw a human shield around the offending special adviser, who independent fact-finding had found should face disciplinary proceedings. The Minister was able to protect him from that. Well dare anyone, such as in this Bill, suggest that, though we pay them as civil servants, pension them as civil servants and cosset them as civil servants, we should subject them to the discipline of civil servants or remove that right from the Minister to protect his own, as he so shamelessly did in the case of Mr Brimstone.

3.30 pm

It is that utterly unashamed defence of the indefensible in the protection of the vested interest that they have that the DUP will vote no, and Sinn Féin, as part of some deal with the DUP, will vote no today. Of course, Mr McCartney dressed it up in the most threadbare clothes imaginable. He said that Sinn Féin was going to vote against this Bill because it was an amendment to my last Bill, and it was against my last Bill, therefore it must be against this Bill. That is such absolutely illogical nonsense, but it is the point that its Members were driven to in their U-turn from Mr Ó Muilleoir's position of last week.

However, the debate did do one thing: it did provoke a DUP contribution, underscoring the vested-interest point. Oh yes, this House can debate health, and the DUP sits silent. This House can debate waiting lists, and the DUP sits silent. This House can debate cancer, and the DUP sits silent. Let this House debate daring — daring — to bring some financial restraint to the squander of special advisers, daring to curb the number of special advisers or daring to think that those civil servants should be subject to discipline, and it is business as usual for the DUP — back to protecting its own vested interest. That is what we saw today, when it sent in an MLA to oppose the Bill.

Maybe that was part of the sticking-plaster deal with Sinn Féin. Maybe Sinn Féin said, "Well, if we are going to help you out; if we are going to save your SpAds, then you are going to have to put a face on it, and we are going to make you break your boycott and make you speak in this debate". Maybe that was a little down payment from the DUP to Sinn Féin for whatever else the pay-off is. Who knows? The machinations of all of that are all but imponderable.

(Mr Speaker in the Chair)

Let the watching public remember that the plain truth is that when this House had the opportunity, in a time of austerity when other public servants are expected to tighten their belts, to take the axe to the squander of OFMDFM having the same number of SpAds as the whole Welsh Government; had the opportunity to take the axe to

the indefensible position that a SpAd in Northern Ireland costs £106,000 a year but £60,000 in Wales, and even in a proper Government, the Westminster Government, they cost only £83,000 a year, but here they cost £106,000 a year; when the watching public asks the question, "Why was Stormont not prepared to do something about it?", let them get the very clear answer that the vested interests of the two parties, Sinn Féin and the DUP, circled the wagons to protect their own. That is apparently going to be the outcome of this debate.

I made mention of the DUP breaking its boycott and returning to business as usual to protect its own. That caused an interesting little exchange on social media. Someone tweeted:

"DUP couldn't show up for the health debate but they are on their feet to defend salaries of their SpAds".

In a moment of forgetfulness, one of their own MLAs — Gordon Dunne — retweeted it and favoured it, until the thought police got to him, and he deleted it. He retweeted:

"DUP couldn't show up for the health debate but they are on their feet to defend salaries of their SpAds".

It is a pity he did not have the courage of his convictions. Of course, he will not have the courage of his convictions today, because he will meekly troop through the "No" Lobby to protect the vested interests that are dictating this debate.

I believe that the Bill was addressing a serious subject in a serious and measured manner and in a way that it required to be addressed, because we cannot go on asking for public credibility if, within the confines of the House, we demonstrate such gross, appalling irresponsibility that we think that that which is preached to others should never apply here and that we should merely continue to squander. The DUP and Sinn Féin say, "Why not let us continue with all this surplus of special advisers paid for out of the public purse? Why not continue to overpay them? Why not cocoon them from basic disciplinary proceedings?" It is as barefaced and shameful a defence of self-interest as anyone will see when those who walk through the "No" Lobby do so, shortly.

Question put.

The Assembly divided:

Ayes 33; Noes 52.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Ford, Mr Gardiner, Ms Hanna, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McGlone, Mr McKinney, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr Ramsey, Mr Rogers, Mr Somerville, Ms Sugden.

Tellers for the Ayes: Mr Allister and Mr B McCrea.

NOES

Mr Anderson, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCartney, Mr McCausland, Mr I McCrea, Mr McElduff, Ms McGahan, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Middleton, Mr Milne, Mr Moutray, Mr Murphy, Ms Ni Chuilin, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McCartney and Mr G Robinson.

Question accordingly negatived.

Mr Speaker: The Second Stage of the Civil Service (Special Advisers) (Amendment) Bill is not agreed. The Bill falls.

Tax Credits

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 to wind. 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 wind. All other Members who wish to speak will have five minutes.

Mr Flanagan: I beg to move

That this Assembly notes the reliance of thousands of low- and middle-earning families on the tax credits system to top up their earnings; deplores the recent attack by the British Government on the tax credits system, which will reduce further the income of thousands of working families and drive them into greater poverty, as well as making it more difficult for people to move into employment; further notes the proposed introduction of an increased minimum wage by the British Government but recognises the study by the Institute for Fiscal Studies that shows that the impact of cuts to the tax credits system is much greater than the increase proposed in the minimum wage, which falls significantly short of the wage required for someone to have a decent standard of living.

Go raibh maith agat, a Cheann Comhairle. Cuirim fáilte roimh an díospóireacht tábhachtach seo agus tá mé sásta a bheith ábalta labhairt ar an díospóireacht tábhachtach seo inniu. Many families here are reliant on the tax credits system to top up their earnings. Some are dependent on tax credits as a result of being in low-paid employment, and others need it because they cannot get enough hours to make enough money to bring them out of poverty. The current tax credits system, whilst not perfect, is a good system as it provides a safety net for many workers who may well be earning the minimum wage but are underpaid or underemployed to such an extent that they require additional financial support from the Government to have a decent standard of living.

For many employees working in large companies, the tax credit system amounts to corporate welfare whereby, instead of employers paying their staff a decent living wage, the taxpayer has to step in and pay the difference. That is unfair on employees and on taxpayers. Companies earning hundreds of millions of pounds in profit every year should pay their staff enough so that they earn above the current threshold for tax credits. Employees in such profitable companies should not be living in poverty. Tax credits can also be paid to unemployed people with children.

Despite the success of the tax credit system in raising living standards and helping to prevent and take children out of poverty, which is scandalously high, the British Government, intent on imposing further unfair austerity measures, are changing how the system works. The recent Budget announced by George Osborne will lower the threshold at which payments to families start to reduce. Current tax credit payments start to reduce — what they call “taper” — once a family income reaches £6,420. From April 2016, the threshold at which payment starts to reduce will be £3,850. There are 109,000 claimants in this part of Ireland who earn about the £6,420 threshold and have a tapered tax credit award. Once the threshold is reduced to £3,850, those claimants will have their tax credit award

reduced further. An additional 12,000 claimants will become subject to the taper once the threshold is reduced to £3,850. That information was published in a report produced by the Social Security Agency last month. It revealed that, in total, by 2019-2020, £105 million a year will be removed from the pockets of the least well-off through the changes to the tax credit system. Not only will that have a devastating, knock-on impact for those directly affected — 120,000 families will lose out by, on average, £918 a year — it will result in further constraints on the domestic economy. Every economic publication that I have studied on the matter clearly shows that those with least money spend what they have, usually in the local economy, which supports and sustains local employment and returns money in a cyclical fashion around the local economy. That is in direct contrast to what happens to money given to already wealthy people. As those people already have enough to meet their needs, they tend either to save or invest that money, hire a top-class accountant to make sure that they do not pay tax on it or buy luxurious items that are neither produced nor sold locally. Either way, that additional money brings little in the way of economic stimulus to the local community.

The proposed cuts to the tax credit system can in no way be claimed to be tackling people whom the Tories and their cheerleaders wrongly describe as “work-shy”. Those affected by the cuts are, by and large, working people who are underpaid or underemployed but are, nonetheless, in employment. They deserve the support of a Government, instead of being pushed deeper into poverty and destitution.

Some, usually to the right of the political spectrum, will claim that the increase in the living wage will counter the cuts to the tax credit system, but they are wrong. I support the introduction of a proper living wage to all employees and believe that working people should be paid a rate that enables them to sustain a decent standard of living. I do not think that a Government should have to step in to top up the earnings of somebody in full-time employment, but too many employers avoid that responsibility, and now the Tory-led Government in England are shirking their responsibility to protect people in poverty once more.

Statistics released yesterday by the Office for National Statistics (ONS) in London show that a much greater proportion of workers here are paid below the living wage than in any part of Britain. That is the actual living wage, by the way, and not the new rate falsely promoted by neo-liberals and the Tories, which is actually just an increased minimum but still a poverty wage. The statistics from the ONS show that we cannot be lumped into the simple considerations of an economic policy designed to meet the needs of a small section of the population in the south and south-east of England.

Tory millionaires and billionaires sitting round a Cabinet table do not have a clue about the realities of everyday life for working families and for low and middle earners. They think — maybe they do not care — that everyone was born with a silver spoon in their mouth. That is not the case. Even though the people sitting round that table have considerable assets and considerable wealth, not everybody else in society has. Almost 40% of jobs in places like the north coast, Fermanagh and Omagh, and Mid Ulster district council areas are paid below the living wage. Compare that with parts of London where 5.2% of

jobs are paid below the living wage. Proportionately, eight times as many people in some of our district council areas are paid below the living wage than is the case in London.

Statistics generated by the Asda income tracker reveal that the average discretionary income in London is now £254 a week, whereas here the figure is not even half that, at a mere £95 a week. The households below average income report published by the Department for Social Development last month shows that 21% of individuals or 376,000 people are in relative poverty. Countless families depend on the small amount of income that they get through the tax credit system merely to keep their heads above water.

4.00 pm

The Institute for Fiscal Studies (IFS) has carried out an extensive piece of work on the impact of the cuts to the tax credit system and the countering increase to the minimum wage, which, by the way, only benefits people who are over 25 and is a measly 50p an hour. The findings of the IFS paint a very bleak picture. The IFS found that, among households with someone in paid employment, those eligible for benefits and tax credits are estimated to lose an average of £750 a year as a result of the changes to the tax and benefits system, yet they will gain, on average, only £200 per year through the increase to the minimum wage. On average, those affected by the changes will be compensated by only 26% of the total amount that they lost through the cuts to the tax credit system by the increase to the minimum wage and will be worse off, on average, by £550 a year. For me, that is not a glowing commendation of the policies being pursued by the Tory Party in England, which, unfortunately, we are subject to here.

There has been an ongoing debate here about welfare cuts and proposed changes to the welfare system. It is important that we, as an Assembly, stand up and send a clear message that we are opposed to these measures and that they will have a deeply negative impact on the people we represent. *[Interruption.]* Maybe some people want to make an intervention; I am not sure. I can see Gregory's lips moving, but I do not see him rising in his place to get up and down. Maybe the DUP will contribute to the debate.

Mr Speaker: Order. Through the Chair.

Mr Flanagan: It would certainly be welcome to see Members from all parties rising in their place to contribute to the debate and to send a clear message to David Cameron and George Osborne that we do not accept their political ideology of cutting money that is going to the most vulnerable people in our societies.

People who are working hard, living in poverty and trying their best need a hand up; they do not need a foot on their head to keep them down. Unfortunately, those are the policies that are being forced on us. We need to adopt a different approach where we invest money to bring people out of poverty. There is an alternative to the proposals that are in front of us. We need to see people being paid a proper living wage. If we give more and more of our people a living wage, that would seriously help to tackle poverty, which is a serious problem in our society. The proposed cuts to the tax credit system are a regressive step. They will take us back a generation in terms of the number of families and children living in poverty.

I welcome the amendment from the Ulster Unionist Party. I do not have any great opposition to it. I am prepared to listen to what it has to say. I do not think that the House should divide on the matter. I encourage people to support the motion and, if they want, the amendment. I commend the motion to the House. *[Interruption.]*

Mr Speaker: Order.

Mr Beggs: I beg to move the following amendment:

Leave out all after the second "Government" and insert

"and the increase to the personal income tax allowance but recognises the study by the Institute for Fiscal Studies that shows that the impact of cuts to the tax credits system is much greater than the increase proposed in the minimum wage, which falls significantly short of the wage required for someone to have a decent standard of living; and calls on the Chancellor of the Exchequer to ensure that working households on low wages are not financially worse off following the introduction of the Government's changes."

Why did I think that an amendment was needed to this motion about tax credits? When I read the motion, I really was quite shocked. The motion "notes", then it "deplores" and then it "further notes". I do not think that it is the responsibility of an Assembly to note, deplore and note. The Sinn Féin motion does not seem to be trying to change the proposals; it is just whingeing, moaning and complaining from a distance, a bit like what they do by boycotting their Westminster seats. This note-and-deplore motion raises valid concerns, but it is not focused on seeking to make the Chancellor change the proposals or alleviate the problems, hence I have tabled the amendment. It seems rather pointless to have a motion of which the first section "notes" the reliance of many families on tax credits, the middle section "deplores" the changes that will adversely affect low-paid working families and the final section "further notes" that the Institute for Fiscal Studies has highlighted that the increase in the minimum wage will not fully compensate for the reduction in tax credits. There must be more that the Assembly does than noting, deploring and further noting. There was no call for action in the motion.

Otto von Bismarck is credited with having said:

"Politics is the art of the possible, the attainable — the art of the next best".

We must seek change through striving for achievable goals.

The motion echoes Sinn Féin policy in their opposition to welfare reform to date. There are links between the Tax Credits Bill and welfare reform in how it will impact on some of those who are less well off. Sinn Féin opposed the Welfare Reform Bill at Stormont earlier this year. Even with the mitigation proposals emanating from Stormont House, to date they have failed to present achievable objectives. As such, they are grandstanding, and vulnerable citizens are at risk from the full implications of the unmitigated GB Welfare Reform Act, without any protections or additional support. Where is the art of the possible, the attainable and the next best?

For too many, Northern Ireland is a low-wage economy. That means that tax credits are even more important here than in other regions. As was said by the proposer

of the motion, that has been recognised in the statistics. We should not be surprised by that. Indeed, 'The impact of Summer Budget 2015', a paper by NISRA, the Social Security Agency and DSD highlights the scale of changes afoot in Northern Ireland.

Some 109,000 households earning above the £6,420 threshold for tapered or reduced tax credits and some 121,000 households in Northern Ireland in receipt of tax credits will exceed the £3,850 threshold. It has been estimated that for them the tax credit changes will result in average reductions of £17·60 per week or £918 per year. However, that may be much more severe in individual families or sections of that group.

The Prime Minister told the 'Andrew Marr Show' on BBC One that we were moving to an economy where you got paid more and paid less tax. Rather than paying more in tax and getting money back in tax credits, that was a better system. He insisted that a family with someone earning the minimum wage would be better off overall as a result of the changes made by the Government to tax thresholds, benefits, tax credits and the minimum wage.

In the amendment, we largely retained the original motion but, for completeness, added the issue of increased tax thresholds. Changes to tax thresholds are part of the cumulative changes in the Prime Minister's argument, but I am adding it for completeness and, ultimately, to use it against him. Even when it is added, I and my colleagues have concerns that, when you take the cumulative changes — the national living wage, increased tax thresholds and the reduction of tax credits — many working households will be worse off.

Such a situation should not be allowed. Potentially, many households on lower wages will be even worse off. Many of those families will have no cushion to fall back on. How will they survive with such reductions? As a society, we must ensure that work pays, and it must pay right from April 2016, not at some future date when the national living wage reaches a certain threshold.

Those in receipt of tax credits should not be worse off as a result of these changes. We will be working to gauge their effects and lobbying so that that is recognised and further changes are put in place before we reach the critical date of April 2016, when these changes are due to take effect.

Some very influential MPs appreciate the dangers of what is being proposed. David Willetts, the former Skills Minister in the Conservative Government, who was recently elevated to the House of Lords, was reported as stating that changes to tax credits in the Budget meant that the welfare system was no longer making work pay. What a damning statement from a Conservative grandee.

The Labour MP Frank Field, Chair of the Work and Pensions Committee at Westminster, and a recognised expert on welfare, suggested to the Prime Minister that he should adjust the threshold and taper to protect those who would be adversely affected by the tax credits and other cumulative changes. He has suggested that this can be achieved without significant additional moneys being required. More information is required on that one.

Boris Johnson, the Conservative MP, Mayor of London and rival to George Osborne as a potential future leader of the Conservative Party, and who made the proposals, has indicated his concerns with the cumulative effects of

the changes, which will adversely affect many households. I note also that the Conservative leader in Scotland, Ruth Davidson, has rightly stated that more information is required. There are concerns even there.

Another Budget statement is due from the Chancellor later this year, so there is still an opportunity for refinement and changes to tax credit and other regulations. Changes could help protect the low paid, who may be affected adversely by these cumulative changes. I, for one, urge Members to support my amendment so that we do not just note, deplore and further note but go on and urge the Chancellor of the Exchequer to ensure that working households that rely on tax credits are not worse off as a result of the introduction of the Government changes to tax credits, the many other changes to the tax system and the cumulative effect that these changes would have on their lives.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. I, too, welcome the opportunity to speak on the motion and the amendment. We are quite happy to support the motion and the amendment. I wish to highlight the wide-reaching and devastating impact that the proposed reduction of tax credits will have on low- and middle-earning families here and on our economic growth in general. As it stands, over 127,000 households are in receipt of tax credits. In many cases, they are vital in topping up earnings and ensuring that people can make ends meet.

The current proposals seek to reduce the tax credit income threshold from £6,420 per annum to £3,850 from April 2016. This new threshold is a significant reduction, being nearly half of the previous threshold. So, in very real terms, the new threshold will result in an income cut of £17·60 a week and a loss of over £900 per year. In my opinion, this accurately reflects the vital source of income that tax credits are to families here in Northern Ireland who rely on them in their daily lives.

Of particular concern is the effect that the new tax credit changes will have on Northern Ireland's children. As Members have noted, the current family element of child tax credit is worth £10·50 per week and its loss will amount to £545 per annum. This, in combination with the reductions mentioned above, is a substantial loss to families who depend on tax credits to function. The reduction is all the more horrifying when we consider that 101,000 children are already in poverty. This has resulted in nearly one quarter of Northern Ireland's children living in poverty.

The British Government justification for these changes seems to rely solely on the fact that they have introduced an increased minimum wage or, as they would call it, the national living wage. Since this announcement, the SDLP has been highly sceptical of the Tories' commandeering of this term. We recognised early on that, while any increase in the minimum wage is to be welcomed, it is wrong to claim such as the national living wage as we know it. It is wrong to claim that it will offset the pressures being created through reductions in the tax policy.

4.15 pm

The dangers were recognised by the Institute for Fiscal Studies in its analysis of the new policy, which noted a serious reduction in household incomes. The institute noted that, on average, the new so-called national

living wage will only compensate 26% of the losses that households with someone in work will face. They will be £550 worse off per year. That is in contrast to those currently living without the national living wage, who face losses of £750. Despite the seeming benefit, the gap will close as time moves on, as the institute noted. The national living wage offers such little compensation because the boost to gross wages is smaller than the announced fiscal tightening. Even at that, the national living wage will not benefit the households that are being most damaged by tax reductions.

The SDLP believes that the institute made a clear case for the positive outcomes that in-work benefits have brought to workers. In the face of the British Government's national living wage, we have called for a robust discussion on the proper implementation of a true living wage, and we hope to discuss it in the Chamber in the future.

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

Mr D Bradley: A true living wage must recognise the cost of living, not what the market can bear. Mr Speaker, thank you for allowing me to contribute today. We support the motion and the amendment.

Mr Dickson: I support the motion and the amendment by the Ulster Unionist Party. We should be glad that it has now clearly broken its links with the party that is introducing this legislation in Westminster.

The issue is one that genuinely affects my constituents and constituents of Members around this Chamber. Many of them have come to me expressing grave concern about the change in the tax credit system. It provides considerable financial support to many of the poorest people in our society, often subsidising, as many people do not realise, employers and wages that are far too low to live on, helping to top up incomes to a liveable level. The tax credit system, therefore, is a vital part of maintaining a decent standard of living for people. However, there are a number of issues with maintaining a large tax credit system. First, tax credits are inefficient, often simply returning the tax that has already been deducted from previous payslips, with the assistance of a large system of bureaucracy. Secondly, tax credits seek to treat rather than cure a central issue: that is, poverty wages. Indeed, tax credits can and do subsidise some of the biggest names in the high street. Those are often the names that aggressively avoid tax.

In those establishments, a full-time worker or even one on a zero-hours contract is working all the hours that they can, but they still cannot afford a decent standard of living. Nonetheless, tax credits play an important role for part-time workers. Tax credits are a vital lifeline to alleviate poverty for workers and children alike. It is for that reason that I utterly deplore the way in which the Conservative Government are going about cutting tax credits in a cruel, uncaring and, indeed, may I suggest, deliberate manner. Again and again, the Tories wheel out the same explanation how they basically are pulling the carpet from under the poorest working families in our country. Apparently, the shiny new national living wage, which we all know is just a rebrand of the minimum wage, is to make up for losses from tax credit cuts, while they happily turn a blind eye to their tax-dodging multinational friends.

Although I welcome an increase in the minimum wage, I reject the cynical attempts of the Tories to trick us into

thinking that this is some form of living wage. Furthermore, there is research from the Institute for Fiscal Studies, as others have said. It is simply arithmetically impossible for the increase in the minimum wage to compensate for the loss in tax credits when the gross increase in employment income and the higher minimum wage is about £4 billion but welfare spending as a whole is due to fall by £12 billion. That means an average loss of £200 a year; but, for some, it is upwards of £1,000.

To further insult the intelligence of the electorate last week, the Prime Minister, Mr Cameron, vowed an all-out assault on poverty, despite the fact that his tax credit changes are due to abandon an estimated additional 200,000 children into poverty by 2020.

Indeed, if there is anything that we have learned since the Tory Party secured its majority in May, it is simply this: that compassionate Conservatism is truly dead. The Tories are an undisputed nasty party of British politics, completely out of touch with real life. How can a cabinet of millionaires, who have never known want or financial troubles, ever claim legitimacy in understanding the problems that face my constituents, the ordinary people of Northern Ireland?

Nonetheless, we can make a difference in the lives of those who struggle to earn a decent income and wage in Northern Ireland. We do that by growing our economy, fixing our healthcare system and implementing the welfare mitigation measures that have already been secured. If anyone thinks that the Tories are going to cave in on welfare, they are clearly misguided. Tax credits, however, is an issue on which they are weak. The basis on which they have been concocted is weak. The constituents of Tory MPs, I understand, are already voicing their misgivings on this clearly ideologically-driven and charged policy.

Maybe if all the Northern Ireland MPs turned up to vote, we could put further pressure on the Government. We know that Sinn Féin does not bother to put its pressure on the Government by voting, but where were the missing SDLP and UUP MPs when the vote on the welfare of their constituents was taken? Was it not that important to them? This House was capable of filling its Benches by two parties to vote for money for special advisers. I do not see too many Members here when it comes to dealing with the real people that we all represent: our constituents.

Mrs D Kelly: Mr Dickson was doing very well until the last couple of points, I think. He seems to forget that the Alliance Party's sister-party, the Liberal Democrats, was part of the Tory-led coalition Government that introduced many of the initial cuts to people's benefits. Maybe that is a part of the Alliance Party's history that it would rather forget. However, he is right to point out the absence on the Benches opposite of Members who milled in, in their numbers, to ensure that the money for special advisers was retained. It is interesting that not too many of them were holding their noses going through the Lobby as they were voting for Sinn Féin. The only stench at that time was the stench of money, when they went through those Lobbies in their party's interests.

Unfortunately, it is a sad fact that, in my constituency — I suggest that it is so in all our constituencies — households of families with children will be hit hardest by the tax credit reductions. In 'The Irish News' today, there is an excellent article about Facebook. Mr Dickson also referred to the corporation tax loopholes that prevail amongst many of

the friends of the Tory cabinet. The article states that Facebook has to pay a corporation tax bill of around £5,000: full stop. That is less than the tax that an average worker on a salary of £26,000 would pay. Surely, there is something inherently wrong about that. Mr Dickson is right to point that out.

I think that there is a slow burner of Tory Back-Bench rebellion. I do not think that Tory MPs will be able to sustain that and face many of their constituents, particularly in the north of England where families will be hit harder and quicker than many others in the south of England. Therefore, Mr Dickson is right to point out that MPs should be present in their numbers to vote down these odious Tory plans.

What we see across the water is that Mr Cameron has said that he is not going to stand again as Prime Minister. We see the wannabes line up to take his place.

Of course, they are all trying to move further and further to the right. They are waging war against people on benefits but not against their employers. This is hitting working families hardest: these are not people who do not want to work; they are people who are in work. Quite often, the money from tax credits goes towards the payment of childcare.

It is lamentable that the Executive were taken to court by the Committee on the Administration of Justice over their anti-poverty strategy and found guilty. That is a damning indictment of this Executive. Let us not hear the wailing cries about what others should or should not be doing. We should want to find out more and hold to account the Executive parties, in particular the two big parties. They have the responsibility to adopt an anti-poverty strategy that can allay some of the worst excesses of the Tory plan for people here who are finding life very, very tough.

I am sure that we all know people — not just constituents but people in our family — who are weighing up whether it is worth their while to take a job or whether they need to stay on benefits. We all know that working is of benefit to individuals' self-esteem and to their role in life. By working, they provide a role model for their children. However, when deciding whether to take a particular job, people have to weigh up the financial pros and cons and whether their family might suffer as a consequence. Very often, people are having to make very real, tough decisions. Our party is, therefore, very much behind the motion. Not only does it highlight the discrepancies and the failed ideology of the Tories, it accepts that it is not enough to wail and cry. When it comes to the friends of the Tory Cabinet, we will look for and support any ways of closing the loopholes in Westminster.

Mr B McCrea: I join others in saying that I am surprised that the Chamber is so empty for what is, I think, a really important debate. In fact, I was a little surprised that, when the cut in tax credits was announced, it did not achieve as much prominence as welfare reform, which has dominated political discussion and the popular press. To my mind, tax credits have a much deeper impact on our society and on what we are trying to do, because they affect people who are in work and trying to make something of their lives, so it is useful that we are having this debate. I hope that the issue is being addressed in other areas, too, because, if you take such an amount of money out of our economy,

you will not only create hardship but you will, I suspect, run the risk of civil unrest. I do not say that lightly.

I listened to David McWilliams, an economist in the South famous for predicting the crash. He was saying, and I have a great deal of sympathy with this, that the whole balance of an economy lies in giving some incentive for people to work harder, and, if they work harder, they will get more money. That is a positive. I am not totally socialist in my outlook on that; I want to reward people who work for a living. However, I also have to say that, if the gap between those who have and those who do not have increases exponentially, as it appears to be doing now, ultimately, you will have an unstable place that you will not be able to sustain.

An issue raised by a number of contributors is that the Tories appear to think that everything is equal across the land. What works in London does not work in the Midlands and most certainly does not work in Northern Ireland. I was not at the Tory conference — I do not think that I have ever been to one — but I heard hear from people coming back that the Tories are very pleased with the way that the economy is going. They point to the figures and say, "Our policies have worked; look at the way things are going", and they will point to here.

4.30 pm

Mrs D Kelly: I thank the Member for giving way. Is it not a fact that real wages in Northern Ireland have dropped by 9% in the past number of years?

Mr Speaker: The Member has an extra minute.

Mr B McCrea: I thank Mrs Kelly for that point. The key issue, and perhaps she is aware of this, is that there are Members of the Assembly — Ministers — who keep telling us that the economy is going really well here. However, this very helpful briefing from the Department for Social Development that examined the median household income in Northern Ireland states that it increased from 2002-03 to 2008-09 but that it has been in decline since. In fact, median income levels in Northern Ireland for 2013-14 are lower than in 2002-03. We have gone right back. When people tell us that things are getting better when they patently are not, we have a problem.

I stayed on for this debate, despite the absence of numbers, in order to say that this is a very real and pressing issue. I am not sure how, given the sums of money concerned, the Assembly can address it. However, if we do not, the people of Northern Ireland will look at government in general, including us, and say, "You are not making my life any better; you are making it worse."

The big issue that we have to address is how this is put on the negotiating table. I am not sure; perhaps those involved in the talks can say whether it features or not. For all the talk about welfare reform, it is only part of the issue: tax credits are fundamental. It is insidious when you try to convince people that they should go out and get work —

Mr Dickson: I thank the Member for giving way. I appreciate what he is saying, specifically about the talks, because the reality is that tax credits will pile on top of the misery of welfare reform. However, we in Northern Ireland have substantially mitigated welfare reform. Therefore, it is important that we deliver the welfare reform package that was agreed at Stormont House and at Stormont Castle,

because, if we do not, we will have even more misery once the tax credit cuts hit us as well.

Mr B McCrea: I agree with Mr Dickson on that, but his intervention highlights the thing that I find most strange. The mitigation that we have for welfare reform and the effort that we put into it, which I personally think we have to take, are in stark contrast to tax credit cuts, which we appear to have ignored in their entirety but which are just as detrimental to the people of Northern Ireland. Whoever is doing the negotiations needs to address that issue.

Mr Cree: I will be very quick, because I realise that I do not have much time. In his summer Budget on 8 July this year, the Chancellor announced a range of measures to be taken in order to achieve the £12 billion per annum reduction in UK benefit spend by 2019-2020. Included in the measures was a package of reforms to tax credits, including reducing entitlements for many households.

Tax credits are reserved matters, and changes could be introduced in Northern Ireland without the approval of the Assembly. Tax credits are calculated on the basis of hours and gross income. A household needs to work for a set number of hours in order to qualify for working tax credit, and their gross household income is then used to calculate how much tax credit a household is entitled to.

We are told that approximately 20% of our population is living in relative poverty; therefore, a reduction in tax credit will have a significant impact on their lives. Several Members touched on that. The Chancellor said that the new national living wage and the raising of the income tax threshold will offset the loss of tax credits, but there is little clarity on how the phasing of the changes will work out.

The Institute of Fiscal Studies advised in a recent assessment that, while there may be strong arguments for introducing the new living wage, it should not be considered a direct substitute for benefits and tax credits aimed at lower-income households. A higher living wage will certainly help those in employment, although there is some doubt about whether it will increase the UK's GDP. I believe that the reduction of tax credits could increase hardship and undermine the importance of making work pay.

I turn to some of the comments that we heard this evening. First, in bringing forward the motion, Mr Flanagan referred to the £105 million in reductions by 2019, which is an average of £918 per annum for each family. He supports the living wage, but said there should be no cuts to tax credits. He said that people in Northern Ireland are eight times more likely to be below the living wage than those in London. He welcomed the Ulster Unionist amendment.

In moving the amendment, Mr Roy Beggs referred to the Sinn Féin motion, which he said really only whinged and noted various things; no action was called for. He quoted the Prime Minister and the "better pay, less tax" vision, mentioned the higher tax threshold and the Tory peer on no longer making work pay. He was concerned about that, and maybe several Back-Benchers were of the same mind. Our amendment calls for action, and people will not be less well off in the meantime.

Mr Bradley supported the motion and the amendment. He referred to 120,000 Northern Ireland households on tax credits and the losses, again, of £900 per annum. He mentioned the effect on children and said that 101,000 children were already in poverty. He said that the SDLP

was sceptical of the national living wage and what it would actually mean.

Stewart Dickson then took the Floor and made the point that tax credits were inefficient and were really a return of tax already paid. Nevertheless, they were important at this time. He referred to the shiny new national living wage, which he saw as a rebranded minimum wage. He referred, this time, to 200,000 children in poverty. He said that the Tories were out of touch with reality on the ground, and that they would not cave in on welfare.

Mrs Kelly said that families with children would be hardest hit. She referred to the north/south split in Great Britain and the Tory opposition to the welfare reforms. She also referred to the legal action on the anti-poverty strategy here against the main parties.

Mr McCrea, bringing up the rear, referred to tax credits and said that they had a deep impact on lower-paid working people here. He talked about the likelihood of civil unrest if this continues in the way it is. He said that Tories were pleased with the way that the economy had picked up, but said that that was not the case. He said that we appear to have ignored tax credits on the bigger scene. I can tell Mr McCrea that they were touched on in the talks this morning. Thank you very much, Mr Speaker.

Mr Speaker: Thank you, very much. You were paying attention to the other Members.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle. First, I thank all the Members who participated in the debate this afternoon. As Basil McCrea pointed out, he, and I think all the parties, recognise that this is a very important issue and one that requires fairly significant debate. I thank the Research and Information Service for providing the paperwork and the research pack for Members' benefit. It is worth reading and considering in the time ahead. Obviously, this afternoon just gives the parties an opportunity to express their views on the issue and highlight the major problem that we all have to face.

We have no hesitation in accepting the amendment tabled by the Ulster Unionist Party. In fact, it is interesting that Roy Beggs spent a fair wee bit of his contribution criticising my party, and Leslie Cree followed that up and also decried the fact that the motion noted, acknowledged and so on and so forth, but did not make any specific recommendation that we do a, b or c. That was quite deliberate on our behalf, because we simply wanted to air the issue and get maximum consensus around the Chamber.

In fairness, and I say this respectively to Ulster Unionist Party colleagues, their amendment does not exactly represent the clarion call to mobilise the masses. It basically asks the British Government to try to be kinder to people who may fall foul of their tax credit changes and other tax measures. Nevertheless, it is recognised and respected by our party as a genuine attempt on behalf of the Ulster Unionist Party to add to the motion.

We are very pleased to accept that amendment, and we share the concerns of the Members from the Ulster Unionist Party about the impact that the tax credit changes will bring to bear on many people who will be even more vulnerable following their introduction.

I will actually go further and say to Mr Beggs that most of what he said actually vindicates the Sinn Féin position on trying to challenge and face down some of the welfare

cuts that have been proposed by London. Indeed, if the Member will acknowledge it, as late as today at the talks, our party made it very clear. In terms of dealing with welfare issues and budgetary and financial matters, we specifically highlighted the changed environment since the last general election, with the election of a Tory Government, who are now introducing a whole range of other cuts, including the attacks on the tax credit system, which, everybody around the Chamber today has acknowledged, will have a negative impact on the people who we all represent in the various constituencies.

I thank the Members for their contributions. While we may always disagree on some nuance or minor detail, nothing has been said in the Chamber today by any Member from any party that has taken away from the intention behind the motion, which is to highlight what can only be described as an attack on the underemployed and the underpaid — people who, for the most part, are trying to rear a family, go to work and make ends meet.

There are a number of figures presented. The Institute for Fiscal Studies actually says that, even if you take it in the round, with the introduction of what it calls the living wage, about a third of that will actually go back directly to the British Government in lieu of additional tax revenue raising. There are also more limited obligations on welfare benefits and tax credits. Right away, you can see that attempt by the British Government to say, "We're taking this off you, but, here, we're looking after you. We're giving you this other money on the other hand". It still works out less.

The conservative figures — I do not mean the Conservative Party — tell you that families could lose anything from £550 to £900-plus a year after that. Again, no matter what way you look at it, people who are on low pay or low income or who are working a limited number of hours will all suffer as a consequence of those latest announcements by the British Government.

All our party says is that, yes, people who go to Westminster can go to Westminster. We do not "not bother" — somebody said earlier on that we "do not bother" to go. We actually bother a lot to get a mandate, which mandates us not to go to Westminster. That does not mean to say, by any stretch of anybody's imagination, that we do not work, lobby and fight very hard for those who will be adversely affected by British Government legislation. I do not think we have been found wanting on that in any respect. Our voice has been, and will continue to be, heard, and the people who we represent will be effectively represented. I wish well to anyone who goes to Westminster and wants to challenge the British Government. They are entitled to do that. That is their mandate, and good luck with it. However, today and in the short time ahead, all of the parties in the Assembly have our own opportunity to do something about the tax credit cuts that are being imposed on people out there, whatever about how we agree or disagree in our attitudes to welfare.

I heard Stewart Dickson earlier talking about the welfare reform misery. Again that is another acknowledgement that what is coming down the line to people in relation to welfare cuts is not a happy prospect. What we all have to do is work and do our best to mitigate that. There has been a row over the issue for the last number of years. It was a very central part of the Stormont House Agreement talks. That still needs to be on the table in the current round of talks, and it will be. We all still have a responsibility to

tackle that problem, which was made worse by the Tory Government in their last number of announcements on their Budget and their projections for the time ahead.

We have a direct responsibility and opportunity in the upcoming talks to tackle, to the best of our ability, the issue of the cuts to welfare, which the British Government are trying to impose on the most vulnerable in our society, and the cuts to the tax credit system. Let us vow to do what we can. We may disagree on what we can do or the extent to which we can do it, but one thing that we can do is unite in our opposition to those tax credit cuts and our opposition to the British Government's continuing assault on the welfare system and attacks on the public services. Do not forget that our block grant is going to be reduced by about £1.5 billion over the next four or five years. This is something that we cannot escape from. I think that Basil McCrea said that people out there will be looking to us to see what we can do to mitigate the worst excesses of Tory rule from London. That is what we have a responsibility to do.

4.45 pm

As I said earlier, my party made it very clear today that a big focus for us in the upcoming talks around the financial side of things in terms of the negotiations will be around tackling the welfare cuts. It will be about trying to do what we can around the whole issue of tax credit cuts. I invite all the other parties to join us in doing that.

Mr Beggs: Will the Member give way?

Mr Maskey: Yes.

Mr Beggs: In the discussions, will he and his party present achievable objectives? I understand that that has been one of the difficulties to date.

Mr Maskey: All I would say in that regard is that significant progress was made during the Stormont House talks. Whatever about how the wheels fell off the wagon after that, we are very satisfied that very clear and specific proposals were on the table that were agreed by the parties. Today, as the Member will be aware because he was at the meeting, we made it very clear that the landscape has changed since the last election. We will certainly get round the table to try to hammer out the best that we can all do to defend the most vulnerable in our society.

The Member took a few minutes of his time earlier to criticise my party for not having, as he said, specific plans or proposals. We had proposals and specifics, and we dealt with them in the Stormont House talks. I invite the Member to bring forward your party's views. Your party, in this afternoon's contributions, talked about the problems around the tax credit cuts and welfare. Let us hear any ideas that you have. You cannot simply rely on criticising Sinn Féin for not having a plan. If you disagree with the welfare and tax credit cuts, you have a responsibility to bring your proposals to the table. In our bilateral discussions with your party, we have raised that with you. We have asked you to produce your own goods, but we have not heard anything yet. However, the talks, hopefully, will commence in a much more intensive way in the next week or two, and you will have the opportunity to put your proposals on the table.

Mr B McCrea: Will the Member give way?

Mr Maskey: Yes.

Mr B McCrea: Very briefly, I pay tribute to Sinn Féin. It is a good motion that you have brought forward. You have raised the issue. The stark reality is that £1,000 out of anybody's wage is a significant factor. Even here, if you lose £1,000, you have a problem. We need to fix it.

Mr Maskey: I —

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

Mr Maskey: I appreciate that contribution from the Member. It just underscores the importance of bringing such a motion forward today. We are more than happy to accept the amendment. I take encouragement from all the contributions today; the Members who spoke recognise the burdens that the tax credit cuts will impose on families who are working hard to put a loaf on the table.

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

Main Question, as amended, put and agreed to.

Resolved:

That this Assembly notes the reliance of thousands of low- and middle-earning families on the tax credits system to top up their earnings; deplores the recent attack by the British Government on the tax credits system, which will reduce further the income of thousands of working families and drive them into greater poverty, as well as making it more difficult for people to move into employment; further notes the proposed introduction of an increased minimum wage by the British Government and the increase to the personal income tax allowance but recognises the study by the Institute for Fiscal Studies that shows that the impact of cuts to the tax credits system is much greater than the increase proposed in the minimum wage, which falls significantly short of the wage required for someone to have a decent standard of living; and calls on the Chancellor of the Exchequer to ensure that working households on low wages are not financially worse off following the introduction of the Government's changes.

Motion made:

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

Adjournment

Rail Services: East Antrim

Mr Speaker: The proposer of the topic will have 15 minutes and all other Members who are called to speak will have approximately 10 minutes.

Mr Dickson: Thank you, Mr Speaker, for the opportunity to bring forward this Adjournment debate today. This issue has been greatly exercising my constituents in my local offices in Carrickfergus and Larne. I take this opportunity to thank the Larne Line Passenger Group for its work in holding Translink to account and seeking to develop and encourage the use of the line for the future. The Larne Line Passenger Group's commitment stands in stark contrast to the commitment shown by Translink and the Regional Development Ministers. Clearly, the Minister, by her absence, does not see it as a priority today. With the exception of Mr Beggs, that applies also to other Members from East Antrim.

In September, Translink downgraded — there is no other description for it — its service to the people of east Antrim.

The new timetable means that trains now run less frequently, fewer stations are serviced and, ultimately, it makes it downright awkward to use the train in East Antrim, driving commuters back to their cars.

5.00 pm

The timetable changes were brought in following a so-called consultation exercise that was wholly inadequate. In fact, it has been described by many as nothing short of a farce. Section 75 obligations were not met as required by the Northern Ireland Act 1998, no indication of the scale of cuts was given, and the surveys that were conducted were inappropriate and questionable in their methodology. In response to correspondence that I had received on the matter, Translink said that passenger surveys showed that passengers preferred a less frequent service to a complete cut of service. I find that an inane and ridiculous point: of course someone would prefer a reduced service to no service at all. What the people of East Antrim truly need is a good, efficient and frequent service to encourage people to leave the convenience and comfort of their car and use our new, quality trains.

I have been informed that the passenger figures that Translink used to justify the cuts may have been taken from a week that included a bank holiday and when schools were off. That is hardly a representative sample of passengers using the line. That only adds to the overcrowding on trains during the morning and evening rush hours, with passengers, including schoolchildren and commuters, being forced on to fewer services with less hope of getting a seat on their journey home. All of that has happened in the context of higher fares.

In recent weeks, in an attempt to assess the scale of the impact of the cuts on the Larne line on my constituents, I have run a survey on my Assembly website. The results make for sobering reading. Of those who responded, 71% said that the changes had impacted on them negatively

and made journeys less convenient. Of those, 64% said that they had had to seek alternative means of transport. Unsurprisingly, the chief alternative means is the car. Therefore, we have a ludicrous situation in which Translink is pushing more traffic onto the roads, clogging our motorways and Belfast city centre in the morning and evening rush hours. Ultimately, travel by car is, by most people's perception, faster, cheaper and more convenient.

It is far from surprising, therefore, that, in my survey, only 16% rated the service as good. Further to that, a massive 75% believe that the service is getting worse. As may be expected, 80% identified frequency as an issue; 45% said crowding; and 42% said cost, with others expressing concern about punctuality, station amenities and park-and-ride.

Let us look at some of the particularly illustrative examples of the inconvenience and lack of sense that is seen in the timetable. First, there are early and late trains to Dublin that residents of East Antrim simply cannot access by train or even bus any more. In fact, it is now impossible for residents of Carrickfergus to reach Belfast city centre before 7.00 am via public transport. That is simply unacceptable. Meanwhile, on the opposite side of Belfast lough, residents in Bangor, a town which is two miles further from Belfast Central than Carrickfergus, can reach that station as early as 6.37 am. Larne Harbour is unique in its proximity to a passenger ferry port, a potential benefit that Translink appears to have ignored altogether, as it terminates many of its services in Larne Town and even runs a two-hourly service after 7.20 pm. Indeed, it seems that, bit by bit, Translink is starting to abandon the Larne line by reducing services to Larne, Whitehead and even Carrickfergus.

We need a sensible approach to connections, rather than salami-slicing services. Translink should look for areas of development to encourage a greater use of the Larne line and, ultimately, increase its revenue. Translink's policy is to cut services to the bone, cram passengers in and push them back into their cars.

I turn to what I believe should be done instead and what I envisage Translink and DRD need to do to develop the Larne line for the future to increase passenger numbers, get people out of their cars and stop the line becoming an afterthought. As we will be aware, the York Street road junction is due to be upgraded to a free-flowing junction in the coming years. This development in road infrastructure will be a one-off-in-a-generation chance to dual track the Dargan viaduct, which travels from Yorkgate to Central station on the Larne line. Translink and DRD must act now to ensure the future development of the Larne line for the people of East Antrim. I am informed that, if only the roadworks proceed, the railway line will never be able to proceed. The engineering works must proceed hand in hand.

There is a major opportunity for expanding rail use in the provision of park-and-ride facilities at commuter stations. Such amenities have produced major benefits at stations such as Greenisland, Whitehead, Larne and Carrickfergus, but many more could benefit from park-and-ride, most notably at rural halts where the only practical means to reach the station is your car. Ballycarry is a case in point. This is the most accessible station to practically all of the Islandmagee peninsula and Ballycarry village. However, it is, by and large, accessible only by car, although it is practically impossible to park anywhere near the station. A park-and-ride would open up an entirely

new region for train travel. Furthermore, with the opening of the Gobbins path as a tourist opportunity, it would provide a more efficient way to move tourists to the new attraction. I appeal to Translink and the DRD to look at this with genuine urgency, as they are clearly missing an opportunity at Ballycarry.

I also think that consideration should be given to the reopening of certain halts along the railway line, particularly that at Whitehouse in Newtownabbey. The halt there closed in the 1960s, but, with the construction and expansion of the Abbeycentre from the 1980s onwards and the general up-use in rail usage, a stop here is clearly in demand. Previous reasons given for not reopening the halt included the poor quality of rolling stock that found it difficult to start or stop. With the new trains, that should no longer be a problem. The opening of a halt at Whitehouse Abbeycentre would help to reduce congestion on surrounding roads, particularly at peak times such as the busy Christmas shopping period.

I recently had contact with the Regional Development Minister, when we actually had one, about the possibility of electrification of the line and utilising it for freight to and from Larne. Many may say, "Why on earth would we electrify the line?", but, actually, there is a major project in Europe called TEN-T that is delivering exactly that, right across Europe, from very many small countries to some of the largest. Such proposals may be far in the future and may not even be economically viable today, but Translink needs to have ambition. European initiatives provide financial support to such schemes, but there is no evidence from DRD or Translink of even starting to seek to access such funding. Again and again, we hear that it is just too difficult and too expensive for us to have an integrated ticket or live bus route information system. Our buses in Belfast got that only last year, years behind the rest of Europe.

We need a bold strategy to develop the Larne line and Northern Ireland's rail network. DRD needs to fund this accordingly. We know how difficult are the financial times that we are in. Much of the massive rail infrastructure is sourced in Europe. I think that we will all agree that the current use of the car is neither sustainable nor desirable. The timetables that sparked this debate have been a farce from the beginning, and it is time for Translink to put that right. Instead of slicing the service ever thinner, I call on Translink and DRD to restore the previous timetable. The people of East Antrim do not deserve a second-class rail system. We should be developing and investing, not trying to push passengers out. Thank you very much.

Mr Beggs: I thank the Member for bringing the debate forward. It is healthy to have a debate about the Larne line, to highlight its successes and the improvements that there have been but also the difficulties that have arisen, particularly with the recent reduction in services.

It is disappointing only two of the six East Antrim MLAs are present to share their views on the subject. I welcome a third Member, Daithí McKay, who is with us.

The Larne line has received significant investment over the past decade. We have had highly successful park-and-ride facilities and must not underestimate their success. Carrickfergus now has over 300 car parking places and, frequently, they are full. That is a great success and has eased traffic congestion. It has also eased the

travelling costs of those who had to park in Belfast and the frustration of people who had to queue to go to Belfast and then, ultimately, to come back home.

A successful park-and-ride facility at Whitehead is fully occupied, and there is another at Whiteabbey. There are also improved facilities at Greenisland. We need to look at where additional park-and-ride opportunities can be created. I recognise that there are difficulties in locating space close to stations. Nevertheless, that must be attempted. I note and support Mr Dickson's view that Ballycarry should be considered as a park-and-ride facility, given that Whitehead is at full capacity and there are few other options in the area.

We have to recognise that the other success has been the complete relaying of the rail track and the welded rail. That, together with the new trains, has transformed the rail service from something of the 1960s to something of the modern era. On top of that, we now have Wi-Fi, which is very popular. You can see many of those who travel by rail using their smartphones, reading their books and partaking in other activities.

Mr Dickson: Will the Member give way?

Mr Beggs: Certainly.

Mr Dickson: By way of information, I happened to travel on the train from Greenisland to Great Victoria Street on Friday, and I assure Mr Beggs that, sadly, the Wi-Fi was not working. That is one of the many complaints that people bring to me. I accept that it is a benefit, but only when it works.

Mr Beggs: I agree entirely with the Member that it is vital that any new service works. If it does not, there will be many, many complaints. I hope that the message goes through to Translink and that it resolves any difficulties that have occurred.

The investment has supported the growth of the Larne line — a line in which there had been a dearth of investment for many, many decades. In fact, at one stage, it was clear that some officials wished to end the line at Whitehead. I am pleased that, even in recent times, that was not the case.

The Glynn river railway bridge has been renewed with further investment. I perceive that as an indication of continuing recognition that this service should continue, and rightly so.

We have a new timetable, but there are some problems with it, and I will come to that later. I have engaged with Translink. I went to its consultation at Larne town station, but it struck me as being more of an information session and an opportunity to tell people about alternative trains than a true consultation. I certainly got a sense that the change was a fait accompli. The new timetable may even have been printed at that time. I think that indications were being given of the new timetable, which was about to start in a few days' time.

One issue raised with me by Translink officials was the cost of providing rail transport in Northern Ireland. The figure thrown at me was £18 a kilometre, so, if you want to run a train, you need a critical mass of paying passengers so that it can provide the service. That consideration has to be taken on board. We also have to recognise that public transport in Northern Ireland generally receives less funding per passenger mile than its counterparts

in Great Britain and that the subsidy provided from the public purse has been cut. I have a certain sympathy for Translink in that it has had to ensure that it continues to provide a service and yet remain financially solvent. I welcome the fact that it is reducing the sizeable war chest that it had built up, which was much too high — it was over £50 million at one time — and that, as a result of those changes, public money will be put to better use.

I appreciate the efforts of the Larne Line Passengers' Group to improve the service; it has frequently highlighted difficulties and made suggestions for improvement. The sooner issues that are going wrong are addressed, the better it will be for the travelling public and, indeed, for Translink, which will be able to retain its travellers.

One of the issues highlighted recently is the lack of capacity on the 7.30 am train from Whitehead to Belfast. Frequently, passengers have had to force themselves onto trains, and occasionally the train has not even stopped at Whiteabbey station. I understand that that has largely occurred when a six-car set has not been dispatched. It is clear that, on that particular service, there is demand for a larger train. It is vital that Translink have the resources and the ability to ensure that it is dispatched reliably all the time, because you cannot provide a bad service and expect to retain passengers. It is vital that there is a reliable service. If passengers turn up at the station and cannot get on a train and get to work, their jobs could be at risk. They cannot accept that. It is not acceptable. It is vital that it does not happen. I understand that it is no longer a problem. I hope that that is the case. It certainly should not have happened, but there are pressures nevertheless.

One of the changes brought in has been to cut the two early-morning train services from Larne to Belfast; both the 5.48 am and 6.25 am services. Now, the first train leaving Larne is the 6.50 am service, which does not get into Central Station until 7.45 am; it gets to the City Hospital at 7.55 am and Great Victoria Street at 7.58 am. That is much, much too late. Many people have to get to work in Belfast at an earlier time. There has to be a rethink of how those services can be reinstated so that those who need to get to work in Belfast earlier can do so. Of course, the Ulsterbus alternatives equally cannot get those people to Belfast particularly earlier. I think that you can get in about 7.15 am, but that will of course be to Glengall Street bus station. You have to travel on from there to your place of work, which may not be possible depending on where exactly you work.

With regard to the late-night service, similarly, if passengers want to return on the Larne line by train, they must depart from Belfast at 10.45 pm. Very few people who travel to Belfast for some form of entertainment would be able to get back to the station for 10.45 pm. Frequently, that is too early, and it is not a practical train. Again, there needs to be a rethink on that.

As has been said already, some of the services are two-hourly, particularly at weekends. There is great risk with a two-hourly service: will passengers recognise it as a deliverable service? If you miss your train, how will you cope with waiting another two hours? That is a huge length of time. There are risks in going to such a service.

Whilst many would wish the retention of the timetable, given the costs, I am fearful that that may not be easily achievable. If not, I ask Translink to say what it will do, how

it will build the numbers and work with Ulsterbus feeder services to build those numbers and provide a public transport service so that more and more people will be able to travel earlier — and later for that matter — and get to their work or place of entertainment. I thank the Member for bringing the topic forward. It has been worthwhile.

Mr Speaker: You are in danger of missing your train.

Mr McKay: Go raibh maith agat, a Cheann Comhairle. I thank the proposer of the motion for raising this very important issue. I give apologies for my party colleague Mr Oliver McMullan, who has to attend a medical appointment this evening.

This is an issue that you could replicate in a lot of constituencies but the general issue that always comes back is that there is, in government, a car-centric attitude that needs to be addressed. Of course, I recognise that there are many good examples of people in Translink and DRD who see the need to improve and build on our rail and bus infrastructure, but much more needs to be done. We are lagging behind much of Europe and, whereas traditionally there has always been a great focus on investment in our major roads, we can realise a lot more savings and reduce congestion on some of our main roads by improving our rail and bus infrastructure.

A good example of that is the park-and-ride facility that the proposer of the motion mentioned earlier. There is a park-and-ride in Ballymena in my constituency that has been extended again and again, such was the demand for people to simply park their car and put their feet up on a bus for the trip to Belfast. The demand is there, and that is what is very frustrating; we want to see a good public transport system but where we fail again and again — this has come up in some of the Public Accounts Committee's reports — is the fact that we have not invested enough in public transport to get the return that we are looking for.

There should be greater investment in the Larne line and there should be more common sense when it comes to the timetables. If we want to improve the night-time economy in our towns and cities, we need to have a late-night train service. As Mr Beggs said, the service could operate much later than 11.00 pm because anybody who is going for a night out and is going to spend £30, £40 or £50 in a restaurant might want a later service to ensure that they do not leave their function earlier than they have to.

We need to apply a bit of common sense but we also need a bit of ambition. The park-and-ride facilities have been a success where there have been bold initiatives — we built it and they came. If you build the park-and-ride infrastructure around the train halts, increase the uptake of the service by increasing the number of halts and increase the electrification of the line in the longer term, you will have a better service with better choice and you will have more people using the railways.

You only need to look at the line to Derry, which almost reached the end of the line in recent years. It is a great success now; I have used it many times. It goes through Ballymena, Ballymoney and Cullybackey, right through my constituency, and it is a huge asset. It has not a bad Wi-Fi service, I have to say; it may be better than the service on the Larne line but it is a great way to travel. It is good for people's health as well, because being stuck on the M2 at Sandyknowes or Toomebridge is not a very pleasant

experience when you have to do it each and every day. The train service is something that we need to improve on.

We have very little infrastructure as it is. Everybody who watched the television programmes that Barra Best did about the old railway lines will be shaking their heads and saying, "If only we still had those railway lines going up through the glens of Antrim and Armoy to Ballycastle today, we would have a completely different and much better infrastructure." It is such a crying shame that that was done away with. It also, of course, produces other opportunities. We are exploring trying to change those old railway lines into greenways for cyclists in rural areas. That is something that the Department needs to look at as well.

5.15 pm

I will keep my contribution to this debate short. The Larne line needs investment, and the other lines need investment. We need a change in the general approach from the Minister — or the ex-Minister or the soon-to-be Minister — for Regional Development in that, when she does return to her desk, she needs to ensure that we see an increase in the percentage of funding that goes towards public transport because, increasingly, it seems barmy that we are spending money on road maintenance. If you spend the money on public transport infrastructure, you get people off the roads, so there is less need for maintenance of the roads. It makes sense economically, so we need to see a greater commitment and bolder moves to increase spending on public transport. We need to see better buses and better trains.

I do give some credit to the previous previous Minister for Regional Development, Mr Kennedy, for some of the things that he did around cycling and public transport, but I think that we need to put on a European head in regard to this, not only in terms of the culture but in availing ourselves of and drawing down funding, which every other country seems to be good at. I do not see why, here in the North, we cannot do the same for our local rail commuters.

Adjourned at 5.16 pm.

Northern Ireland Assembly

Monday 19 October 2015

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

Members observed two minutes' silence.

Assembly Business

Mr Campbell: On a point of order, Mr Speaker. Last Tuesday, during proceedings of the Assembly, it would appear that there was some form of breach, and I ask for your guidance. I do not know what can be done about it, but I certainly ask you to investigate it.

On an SDLP social media site, there were two photographs of proceedings juxtaposed beside each other that appear to have been taken in Parliament Buildings because of the time stamp on them. One of the pictures shows our Benches during a debate, and another claims to show our Benches during another debate, but the time shows that it was actually during a division, not a debate. So, I ask — I will furnish the Speaker's Office with both photographs — whether you could investigate that, because, obviously, there was an attempt to project our non-attendance here at some debate by way of a photograph that was taken during a division. The Hansard report and the time on the photograph prove that it was during a division and not a debate, as they erroneously attempted to convey.

Mr Allister: Is that the best that you can come up with —

Mr Campbell: It is accurate, unlike yours.

Mr Speaker: Order. I look forward to receiving the documentation that you mentioned. Clearly, a grab of a TV broadcast does not necessarily mean — it can be interpreted in different ways. I see it; I do see it. If you send that material, obviously we will consider it.

Before we commence, I wish to return to a point of order raised by Mr Dickson last Monday in relation to comments made by Mr McNarry during Question Time to the Minister for Employment and Learning. Mr McNarry may consider himself fortunate that his comments were not recorded in the Official Report, nor were they heard by the Principal Deputy Speaker.

However, as well as obviously being heard by those around him, his comments were picked up by an ambient microphone, and I am in no doubt as to what he said. I found the comments disrespectful and unacceptable, and I have written to Mr McNarry to remind him that I expect all Members, whether speaking on the Floor or sitting on the Benches, to show respect at all times.

I have also reminded him that I consider any comments from a sedentary position, particularly when they result in disorder, to be disrespectful. I have advised Mr McNarry that any further disrespectful behaviour will result in him being sanctioned. Let us move on.

Before we proceed to today's business, I have some announcements to make.

Ministerial Resignation: Mr Bell

Mr Speaker: I advise the House that the Minister of Enterprise, Trade and Investment resigned his office on 14 October 2015. Standing Order 44(3) provides for a seven-day period during which the party that held that office may nominate a Member of that party to replace him and take up office. That period expires at the end of Tuesday 20 October 2015.

Ministerial Appointments: Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I advise the House that the Rt Hon Peter Robinson, as nominating officer for the DUP, nominated Mr Simon Hamilton MLA as Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen MLA as Minister for Regional Development and Mr Mervyn Storey MLA as Minister for Social Development. Mr Hamilton, Miss McIlveen and Mr Storey each accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive on Wednesday 14 October 2015.

Ministerial Resignations: Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I advise the House that those three Ministers subsequently resigned their offices on Thursday 15 October 2015. Standing Order 44(3) provides for a seven-day period during which the party that held those offices may nominate Members of that party to replace them and take up office. That period expires at the end of Wednesday 21 October 2015. I am satisfied that the requirements of Standing Orders have been met. Let us move on.

Matter of the Day

Michael Conlan: Amateur Boxing World Champion

Mr Speaker: Ms Rosie McCorley has been given leave to make a statement on amateur boxing world champion Michael Conlan, which fulfils the criteria set out in Standing Order 24. If other Members wish to be called, they should rise in their place and continue to do so. All Members who are called will have up to three minutes to speak on the subject. I remind Members that I will not take any points of order on this or any other matter until the item of business has finished.

Ms McCorley: Go raibh maith agat, a Cheann Comhairle. Ba mhaith liom an spotsolas a tharraingt ar dhornálaí ó Iarthar Bhéal Feirste mar atá Michael Conlan a bhain Craobhchomórtais Dornálaíochta Amaitéaracha an Domhain. I wish to highlight the fantastic achievement of Michael Conlan, a young boxer from west Belfast. He became the first Irish male to win a senior World Amateur Boxing Championships title when he brought home the gold medal from Doha a few days ago.

If we take a look at his career in boxing, it is clear to see that he is a very talented sportsman who has had a glittering career up to this point since, at the age of 11, he won his first Ulster novice title. In the 2012 Olympics, he took a bronze medal and, in August 2014, he won the bantamweight gold at the Glasgow Commonwealth Games. Earlier this year, he took gold at the European Championships and was named boxer of the tournament. As a result of his achievements this year, Michael has secured qualification for the 2016 Olympic Games in Rio. What a fantastic list of conquests for a young man of 23 years of age.

Tá clubanna dornálaíochta ar easpa maoinithe le fada an lá. It is worth mentioning that boxing has been underfunded here for years. Local clubs have been getting by using extremely poor facilities. Michael's club, St John Bosco, survived for years without heating, water or changing facilities. It is to the credit of the current sports Minister that boxing clubs have recently been able to avail themselves of funding to upgrade their facilities. It is great to see that young, upcoming boxers, for whom Michael Conlan is an excellent role model, can now train and develop in their sport in a much improved physical environment. In communities with high levels of deprivation such as west Belfast, boxing is not just a sport, it can be a lifesaver. It gives children a great interest from a very young age and increases their sense of self-worth. It also encourages a sense of discipline, a focus on healthy living and an enhancement of their physical and mental health. So there is much that is positive to be said about this story.

I am sure that everyone in the Assembly would be happy to join me today in congratulating Michael Conlan on his great success. He is a proud former pupil of Corpus Christi College in west Belfast. We are very proud of him in west Belfast, and I am sure that everybody across the North would say the same. We are also proud of his teammates, and our message to them today is to go on and achieve even more greatness at the 2016 Olympics.

Mr Attwood: I welcome this Matter of the Day and join in congratulating Michael Conlan and his family. As has been said, it is an immense achievement to win any world

title in any sport at any time, but Michael Conlan is the first Irishman to win on the world stage, after 41 years of that tournament, at the age of 23, and winning each of the three rounds in his final bout.

In acknowledging this son of Belfast, I also acknowledge and applaud his teammates who won medals in the world championships: Joe Ward, and Michael O'Reilly, who controversially lost his third place bout. We hope that he will still qualify for the Olympics next year.

I acknowledge the head coach, Billy Walsh. No group of sportspersons has, in the history of Irish sport, achieved more on the Commonwealth, European and world stage than the group of boxers trained by Billy Walsh and his team.

In acknowledging Michael Conlan, his fellow boxers and the team coaches, I also acknowledge, as Ms McCorley did, that boxing is very much a grassroots sport. For all the big achievements on wider stages, it is on the small stages in our communities across Belfast that this sport is played out. There are significant working relationships between sports and boxing clubs in west, north and east Belfast. Boxing is in the vanguard of showing what can be done in good sport and good community relations. No club illustrates that better than a small club on the Glen Road known as Gleann ABC. The club works from small premises but builds relationships within the community and across Belfast.

In thanking Michael Conlan and Irish boxing, we should acknowledge the other sportspeople who in recent days and weeks, be it in soccer, rugby or boxing, have lifted the hearts of our people.

Mr Cree: I am pleased to add my voice and that of the Ulster Unionist Party to the words of praise for Michael Conlan, amateur world bantamweight champion. It is not every day that you win a world championship in any sport. To do so in amateur boxing, where there is only one world championship, is even more noteworthy.

Also, to get off the canvas in the third round, as Members will remember, and win against an opponent from Uzbekistan is quite a feat. Michael has already won Olympic bronze representing Ireland at London 2012. Representing Northern Ireland, he won gold at the Commonwealth Games in 2014 in Glasgow. With the Rio Olympics coming up next year, we wish Michael well in his quest to win gold. After that, who knows? A glittering professional career may beckon.

It is remarkable — and other Members referred to it this morning — how many top-quality boxers are produced in this part of the world. We go back to Johnny Caldwell and Rinty Monaghan, not that I remember all these myself, and, more recently, Barry McGuigan, Dave McAuley, Wayne McCullough, Eamonn Loughran, Brian Magee and, of course, Carl Frampton.

We should all be proud to be associated with sporting success in this country. We have world champion boxers, golfers, motorcyclists, and a football team that is going to the European Championships. We should cheer them all on.

It is my great pleasure to say, "Well done" to Michael, world champion, and best of luck for Rio in 2016.

Mr Lunn: On behalf of the Alliance Party, I would like to join in the congratulations to Michael Conlan. Ms McCorley, in introducing this Matter of the Day, said

that west Belfast would be proud of him. Of course they would. So would Northern Ireland and the island of Ireland because he is a credit to his sport. He seems like a fine young man. He interviewed very well after his fight. He is a very modest, unassuming lad. I wish him well for next year when he will represent Ireland at the Olympics again. Others have mentioned his record to date. He got the Olympic bronze as a flyweight in 2012 and has moved up a division. That does not always work out, but it has certainly worked out for Michael.

12.15 pm

I do not know much about the boxing club that he comes from and the other clubs around Belfast, but my understanding from what I have seen up here in questions and comment is that they operate on a shoestring and that their conditions are not as they should be. Yet our boxers, whether they come through the amateur ranks and proceed into the professional ranks or stay as amateurs, frankly punch above their weight — no pun intended.

Mr Cree mentioned the catalogue of other heroes. He did not mention Freddie Gilroy, who I can remember, and I am sure you can too. We have a proud tradition here. It is a very useful tradition in the social mix and the way that boxers conduct themselves. It is one of the more worthwhile sports. I would love to see St John Bosco, Holy Family and whatever clubs there are in east Belfast — there is one in Lisburn — getting a bit more attention and a bit more investment to try to promote this sport further. It is a success story, and we should be proud of our boxers. Whether they represent the UK, Northern Ireland or Ireland is irrelevant frankly, although I do not know that everybody will agree with that. However, it is a great sport and Michael Conlan is a credit to it.

Mr Speaker: I notice that all the Members who spoke said that he was the first male and forgot to mention Katie Taylor, who won five world championships. We have a lot to celebrate on this island.

Executive Committee Business

Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015

Mr Ford (The Minister of Justice): I beg to move

That the draft Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015 be approved.

I am grateful to the Clerk for reading the title so accurately. Members will be aware of a range of changes that have been introduced in recent years to improve the services provided to victims and witnesses of crime. Central to these has been the establishment of a Victim Charter, which I launched on an administrative basis in January. The enactment of the Justice Act (Northern Ireland) 2015 and the approval of this order will enable me to place that charter on a statutory footing, which we all welcome. This will take effect from mid-November and will coincide with transposition of the EU directive establishing minimum standards on the rights, support and protection of victims of crime. The charter is being largely used to transpose that directive.

The introduction of a Victim Charter was recommended by the Justice Committee in its inquiry into criminal justice services available to victims and witnesses of crime in Northern Ireland in 2012, building on preliminary work done by officials in my Department. I pay particular tribute to the Committee, in both its first and second guises, for the work and scrutiny that it has undertaken in this area. This has been invaluable to the improvements to services that are now in place. It also demonstrates the value of a positive and constructive relationship between Departments and Committees. As is often the case, the Justice Committee and the Department of Justice have been of one mind, with the Committee significantly influencing what the charter should contain.

The Department and the Committee see the need to ensure that the services provided to victims are of the highest quality. We want to improve the experience of victims and witnesses so that they are treated the way we would all want to be treated ourselves. To this end, the Victim Charter clearly sets out the entitlements of victims, the services that are to be provided and the standard of services that victims can expect to receive as they move through the criminal justice process. Importantly, it follows a victim's journey through the process, rather than being written from the perspective of the organisations providing those services. It also clearly sets out the obligations on a wide range of service providers to deliver information, services and support. Placing the charter on a statutory footing should result in an even greater focus on dealing effectively with the needs of victims.

Combined with other measures that I am taking to speed up the justice system, the charter will improve the experience of victims as they journey through the criminal justice system. The charter explains what measures are available to provide support and will help victims to give their best evidence at court. Importantly, it also makes clear who to contact should services not be as expected or the entitlements set out under the charter not be provided.

The charter will be of most use to victims if they can access it. While the main document is lengthy, due to

the need to be clear and comprehensive, alternative supporting documents are available. A summary of the main charter has been prepared and is available in the six most commonly used languages when interpreters are used at police stations or court. An easy-read version of the summary is also available, and a young person's guide to the charter has been developed by young people for young people.

The charter builds on good work that has been done to date and forms an important improvement to the services that are provided to victims as we look to the future. I commend the victim charter order to the Assembly.

Mr Ross (The Chairperson of the Committee for Justice): On behalf of the Committee for Justice, I firmly welcome the introduction of the regulations to bring the Department of Justice's victim charter into operation on a statutory footing.

As has been outlined by the Minister, the victim charter gives effect to a key recommendation in the Justice Committee's inquiry into the criminal justice services available to victims and witnesses of crime in Northern Ireland. The inquiry was one of the first significant undertakings by the Justice Committee during this mandate, and we are, therefore, pleased to see the recommendations of the Committee's report being implemented by the Department.

During our inquiry, issues around the status and treatment of victims and witnesses in the criminal justice system and the need for them to be treated with dignity and respect became a recurring theme in the evidence that the Committee heard from individuals outlining their experiences and treatment by criminal justice professionals. Victims and families frequently described how they felt like a by-product, that the business and interests of the court centre on the perpetrator and the needs of the court not the victim, and that they were not treated on an equal basis with defendants, particularly in relation to access to information.

It was the Committee's view then and remains the Committee's view now that the introduction of a statutory charter is necessary to redress the balance in the system and ensure that the criminal justice agencies place appropriate priority on providing the services that victims and witnesses require and should be entitled to receive. It was also a recommendation of the Committee that these entitlements should be made available to bereaved families, and, again, on behalf of the Committee, I welcome the provision that has been made to ensure that bereaved families are entitled to receive the services set out in the charter. The Committee also looks forward to considering the Department's witness charter, which is under development.

The Committee considered the statutory rule before the Assembly today at two meetings in September, and, as I have outlined, the Committee welcomes the regulations that will bring the Department of Justice's victim charter into operation and, therefore, supports the motion today.

If I may, I will add, in a party capacity, that the DUP has, for many years, campaigned for the introduction of a victim charter. We very much believe that victims should be at the heart of the criminal justice system, and today marks a positive day for putting the rights of victims central to the justice system here in Northern Ireland.

I also apologise to the House for leaving before the conclusion of this matter, but, in addition to chairing the Justice Committee, I chair the Ad Hoc Joint Committee on the Mental Capacity Bill, which is currently meeting, and I mean no discourtesy to you or the House.

Mr McCartney: Go raibh maith agat, a Cheann Comhairle. On behalf of Sinn Féin, I welcome the introduction of the regulations today in relation to the victim charter, which now puts it on a statutory footing. The Minister and the Chair have acknowledged the role of the Justice Committee in relation to the inquiry, which was carried out by the Committee at the time, and it is right and fitting to acknowledge the role of the former Chair, Paul Givan, who was perhaps the person who steered us through this particular piece of work.

There is absolutely no doubt that, during that inquiry, through the witnesses who came forward to give us evidence and the many places that we visited, we got an insight into the experience of victims and witnesses as they journeyed through the criminal justice system. There is absolutely no doubt that the charter reflects many of the things that they said and, indeed, many of the things that the organisations involved in the criminal justice system also acknowledged, but perhaps there was a gap between what people knew and what should be done, and now it is on a statutory footing. I have absolutely no doubt that some of the things that people said would have struck you as very ordinary and very straightforward, but when they were going through the journey, it seemed like an impediment and, sometimes, an imposition for them.

We are very satisfied that the work of the inquiry has helped to inform the charter. I know that, on other occasions when it was being debated in the House, the Minister acknowledged that. We look forward now to the charter enjoying statutory footing and to people's journey through the process being a lot better as a result.

Mr A Maginness: I lend my support and that of my party to this statutory rule. I also pay tribute to the Justice Committee for its work in bringing this about. It was part of the report of the Committee into the victims of crime. It was certainly a central aspect of that report. I think that it is right and proper to pay tribute to the former Chairperson of the Justice Committee, Mr Givan — the Deputy Chair has already paid tribute to him — in championing this approach by the Justice Committee. I think it is right and proper that we note that.

When I was a junior counsel at the Bar dealing with criminal matters, victims played no part in the considerations of the court. They were simply like part of the furniture. That, sadly, was my experience. The victim of crime was mentioned in passing, but it was really the defendant and the prosecution, as such, who were the two central characters in the trial situation. Now, victims, quite properly, are recognised universally.

I also mention that this arises not just out of the considerations of the Justice Committee but from the European directive. Those who campaign now on Europe should remember that it has brought many positive things into our political life, and this is just one of them.

The point I make is that victims are now quite properly recognised in law as having certain rights. If I could just point out that, in relation to this particular statutory rule, the right of victims to receive information about their case

is very important. It relates to information about the police investigation, decisions to prosecute, time and place of trial and the nature of charges.

The experience of individual victims in the past was that they did not know that a person was prosecuted, convicted or acquitted. That may surprise people in the House, but my personal experience in 2001 when my office was bombed and there could have been very serious injury to three people who were in it at the time, was that, although I knew that a police investigation had taken place and I somehow found out that maybe somebody had been charged, it was not until some weeks after a person had been convicted that I was told that. Indeed, I had to call on the police to give me further information on it. I did not expect any special treatment as a public representative, but if that represented the way in which ordinary people were treated by the police and the prosecution service, I think it is quite right to say that victims were let down by the public services.

12.30 pm

One further point is on rights in the event of a decision not to prosecute. Article 11(1) provides:

“victims, in accordance with their role in the relevant criminal justice system, have the right to a review of a decision not to prosecute”

and the processes associated with that.

Paragraph 79 and standard 2.2 of the victim charter provide for the review of a decision not to prosecute and for information to be received about this. This is an important right for a victim; that, in certain circumstances, there can be a review of a decision by the Public Prosecution Service not to prosecute.

Further, article 19 establishes the right to avoidance of contact between the victim and the offender. Article 19(1) provides for:

“necessary conditions to enable avoidance of contact between victims and their family members, where necessary, and the offender within premises where criminal proceedings are conducted”.

Article 19(2) ensures:

“new court premises have separate waiting areas for victims.”

That, I believe, is another important step forward. On quite a number of occasions, people have told me of their feelings of discomfort and, sometimes, intimidation, on finding themselves almost cheek by jowl with defendants in court premises. Hopefully, this will ease that situation, and there will, at least in new court premises, be a complete avoidance of that unnecessary and discomforting contact between the victim and those who are charged with injuring them in some way.

Those are just three examples; I am not going to go on. I welcome this. Those are practical examples of the benefits of this charter, and I congratulate the Committee on its good work. I congratulate the Minister, of course, on his good work arising out of the recent legislation in this matter, and I look forward to the full and faithful implementation of the charter. I think that it will be of

benefit to everyone, but, naturally, to those who have been the victims of criminal activity.

Mr Lunn: I warmly welcome the decision to create this charter and to place it on a statutory footing. As the Minister said, today's motion makes statutory what is already in place on an administrative basis. It is commendable that the Minister did not wait until he had statutory provision in place but instead pressed ahead with the charter on an administrative basis. Similarly, it is to his credit that he was not content with that but went on to place the charter in statute.

The Minister referred to the fact that the charter and other measures that he has put in place to improve the experience of victims and witnesses who come into contact with the justice system are a product of work that the Justice Committee has undertaken, working closely with the Department of Justice. Today's measure is a product of what is a consistently constructive relationship between the Department of Justice and the Justice Committee. I join others in paying tribute to the successive Chairs of the Justice Committee, Mr Givan and Mr Ross.

The charter is part of the Minister's five-year victim and witnesses' strategy. Too often, the media portray a justice system in which more care and attention is paid to perpetrators than to victims and in which the needs of victims are overlooked or forgotten. This strategy is evidence to the contrary, with the charter being but one of a suite of measures and initiatives being taken by the Minister, with the support of the Committee, to improve the way the justice system recognises and responds to the needs of victims, measures such as the development of victims' and witnesses' care units; the introduction and extension of the registered intermediary scheme; arrangement for victims' personal statements; new literature to provide advice when people report crimes; and other measures already provided for in legislation but yet to be commenced. In these ways, the Department of Justice, and the Assembly, should be seen as making genuine and significant efforts to ensure that, when people become victims of crime, they are not re-victimised by the way the system treats them. I think that this is a good day for justice, and I am happy to support the motion.

Mr Allister: This charter arises from obligations articulated in an EU directive back in 2012. When one looks at the wording deployed in that directive, the first thing, given the Northern Ireland context, that one cannot fail to be struck by is the very proper definition that that directive contains in respect of “victim”, because it emphatically states in article 2 that “victim” means:

“a natural person who has suffered harm, including physical, mental or emotional harm or economic loss which was directly caused by a criminal offence”.

There is no room there, thankfully, to include the victim-maker. The victim there identified is the innocent, actual victim. We could learn much from that.

I have a couple of questions for the Minister arising from other content of the EU directive, which states in article 6(2) that the victim is entitled to:

“information enabling the victim to know about the state of the criminal proceedings”.

When I look at the charter and find the corresponding article, which appears to be paragraph 73, I am not sure that it entirely meets that standard. My question to the Minister is whether what he has enacted in this charter gives the victim of crime the right to know if, in the case in which he or she has an interest, there was an on-the-run (OTR) letter. Is the victim of crime, in the context of the criminal proceedings covered by the EU directive, entitled to know the very simple but far-reaching consideration of whether, in his or her case, someone who was a suspect in those criminal proceedings and that criminal act holds an OTR letter?

(Mr Principal Deputy Speaker [Mr Newton] in the Chair)

If this charter does not afford that right to victims, and I suspect it does not, it is deficient. The Minister must know the depth of hurt that the entire shameless saga of OTR letters has caused to innocent victims. If he has brought a charter to this House that simply sweeps that matter under the carpet, it is a charter that is deficient. I am asking the Minister to put on record whether a victim is entitled to know, under the charter, if there is a relevant OTR letter in his or her case. The answer to that question will, for many, be the defining judgement on the worth of this charter. I trust that, as the Minister answers, he will not, as is his wont, duck or dive or try to dodge, but will answer the question. Under this charter, is a victim entitled to know whether or not there is an OTR letter? It is a simple question; let us have a straightforward answer.

Mr Ford: This short debate this afternoon has probably confirmed, yet again, Ford's first law of Assembly business, which is that the length of time taken on any item of business is inversely proportional to its importance for the people of Northern Ireland. However, I thank those who have contributed to what I believe has been a useful debate as we look to make tangible differences to the experience of those who are victims of crime.

Particularly in the context of ongoing talks, issues that may have happened in the past are not easily reflected, because my responsibility is to deal with what you might call "devolved crime" in the present, not the past. The charter, I believe, sets out clearly the services that victims are entitled to receive and how those services will be tailored to their individual needs. We had practical examples, in particular from Mr Maginness and Mr Lunn, of what is in the charter and the significant improvement that that will make to the experience of victims and of other work being done by my Department in the partnership that we are currently engaged in. Through the Department working in partnership with the Committee, and with a range of voluntary sector partners and other justice agencies, I believe it is possible to continue to improve the quality of services provided to victims, focusing on those most in need and those who have particular concerns.

I note that a number of Members praised the work done not just by the current Chair of the Committee, who contributed this morning, but by his predecessor, Paul Givan, and I have no difficulty in confirming my thanks to them. It would also be fair in that context, if it is not too much of an embarrassment to him, to also confirm that the Committee's interest in the needs of victims originated in the first point after devolution, the year in which Lord Morrow chaired the Committee. I am grateful for the fact that he flagged up issues then, although they were

taken forward at a later stage. It is also appropriate to recognise that there are those in the House this morning who have been members of the Committee all the way through that process, including the vice Chair, Raymond McCartney, and Alban Maginness, both of whom have played significant parts in the development of the process. I believe that it has shown constructive and positive development, and most of the contributions made have reflected that.

Mr Allister, in his usual intemperate way of accusing me of ducking questions, raised a specific issue about the OTR letters. Mr Allister, like other Members of the House, is well aware of the fact that the OTR letters were not an issue that came anywhere near the Department of Justice; they were a matter for the Northern Ireland Office, and they were concealed from the DOJ at the point of devolution anyway. On that basis, I simply do not have the knowledge of the status of any extant OTR letters. I have made my personal position extremely clear over a considerable period of time as to what I think of those letters and how I regard them. I simply cannot say exactly how they would impact on the way in which operational agencies might consider their role in the Victim Charter, because it is not something of which I have direct knowledge.

Mr Allister: I thank the Minister for giving way. I understand his personal position about OTR letters, but I am talking about a case that comes before the courts now in respect of the prosecution etc and the investigation. Under this charter, as drafted by the Minister, whatever one thinks of OTR letters — and I am not asking the Minister to endorse them in any way — is a victim entitled to know whether there is an OTR letter? That is the question. I suspect that, as it is drafted, they are not, but I want to hear that from the Minister. Are they or are they not, because that is the litmus test for the charter for many people?

Mr Ford: I did not need Mr Allister to repeat the point he was making. I got the point that he raised, and I made the point — and I am quite happy to repeat it for him — that I simply do not know what the effect of an OTR letter, details of which may be held by an operational agency, might be. I am very happy to assure the House that I will seek to find out what the status of an OTR letter might be and inform the House of that if it is possible. Given that the issue has not been devolved, I cannot guarantee that it will be possible to get answers, but I will certainly seek those answers.

However, I want to take up a point that Mr Allister just repeated. He said that the issue of OTR letters would demonstrate the worth of the charter for many. I accept that there are victims of the past who have major concerns about OTR letters, because they are very personal to them, as many of us had concerns about the way in which the justice system was perverted by the issue of OTR letters anyway. However, to suggest that that is the worth of the charter, as opposed to the worth of the charter in the value that it will have for individuals who will become victims of crime in the future, misrepresents the value of the charter. For that small number of people, clearly it will be a concern.

For most people, the issue is how we provide for the needs of victims in the future and how we ensure that the agencies of the justice system respond to them and do not treat them as a piece of furniture while the court case is going on, concentrating on the perpetrator and ignoring them.

There is much in the charter to commend it to the House. On that basis, I am happy to commend the draft Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015 to the Assembly.

Question put and agreed to.

Resolved:

That the draft Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015 be approved.

12.45 pm

Private Members' Business

Scrap Metal Dealers Bill: First Stage

Mr Beggs: I beg to introduce the Scrap Metal Dealers Bill [NIA 65/11-16], which is a Bill to amend the law relating to scrap metal dealers; and for connected purposes.

Bill passed First Stage and ordered to be printed.

Mr Principal Deputy Speaker: That constitutes the Bill's First Stage, and it shall now be printed.

Children's Services Co-operation Bill: Further Consideration Stage

Mr Principal Deputy Speaker: I call Mr Steven Agnew to move the Bill.

Moved.— [Mr Agnew.]

Mr Principal Deputy Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. Amendments have been grouped for debate in the provisional grouping of amendments selected list. There is a single group of amendments for debate. The debate will be on amendment Nos 1 to 6, dealing with children's well-being, reporting and cooperation.

I remind Members intending to speak that during the debate they should address all of the amendments on which they wish to comment. Once the debate is completed, any further amendments in the group will be moved formally as we go through the Bill and the Question on each will be put without further debate. If that is clear, we shall proceed.

Clause 1 (Well-being of children and young persons)

Mr Principal Deputy Speaker: We now come to the debate. With amendment No 1, it will be convenient to debate amendment Nos 2 to 6. The amendments deal with the definition of children's well-being; the deadline for the first report on the Bill; the impact of a report under the Bill on the Programme for Government; guidance and regulations relating to clause 4; and the definition of "child". I call Mr Chris Lyttle to move amendment No 1 and to address the other amendments in the group.

Mr Lyttle: I beg to move amendment No 1: In page 1, line 11, at end insert

"(h) living in a society in which equality of opportunity and good relations are promoted between persons who share a relevant characteristic and persons who do not share that characteristic.

(3) In this section "relevant characteristic" means a characteristic mentioned in any of paragraphs (a) to (d) of section 75(1) of the Northern Ireland Act 1998."

The following amendments stood on the Marshalled List:

No 2: In clause 5, page 3, line 40, leave out "3 years" and insert "18 months".— *[Mr Agnew.]*

No 3: After clause 5 insert

"Programme for government

6.—(1) *In preparing a programme for government, the Executive must take account of the most recent report published under section 5 of this Act.*

(2) *In this section “a programme for government” means a programme referred to in paragraph 20 of Strand One of the Belfast Agreement.*— [Ms Fearon.]

No 4: In clause 6, page 4, line 12, at end insert

“(2) Before issuing guidance relating to section 4, the Office of the First Minister and deputy First Minister must consult the Department of Finance and Personnel.”— [Mr Agnew.]

No 5: After clause 6 insert

“Regulations relating to section 4

7.—(1) *The Department of Finance and Personnel may by regulations make provision for procedures to be followed by children’s authorities when exercising the powers conferred by section 4(2).*

(2) *Regulations under subsection (1) are subject to negative resolution and may include saving, transitional, transitory, supplementary or consequential provision.*— [Mrs Foster (The Minister of Finance and Personnel).]

No 6: In clause 7, page 5, line 5, after “Article” insert “21(5).”.— [Mr Agnew.]

Mr Lyttle: I am glad to rise on behalf of the Alliance Party to give our continued support to the Children's Services Co-operation Bill. It is a long-standing manifesto commitment of ours to support legislation that introduces a statutory duty on government Departments to cooperate and collaborate. Indeed, improved cooperation is needed on many issues, but it is particularly encouraging to see that brought forward by the proposer in relation to the planning, implementation and monitoring of children's services. I am glad that the Bill includes a statutory duty to cooperate. It also covers the pooling of budgets and enhanced reporting mechanisms.

It was regrettable that, given some considerable work in relation to the Bill by OFMDFM officials, there was no Minister available to bring forward an amended draft of the Bill at Consideration Stage. I have made my views known in relation to that. It is regrettable that it required the proposer to take the initiative to do so himself, but I welcome the initiative that has been shown in that regard.

That was the first stage at which we were able to see the new high-level outcomes that are to be monitored and achieved as part of the Bill: physical and mental health; enjoyment of play and leisure; learning and achievement; living in safety; economic and environmental well-being; enablement to make a positive contribution to society; and living in a society that respects the rights of children and young people. As I said, that was the first stage at which those new high-level outcomes were redrafted in that form. They are all issues that I have worked on as an Assembly Member with the sponsor, Steven Agnew, on the all-party group on children and young people, and it has been a pleasure to work closely with the children's sector on those issues.

In the time between Consideration Stage and Further Consideration Stage, I thought it prudent to table amendment No 1, which will add to that important list of high-level outcomes for the well-being of children and young people:

“living in a society in which equality of opportunity and good relations are promoted”.

Whilst it was not ideal to table the amendment at that stage, I have referred to the mitigating circumstances that required it to be done then. Whilst the process may not have been ideal, the amendment is consistent with the high-level outcomes being brought forward, and the substance of the amendment — to seek to ensure that our children and young people live in a fair, shared and prosperous society — is reasonable and good and is a good aim for us to have for our children and young people. I look forward to hearing the contributions from other parties and will be glad to respond to those.

Amendment No 2 deals with a proposal to have the Executive report on the operation of the Bill not more than 18 months after the adoption of the children's strategy rather than after three years. I am content to support that amendment, and, indeed, I did so on that issue at Committee Stage. I am also content to support the proposal in amendment No 3 that the report on the operation of the statutory duty and other provisions introduced by the Children's Services Co-operation Bill be considered in the production of a Programme for Government.

I understand that there has been agreement between the sponsor and the Minister of Finance and Personnel on amendment Nos 4 and 5, and I am content to support that approach. I am also content to support amendment No 6.

It is essential that the Assembly require the Executive to coordinate services and to maximise resources as effectively as possible, particularly on behalf of children and young people in our community. That will ensure that we deliver improved outcomes across the board for the children and young people in our society.

Mr Hazzard: Go raibh maith agat, a Phríomh-LeasCheann Comhairle. I too welcome the opportunity to speak at this stage of the Bill. It is positive to hear support from all sides of the House on the progress of the Bill and the amendments that are in front of us.

I will kick off with amendment No 3, on behalf of my colleague Megan Fearon, who cannot be here to move it. Amendment No 3 perhaps makes explicit what we already know is implicit in what we are dealing with, in that it will put into the Bill the importance of reporting. It should not be reporting for reporting's sake. When Executives put together Programmes for Government, they should learn from the lessons of such reporting, and where co-design between Departments is maybe not what it should be on tackling issues like child poverty and gaps in mental health provision, we will have the lessons and the record to go on. It is very important. I welcome the fact that the Alliance Party has agreed to go with it, and agreement from all sides of the House would be very welcome when we deal with it.

On amendment No 1, sometimes it is important that we do not conflate the issues of equality of opportunity and good relations, but it adds something to the Bill to have that amendment in it, and I am more than happy to go with it. On amendment No 2, it is positive to reduce the period for the production of the report, for the first or initial report anyway, from three years to 18 months and three years after that.

That is a positive, and we said that the last time. I understand that there is an agreement between Mr Agnew and DFP on amendment Nos 4 and 5. Amendment No 5 provides the guidance and framework that are necessary if we are to look at the pooling of resources and better use of funds. Appropriate guidelines on accounting, governance and accountability will be important, so that is valuable.

Finally, on amendment No 6, it is only right that we extend the definition of children and young people to cover an additional category of young persons for whom an authority may have to provide services.

On the whole, we are more or less content for the amendments to be made here today. They all do a bit of tidying up and strengthening of the Bill as it was. Again, I call for support for our amendment — amendment No 3 — and I look forward to hearing what everyone has to say.

Mr Attwood: I confirm that we will support amendment Nos 1, 2, 3, 5 and 6, subject to the questions that I have to ask, in respect of which I anticipate satisfactory answers.

First, I again acknowledge the work of Mr Agnew and the Bill Office. Mr Agnew can be rightly pleased, and it should be properly acknowledged that he is now within touching distance of another private Member's Bill, of which he is the sponsor, being passed in the Chamber. However, much more significantly, it is a Bill that can, over the lifetime of future mandates in the Assembly, have great authority and impact and can potentially positively change for the better the lives of children, young people, their parents and carers. That is no mean achievement and no mean success by Mr Agnew and those outside the Chamber who have argued for this approach, especially in the children's sector.

I will deal briefly with the amendments. As I said, we are inclined to support amendment No 1, which is from the Alliance Party on equality of opportunity and good relations. The SDLP as a matter of principle believes that those are some of the standards that should inform legislation as it goes through the Chamber and is then implemented. I ask Mr Lyttle to confirm to the House that adding paragraph (h) at line 11 will not end up reconfiguring the balance in that clause. Clause 1(2), which defines the well-being of young persons, has been carefully drafted. It has been reworked, and it borrows from international best practice and the UN Convention on the Rights of the Child. Therefore, it has as its concentration and attention the standards that are necessary for our domestic law to achieve fully as informed by international law.

Whilst the SDLP very strongly supports the sentiments of equality of opportunity and good relations for the reasons that I outlined, I do not want to create and am sure that Mr Lyttle does not plan to create a tension in the legislation between subsection (2)(a), (b), (c), (d), (e), (f) and (g) and the wider issue of equality of opportunity and good relations. There cannot be a hierarchy in that list; there has to be an integration in it if the Bill's purpose is to be achieved. If there is now to be a further paragraph, I seek reassurance from Mr Lyttle that there is no tension in the Bill as it would be amended and that the right assessments would fall to Departments to live up to the various paragraphs in a way that does not, somehow or other, create some tension that is hard to manage. I look forward to Mr Lyttle's reply to that matter. I am sure that I will be satisfied on the far side of his reply.

1.00 pm

Amendment No 2 would leave out "3 years" and insert "18 months". A number of people — certainly, if I recall properly, that included me — made the point at Consideration Stage that the early life of this Act and how it is or is not shaped and taken forward by Departments will be critical. The best example, in my view, of a reporting function, if you like, was with the implementation of Patten. It had 175 recommendations and 675 performance indicators. Those performance indicators were assessed and managed by not just an oversight commissioner but a panel of experts that was brought in to force home the implementation of Patten, not least in the circumstances at that time when there was a suspension of these institutions.

The issue of strong, hard accountability is necessary if you are going to shape society in a better way, especially a society like ours which, in too many ways, clings to the past. Therefore, I very much welcome the fact that the reporting period will be 18 months. Whilst endorsing that, I would like to think that, even if there is not a statutory reporting function, especially in the early days, there will be architecture in relation to the implementation of the new duties arising from the Bill and that, even if it does not have to come to the Assembly in the early months, there will be rigorous architecture to ensure that that which is needed to be implemented is seen to be implemented as quickly as possible.

I confirm to Mr Hazzard that my party will support amendment No 3. There could have been a potential risk that:

"the Executive must take account of the most recent report published under section 5 of this Act"

might mean only that most recent report. However, the relevant clause, as drafted, makes it clear that the report, whenever it is — most recent or more historical — has to cover the full range of potential issues and responsibilities arising from the new duty in a way that ensures that the most recent report will very much capture the character and content of all the reports in order to ensure that the new duty is implemented as fully as possible.

I understand that amendment No 4 will not be moved. I ask the Minister of Finance and Personnel to confirm the intent in respect of the regulations to make provision for procedures to be followed by children's authorities. I am sure it is the intention not that it will be overly prescriptive but that it will be enabling. The reason I make that point, if I may stray momentarily, is that there is a power proposed for the Secretary of State under the draft legacy Bill, in respect of which I am not able to say very much, which grants the Secretary of State the power to make regulations that could prescribe the life of the work of the proposed historical investigations unit (HIU) in a way that would create so many obstacles and difficulties for people going to the HIU for the reinvestigation of past murders that it would not be able to do its job in a way that is enabling as opposed to prescriptive. I ask the Minister to confirm the character of what is intended by that amendment, although I anticipate that her reply will be satisfactory.

Mr Nesbitt: Mr Principal Deputy Speaker, thank you very much indeed. On behalf of the Ulster Unionist Party,

I can say that we are broadly content to support the amendments before us this afternoon.

Before I give any detailed reaction to those amendments, I first congratulate Mr Agnew on bringing the Bill before the House. Our support for it informs our decision-making on the amendments. It seems to me that what Mr Agnew is doing is recognising that the Government, like many, traditionally operate vertically, which is sometimes disparagingly called "Ministers working out of silos". To get a real effect and real improvement in the delivery of government, we need to go from the vertical to the horizontal, which means cooperation between Departments and the agencies that are associated with them, as well as a switch in focus from inputs to embracing outputs and, above all else, outcomes — in this case, for our young people. I believe that Mr Agnew does both in the Bill.

Amendment No 1 would add "equality of opportunity and good relations" to the list in clause 1(2). We are broadly content to support the amendment, but I ask Mr Lyttle to provide us with more definition of what exactly he has in mind, not only regarding equality of opportunity but, and perhaps more importantly, good relations, because a definition of "good relations" is something that he and I think would be beneficial going forward. It is something that has been debated on more than one occasion in the Committee for the Office of the First Minister and deputy First Minister. Indeed, there has been debate not just about the meaning of "good relations" but about whether "good relations" or "good relationships" should be the marker that we lay down in legislation.

In amendment No 2, the proposal is that the report should come after 18 months rather than three years. We have no difficulty supporting that, the idea being that an early indication of success for outputs and outcomes would be better served by the earlier deadline of an 18-month report. Were we to stick to three years, I imagine that we would be well into the second half of the next Northern Ireland Assembly mandate before we began to see the outworkings of Mr Agnew's proposals.

As Mr Attwood said, there was a concern that amendment No 3 might refer to only the most recent report regarding the focus that the Executive had to bring to the Bill when preparing the next Programme for Government, but we are satisfied that that is not the case.

I take it that Mr Agnew will not be moving amendment No 4, so I shall leave that. Amendment No 5 relates to the Department of Finance and Personnel. We see some merit in nailing down the exact nature of relationships there. My party also supports amendment No 6.

Mr Principal Deputy Speaker: I call Mr Alex Maskey.

Mr Maskey: I am sorry, Mr Principal Deputy Speaker, but I am not speaking at this point. I will just move amendment No. 3 later.

Mrs Foster (The Minister of Finance and Personnel): I will not refer to the other amendments, just the one that I am moving, which is amendment No 5, because it is a departmental amendment, and I am speaking as the Minister.

I say at the outset that I support the overall aim of the Bill; namely, the achievement of a coherent and comprehensive service-delivery system that is efficient and cost-effective and that works across government —

picking up on Mr Nesbitt's point about silos — horizontally as opposed to vertically. Hopefully, amendment No. 5 will deal with that issue for children's services. The new statutory power to share resources and pool funds, for which clause 4 provides, is clearly intended to advance the aims of efficiency and cost-effectiveness and to eradicate any duplications or gaps in the commissioning of services or the development of work programmes. The goal of a smarter, more streamlined and better targeted system will, I believe, be achieved only if appropriate operational and governance arrangements are put in place. Those arrangements need not be cumbersome or over-bureaucratic, but they should draw on established best practice and ensure that roles and responsibilities are clearly defined and that there is consistency of approach.

One might not expect the Bill to refer explicitly to operational matters. However, one would expect some indication of how such matters will be addressed and, in this instance, the Bill is silent. During discussions at official level, it was suggested that such matters could be addressed in the guidance for which clause 6 provides. However, that guidance will issue from OFMDFM, and although Mr Agnew had sought to amend the Bill to ensure that DFP would be consulted on that guidance, it would be best if there were a specific regulation-making power to allow DFP to ensure that appropriate operational and governance arrangements are put in place.

I thank Mr Agnew for his cooperation and his indication not to move amendment No 4 and to accept and support amendment No 5. Mr Attwood — he is not here, unfortunately — made a point about being prescriptive and referencing other pieces of legislation. I want to be very clear that the Department fully supports the drive to avoid waste and to maximise resources. It would be very unlikely that we would stand in the way of arrangements that are designed to do just that. We are, however, keen to maintain strong governance arrangements, and we believe that this amendment will ensure that the legislation is not used to circumvent the Executive's role in agreeing public expenditure decisions. At Consideration Stage, Mr Agnew said that the Bill was part of the drive towards good governance, and the amendment that I have tabled is in keeping with that.

It is often said that you have to plan for success. A clear operational framework for the handling of resources and funds will allow us to do just that. I commend amendment No 5 to the House.

Mr Agnew: At the outset, I thank all Members for their contributions to the debate and for their work on the Bill. As I have said all along, it is important that a Bill that requires Departments to cooperate is, in itself, produced in a cooperative manner. That has been the case throughout among Members, the OFMDFM Committee, OFMDFM itself, the children's sector, as well as the other Departments.

I welcome the amendments and the input that they bring to the Bill in getting the final details correct before we move to Final Stage. I will speak to each of the amendments briefly and refer to Members' comments on them.

Amendment No 1, which was proposed by Chris Lyttle, adds a new high-level duty to the definition of well-being. It is certainly the case that a child's well-being can be enhanced only if we live in a society that promotes good

relations and equality. Mr Attwood made a point about the international nature of the outcomes in the original Bill. I suppose that the local nature of this amendment reflects our local circumstances that that is required, whereas in other international practice, a reference to good relations may not be necessary. However, we know the specific circumstances of Northern Ireland, and the promotion of good relations and equality can only help outcomes for children and young people.

Mr Hazzard made the point that equality and good relations should not be conflated, and I can see the point that he is trying to make.

I think that, in the amendment, they are mentioned as separate entities, and, in my reading, neither appears to take precedence over the other. I am content with the amendment in that regard.

1.15 pm

Once again, I thank the Chair, Mr Nesbitt, and the Committee for their work on the Bill. Mr Nesbitt made the point about a definition of "good relations", which I know is an ongoing issue that has come up with other legislation. In the context of the definition of "well-being", around some of the other high-level duties, we were given advice that the drafting allows for some less precise language. That is why, I suppose, they were moved from being outcomes in themselves to being part of the definition of well-being, with well-being itself being the outcome so that the legal language was tight. I think that the amendment can sit within the all-encompassing definition of well-being, but I agree that progress on the definition of good relations is something that the Assembly needs to address and put right in the future.

Amendment No 2 is my amendment on reducing the reporting time from the point when the Bill is enacted. Credit goes to Mr Alex Attwood, who made the point at Consideration Stage that there was a risk that, if a report were not required until three years after Royal Assent, it may take two years before anybody starts to really have any urgency or drive around the implementation of the Bill. My intention in the original draft with three years was to ensure a balance between the operation of the Act and reporting and the need to maybe answer some of the questions about bureaucracy, ensuring that a children's authority's time is spent enacting the Bill rather than reporting on it. I think that his point was well made that, when the Bill, hopefully, receives Royal Assent — I am confident that it will — there must be an urgency and a drive and that, from day one, children's authorities are engaged in ensuring that cooperation takes place and children's well-being is improved. The amendment will help to ensure that there is urgency and that the Bill can start to take effect from the moment it is passed.

The Bill has been long in progress, and Departments and other authorities were well aware that it was under way. I think that some of the intention of the Bill has already hit home with Departments. That process has already started, but the passing of the Bill will ensure urgency. Indeed, its coming to the Floor of the Assembly has really got Departments to grapple with it, which is why, for example, we see amendments from DFP. The will of the House is clear that we progress this, and Departments are already stepping up to make sure that it is right. I include in that, as well as DFP bringing its amendment today, the work of

the Health Department alongside OFMDFM in getting the clauses right and the drafting correct. I urge Members to support amendment No 2. From the comments to date, it appears that there is broad support for it.

Amendment No 3 was spoken to today by Chris Hazzard and will be moved by Mr Maskey. First, I wish Megan Fearon well. I am aware that she is unwell, and I hope that it is not serious. She took the time to text me to wish me luck with today's debate and apologised for not being here in person to move her amendment. I appreciate that and the time that she has taken to give consideration to the Bill throughout.

The amendment is very welcome. It had not occurred to me to link the operation of the Bill to the Programme for Government, which adds another element to ensure that cooperative working and the children's strategy are at the heart of what government does. In that regard, I am pleased to see the amendment, and I thank the Members for putting it forward today. Along with the reporting, the feedback and the Programme for Government, it will give another line of accountability in respect of how cooperation is taking place and how the efforts to remove duplication, end waste and improve efficiency are being achieved.

In addressing amendment Nos 4 and 5, I have said that I will not move amendment No 4 and will instead support amendment No 5, the reason being that it was, I suppose, a somewhat late-in-the-day amendment. I was aware of concerns in the Department of Finance and Personnel about drafting guidance and what it would mean in relation to pooling budgets. It was certainly always the intent of the Bill that DFP would take a lead role in that, albeit, with my amendment going through OFMDFM, I have certainly engaged with that Department. The Department is content, as indeed am I, that it should be explicit that the power to regulate the pooling of budgets and any guidance in relation to that should come from DFP; that is where the expertise lies. As I say, I think that that was always how it was intended to work, but perhaps it was not explicit.

I welcome the Minister's support. Indeed, she articulated some of what are for me the key elements of the Bill: to advance the aims of efficiency and cost-effectiveness — I think that those were her words. That is precisely what the Bill is about: to ensure that resources are spent not on bureaucratic processes, duplication and silo working in Departments but on a more joined-up, coherent system of governance, particularly in delivering for children. I welcome her presence and her contribution to the debate today.

I welcome the amendment, which I think adds to and strengthens the Bill and ensures that the pooling of resources is on the Department's agenda. The clause provides an enabling power to allow the pooling of resources, which is a necessary outworking of the Bill if we are to achieve those aims and really end the silo mentality. I think that I made this point at the previous stage: we will have all the reporting and that will be necessary to scrutinise the operation of the Bill, but, for me, the real sign that the Bill has taken effect will be when Departments start pooling budgets for children.

I think of the example raised by the Children's Law Centre of a girl with cerebral palsy who had to go through a two-year legal battle to get the physiotherapy that she needed in school. The Department of Health perhaps had the

resources in staff and skills to provide the physiotherapy, but it was, I suppose, in the Department of Education's setting that the needs were not being met. There was wrangling over who should pay for the provision of that physiotherapy in school, and there was nervousness in each Department about taking responsibility. That is an example of where, if resources were pooled in areas such as special educational needs, the focus would be on ensuring that a child gets the provision that they need to meet their full potential, and we would not have, as happened in that case, a two-year legal wrangle to ensure provision so that a child could meet their full potential and achieve in school. We need to ensure that we do not have that wrangling and do not make it a challenge and something that has to be fought for.

It should happen as a matter of course, and the pooling of budgets will go a long way to resolving such issues.

I move on to amendment No 6. I mentioned collaborative working with Departments. This was raised by the Department of Health. The provision of accommodation to young persons over the age of 16 but under the age of 21 is captured by the Children Order but was not captured by the definition of "children and young persons" in the Bill. I thank them for bringing that to my attention. The legislation that I sought to replicate in the Bill was that which defined "child or young person" for the role of the Children's Commissioner. I am not sure why that section of the Children Order is not referenced in that legislation, but I know that there were concerns about that provision being left out of the Bill.

Housing is another area where the health and accommodation needs of a young person may fall between two Departments. Again, it is important to note that cooperation is required in those instances to ensure, once again, that the needs of the young person, rather than the responsibilities of the Departments, are the focus. Cooperation should ensure that that is the case. I ask the House to support amendment No 6 to ensure that all children and young people are captured by the Bill, including all those in need, as referenced by the Children Order. I believe that the amendment makes sure that that is the case.

In closing, I thank all Members for their contribution. I welcome the continuing support of the House for the Bill. I anticipate that the amendments, with the exception of amendment No 4, will receive unanimous support and that we will move to Final Stage in the near future with a good wind behind the Bill. It is about ensuring good governance. It is about effectiveness of delivery. It is about the efficient use of resources and ensuring that we move away from the silo mentality that can be wasteful and can mean that time and resources are wasted in a lack of coordination. If we start working together on the planning, commissioning and delivery of children's services, we can improve outcomes for children in Northern Ireland.

Mr Lyttle: I begin by saying that the cooperation that we have seen today demonstrates what can be achieved in the Assembly when we work together. We have to begin by giving sincere credit to the proposer of the Bill, Mr Agnew, and the children's sector for the way that they have generated the cooperation in relation to the Bill. That will see its further progression through the Assembly and hopefully lead to the conclusion of achieving much better-

coordinated outcomes for children and young people in Northern Ireland.

I welcome the contributions today. Mr Hazzard emphasised the need to connect the learning and progress that is achieved by the Bill to the Programme for Government. Mr Attwood rightly commended the proposer for his work on the Bill. Mr Nesbitt referred to the need for Departments to take an approach that would see horizontal cooperation rather than vertical-down delivery and the need for more of a focus on outcomes rather than outputs, as can too often be the case. The Minister of Finance and Personnel helpfully supported the aim of the Bill and its dedication to achieving more efficient, cost-effective delivery for children and young people in Northern Ireland and, indeed, tabled amendment No 5 to enhance the good governance of the Bill.

1.30 pm

Mr Agnew, the sponsor of the Bill, deserves great credit for the progress that has been made. He emphasised his encouragement at seeing the cooperation that had gone on between MLAs and the OFMDFM Committee and that he had had from officials from the Office of the First Minister and deputy First Minister, who also contributed to the Bill.

Some specific questions were raised with regard to amendment No 1. Mr Hazzard sought assurances that there was not a conflation of equality of opportunity and good relations. Mr Attwood sought assurances that there was not the creation of a tension between the amendment and section 75 of the Northern Ireland Act. Mr Nesbitt sought assurances in relation to definition. I give those reassurances. Equality of opportunity and good relations are not to be conflated. They are complementary aims essential in a Northern Ireland context. The amendment refers to section 75 of the Northern Ireland Act to ensure that it is complementary with that legislation in terms of Mr Attwood's concerns. Indeed, in terms of a definition, which was raised by Mr Nesbitt, the work of the OFMDFM Committee, of which he is Chair and I am glad to be Deputy Chair, in its inquiry into the Building a United Community strategy has referenced the need for stronger definitions of terms such as "good relations". Work by the Equality Commission has given us clear points of reference in that regard. They have developed a working definition of "good relations" to mean:

"The growth of relationships and structures for Northern Ireland that ... seek to promote respect, equity and trust, and embrace diversity in all its forms."

As other Members have said today, that is an important aim for us to have for our children and young people in Northern Ireland.

That concludes my contribution. Again, I commend the sponsor of the Bill for the further progress that is being achieved on it.

Amendment No 1 agreed to.

Clause 5 (Report on the operation of this Act)

Amendment No 2 made:

In page 3, line 40, leave out "3 years" and insert "18 months".— [*Mr Agnew.*]

New Clause

Mr Principal Deputy Speaker: I understand that Ms Megan Fearon cannot be in the Chamber today and that Mr Maskey has indicated his intention to move the amendment.

Amendment No 3 made:

After clause 5 insert

“Programme for government

6.—(1) In preparing a programme for government, the Executive must take account of the most recent report published under section 5 of this Act.

(2) In this section “a programme for government” means a programme referred to in paragraph 20 of Strand One of the Belfast Agreement.”.— [Mr Maskey.]

New clause ordered to stand part of the Bill.

Clause 6 (Guidance)

Amendment No 4 not moved.

New Clause

Amendment No 5 made:

After clause 6 insert

“Regulations relating to section 4

7.—(1) The Department of Finance and Personnel may by regulations make provision for procedures to be followed by children’s authorities when exercising the powers conferred by section 4(2).

(2) Regulations under subsection (1) are subject to negative resolution and may include saving, transitional, transitory, supplementary or consequential provision.”.— [Mrs Foster (The Minister of Finance and Personnel).]

New clause ordered to stand part of the Bill.

Clause 7 (Interpretation)

Amendment No 6 made:

In page 5, line 5, after “Article” insert “21(5).”—
[Mr Agnew.]

Mr Principal Deputy Speaker: That concludes the Further Consideration Stage of the Children’s Services Co-operation Bill. The Bill stands referred to the Speaker.

Private Members’ Business

Absence of Executive Ministers

Mr Principal Deputy Speaker: The Business Committee has agreed to allow up to one hour and 30 minutes for this debate. The proposer of the motion will have 10 minutes to propose and 10 minutes to wind. All other Members who wish to speak will have five minutes.

Mr Lyttle: I beg to move

That this Assembly notes that the Minister for Social Development, the Minister for Regional Development, the Minister of Health, Social Services and Public Safety and the Minister of Enterprise, Trade and Investment have resigned and resumed office more than 20 times since 10 September 2015; believes that this practice of rolling resignations has had a significant and detrimental effect on the governance of Northern Ireland and on the public’s faith in the political institutions; and further believes that engaging in this practice of rolling resignations amounts to a breach of the terms of the Pledge of Office.

I move the motion somewhat reluctantly, but I think that this is an important opportunity for MLAs to state clearly that there are Members of the Assembly and Ministers in the Executive who are working to deliver effective power-sharing government and who are committed to supporting the rule of law in our community. We recognise that there are serious issues to be addressed, including our Budget and public finance challenges. We need to take responsibility for difficult decisions on welfare reform and, of course, to ensure that we work together to tackle all forms of paramilitarism in our society. However, I fail to see how the resignations that we have seen, including the Ulster Unionist Party resignation but, in particular, the DUP approach of rolling resignations, are doing anything other than damaging fragile public confidence in our Assembly and imperilling our public services. Indeed, they may well be a breach of the ministerial Pledge of Office, which requires Ministers to discharge their duties in good faith, to participate fully in the Executive and to be accountable to the Assembly.

Despite that, we have seen the absurd situation of the DUP Minister of Enterprise, for example, coming to the Chamber, albeit on the important matters of renewable energy and credit unions, yet the Minister of Health is continuing to refuse to respond or take up his ministerial responsibility to show strategic leadership on urgent issues such as spiralling hospital waiting lists. In any other jurisdiction, urgent action would have been taken to address those. We believe that this part-time, theatre politics has to stop and that we have to get back to dealing with the serious issues that need to be addressed. We do not see how walking away from ministerial responsibility for delivering strategic leadership in our public services is doing what is right for the people of Northern Ireland.

The Alliance Party reluctantly accepted the proposal for a short adjournment of the Assembly, but we certainly would not have supported and do not support the abdication of ministerial responsibility for our public services or the rolling resignation policy that is bringing the Executive into further disrepute.

I place on my record my party's revulsion at the heinous murder of Gerard Davison and Kevin McGuigan and our concern at the suggestion that members of the Provisional IRA were involved. Where there was evidence of any party political paramilitary connection in the past, the Alliance Party did not hesitate to take action, and we supported the exclusion of Sinn Féin during previous talks processes and Assembly mandates. We will not be found wanting in that respect. However, we did not, at any point, propose action that would prevent key decision-making in Departments. The running of our public services should not be subject to political whims. The serious allegations in connection to the Provisional IRA should not be allowed to plunge our public services into crisis as well as our institutions.

There is mounting evidence that the DUP's actions are affecting the governance of Northern Ireland. One example is, as I mentioned, the ridicule that is being heaped on this institution. It is deeply damaging to public confidence in key Ministries. Equally worrying is the impact on public services. I am deeply concerned, like many others, about that development. Perhaps most pressing, however, is the inability to agree a monitoring round due to the failure of the Executive to meet. The increase in waiting lists is deeply concerning to many in our community. Indeed, the chief executive of the Health and Social Care Board spoke openly about the challenges facing our health service in regard to waiting lists and the need for significant additional investment from the monitoring round to help to reduce that immediate issue.

The monitoring round was not agreed by the Executive in June, and it appears that the October monitoring round will also be missed and that the best that we can hope for is to work towards the January monitoring round. That is not the only example of issues in the health service. It is my understanding that a joint strategy on domestic and sexual violence has been agreed by the Minister of Justice and requires the urgent approval of the Minister of Health. It is also my understanding that, in the Department for Social Development, there has been a delay in legislation on regeneration powers, housing and pensions. Those Bills may not have the same immediacy as the growing waiting lists, but their passage is important for the lives of many in Northern Ireland.

Those are just some examples of delays and pressures being put on our public services, which are having a significant detrimental effect on the governance and the people of Northern Ireland.

A much wider range of aspects of ministerial office is also being neglected, such as policy accountability and leadership. The lack of ministerial presence also prevents Departments responding to events and to a number of Question Times here in the Assembly, which is when we seek to raise urgent issues and hold Departments to account.

I was concerned by the DUP's suggestion that it does not really matter whether Ministers are in post. Not only is that untrue, it is disingenuous. It also, rather bizarrely, suggests that the DUP is, at best, lukewarm about the impact that its Ministers make. To my mind, the continued Executive absences may well constitute a breach of the ministerial Pledge of Office. The process of taking up office safe in the knowledge that a resignation will issue within 24 hours brings into disrepute whether that office is being accepted with the good faith to discharge duties and to participate fully in the Executive, the North/South Ministerial Council

and the British-Irish Council. Accepting office with no intention —

Mr Agnew: I thank the Member for giving way. Does he agree that it highlights yet again the need for a process to investigate breaches of the ministerial code?

Mr Lyttle: I thank the Member for his intervention. I think that is an important point to make. The independent investigation of potential breaches of the ministerial code and some form of enforcement appear to be urgently needed, given the mockery being made of it. The fact that Ministers are accepting office with no intention of attending Executive meetings or North/South Ministerial Council is a serious concern. I believe that the ministerial code of conduct requires Ministers to be accountable for activities within their responsibility, their stewardship of public funds and the extent to which key performance targets are being met by their Department.

1.45 pm

If a Minister accepts office, knowing that they will be unable to perform these roles, answer questions, attend Committees or give account to MLAs for their actions, they have clearly brought into question their commitment to that Pledge of Office. It is important that we remember that accountability for inaction is as important as accountability for actions. For these reasons, I ask the Assembly to pass this motion and make it clear that the "Now you see them, now you don't" approach to politics is not acceptable.

Mrs Dobson: The events of recent weeks, when DUP MLAs became momentary Ministers, have only further lowered the public reputation of this Assembly and the institutions. No one could be oblivious to the fact that these last few weeks have caused real and lasting harm.

On Wednesday 26 August, the Ulster Unionist Party announced our decision to withdraw from the Northern Ireland Executive to form an opposition and offer people an alternative, as is the case in any normal democracy. We all know that the background to this was a statement from the PSNI Chief Constable, who stated that members of the Provisional IRA were involved in the murder of a man in east Belfast and that an infrastructure still exists at a senior level of the Provisional IRA. The blanket denial from Sinn Féin about all of this meant that we had to act, and we acted decisively.

The Ulster Unionist Party is not in denial about the existence of any paramilitary organisation. When we withdrew from the Northern Ireland Executive, we explicitly called on the UDA, UVF and the rest to go away, taking their paramilitary flags and markings with them. However, they are not in the Executive of Northern Ireland; Sinn Féin is. If this institution is to retain any credibility and if we accept the word of the Chief Constable, who implicated still-active members of the Provisional IRA, which is still inextricably linked to Sinn Féin, in the murder of a man on the streets of Belfast, then true democrats cannot and should not tolerate that.

The DUP's immediate response was predictable. They took their historic position of blaming the Ulster Unionist Party. What was said in their early statements about an exclusion motion against Sinn Féin was nonsense, and unworkable under their St Andrews Agreement. It is ironic that yet another aspect of that agreement has come back to bite that party the hardest.

Their other fudge was to seek an adjournment of the Assembly. When that failed, the DUP acted in the most ham-fisted and stupid way possible. The First Minister did not resign; he merely stepped aside. The Finance Minister stayed in post to keep an eye on so-called rogue or renegade behaviour in the Executive, and took on the First Minister's position, though not when it comes to signing documents, apparently. Then the other DUP Ministers resigned and were reappointed, as the motion says, "more than 20 times". Wikipedia can barely keep up. All this nonsense has been done in the interests of the DUP, not of Northern Ireland.

For the past month, the focus has been on the nonsense of the in-out, hokey-cokey, yo-yo Ministers. Instead of a Health Minister who is at his desk, tackling the growing crisis in our hospitals or coming to this Chamber and responding to Ulster Unionist motions on waiting times and the delays in cancer services or the SDLP motion on autism, what we have seen is that he is often seen wandering calmly through the corridors upstairs. The fact that one in five of the population, or 373,000 people to be specific —

Mr Eastwood: Will the Member give way?

Mrs Dobson: I will.

Mr Eastwood: I thank the Member for giving way, and I agree with her in her characterisation of what has happened since the DUP started their hokey-cokey antics. Does she not agree with me, though, that the UUP stepped out of the Executive and handed over the important Regional Development Department to a Minister who is not even going to turn up for work? Does she not agree that that was a dereliction of duty? Your party allowed a hokey-cokey Minister to come in one day and out the next when it could be in there working and trying to provide infrastructure that we all need for places like my city, Derry.

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

Mrs Dobson: I thank the Member. I do not agree with him. My party has never shied away from taking difficult decisions and never will.

The fact that one in five of the population — 373,000 people — is waiting for treatment, a hospital appointment, or a diagnostic test, was not weighing on his conscience.

The disgraceful way that the DUP has acted over recent weeks was clearly illustrated last week. Whilst the DUP and its Ministers had repeatedly failed to take part in major debates, including on Bills, they all rushed in to vote down the reduction of SpAds' salaries. Talk about putting party interests ahead of matters of real public importance. I can think of no clearer image of the DUP acting in a selfish, arrogant or contemptuous manner. Shame on them, and, when, ultimately, they take up their ministerial posts again — using the report on paramilitaries as a fig leaf — they should not think that all will be forgiven. People will long remember the actions of the DUP over the last few weeks: undemocratic, un-British and unworthy of office.

Ms McCorley: Go raibh maith agat, a Phríomh-Leas Cheann Comhairle. Thank you, Mr Principal Deputy Speaker. Like others, I welcome this debate in the Assembly today because I believe that it is unacceptable that we have Ministers who are not Ministers or who are sometimes Ministers. That method of engaging in politics is just

unacceptable; it is wrong and is not fulfilling the Pledge of Office that people committed to.

As a member of the Health Committee, I would like to focus on the role of the Health Minister. We have many serious issues in the Health Department that need to be addressed. No Minister in place in such an important Department is just wrong; it does not give leadership to constituents who elected him to lead, to take those decisions, and to resolve the serious issues facing the Health Department. It is not acceptable.

The Department of Health has the biggest budget of all Departments — £4.6 billion — and employs over 54,000 people. You could argue that it affects everybody in society. A Minister being in place for half an hour a week, or whatever time he comes into office for, is just not good enough. The Minister said on 11 May that he would continue to drive the momentum for change across the health service. He said that:

"There will be tough decisions ahead, but I will not shy away from doing what's right."

I think that he is completely going against his own stated word, and he needs to get back to his desk.

I want to talk about the reform that is needed in the health service. There is duplication in commissioning and a lack of accountability and clarity in decision-making. The system as it is configured means that the Department can say that it wants to protect front-line services, but it allows the trusts to cut those very services. These are serious issues that need to be addressed. Over the last weeks, with no Minister, we have heard from many sectors and individuals who depend on ministerial decisions. The all-Ireland network on children's heart services needs investment in the Crumlin clinic. The majority of children are still going to England for surgery. The business case is on his desk, but who is making the decision?

Similarly, there are recommendations by the Older People's Commissioner to reform services, or certainly make things better, for older people who are in residential homes or who depend on domiciliary care. However, he has ignored that report up until now; I do not even know if it is on his desk. Those are big issues.

On Saturday, there was a protest by junior doctors. They need clarity on what their working conditions will be; they need to be addressed because they are unsafe and unfair. A recent Transforming Your Care policy forum heard calls in a packed room for leadership and reform of the system. GPs are another area that needs to be resolved, and we have spoken about that in the past couple of weeks in the Assembly. There is a looming crisis in the GP sector, and no Minister in place even to look at the issue is just shameful. There are also issues around the regulation of social care and the ban on smoking in cars. That is all failing to move forward because the Minister is not in office.

The situation has become farcical, but for the many patients and others who depend on the health service, it is not a farce; it is just a calamity. Much has also been said about welfare cuts. Is the Minister now saying that we should take money from the vulnerable and disabled to pay for the health service? These conditions and circumstances just cannot be allowed to continue.

Other Members have referred to the ministerial pledge. All Ministers, including those from the DUP, took a Pledge of Office that requires them to represent all people and be accountable to everyone, not to their own political party, which is exactly what is happening. The ministerial code says that Ministers must, at all times, be accountable to users of services and that they must ensure that all reasonable requests for information from the Assembly and others are responded to. Many Members have put questions to Ministers and have been told that they cannot be answered because the Minister is not in office. Currently, the Metal Capacity Bill is being processed, but —

Mr Principal Deputy Speaker: I ask the Member to conclude her remarks.

Ms McCorley: — questions to the Health Minister have been rejected, so this is having serious implications. I support the motion.

Mr Principal Deputy Speaker: As Question Time begins at 2.00 pm, I suggest that the House takes its ease until then. The debate will continue after Question Time, when the next Member to speak will be Mr Fearghal McKinney.

The debate stood suspended.

(Mr Speaker in the Chair)

2.00 pm

Oral Answers to Questions

Office of the First Minister and deputy First Minister

Mr Speaker: I inform Members that questions 6, 9, 10 and 13 have been withdrawn.

Diversity Champions

1. **Mr Ó Muilleoir** asked the First Minister and deputy First Minister for their assessment of the work of diversity champions within Government Departments. (AQO 8925/11-16)

Mrs Foster (The Acting First Minister): The Civil Service is committed to providing equality of opportunity and creating an inclusive working environment where individual differences are valued and respected. A diversity champions network group was established in June 2015, with a senior civil servant as diversity champion appointed for each Department. Those champions have already met on two occasions and have developed a work plan for the coming 12 months. The work programme takes into account the restructuring of Departments but it will not wait for that to happen before actions are taken.

As part of the work plan, each Department has undertaken to promote diversity issues through its existing communication channels and to undertake specific diversity-related activities. A diversity champions network has already commissioned research on representation of diversity groups within the NICS and their distribution across organisations and grades. We welcome that initiative. It is important that the Civil Service, in serving all the people of Northern Ireland, is representative and has the best people using their diverse skills and knowledge to provide excellence in delivery. We believe that a good start has been made and that the work programme set out by diversity champions will move the Civil Service forward in a way that values our diverse and changing population.

Mr Ó Muilleoir: Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Acting First Minister for that reply. I endorse the efforts being made in that regard by our diversity champions across Departments. In the time ahead, could the Office of the First Minister and the deputy First Minister look at expanding the idea of diversity champions into our arm's-length bodies and, perhaps, into the community sector? If we cannot appoint those people, at least could we encourage their appointment and recognise the diversity champions who are out there?

Mrs Foster: I thank the Member for his question. I am sure that that will be considered in OFMDFM. Last week, I noticed that the Department for Employment and Learning, through its Minister, was involved in a scheme with various organisations. It was a diversity champions event hosted by Lloyds Banking Group to try to encourage employers to become involved in diversity, not just leaving it to government to take the lead, and for the private sector to become involved as well.

Of course, when we think of diversity, it is right across all those section 75 characteristics. I noted that the new Commissioner for Public Appointments recently mentioned the need for more females to be appointed into positions of authority, particularly to public appointments. We recognise that there is a need for us to do that, and all Ministers need to hear that very clearly. When Ministers are appointing people to public bodies, they should take the balance and diversity of those public appointments into consideration.

Mrs D Kelly: Will the Acting First Minister tell us how success be measured?

Mrs Foster: We need to look across where we are at the moment and look at the evidence in front of us. It is not difficult; in fact, I think that I have an Assembly question in at the moment asking me what progress has been made over many years. We need to look at the baseline and go back as far as the start of devolution to see what progress has been made on the issue. I do not know whether the Member agrees with me on this or not, but there is a need for us not only to appoint women when they come into the pool but encourage more women to put themselves forward so that they come forward into that pool. Often, when a Minister is presented with a pool of candidates, it is quite restrictive. Therefore, we need to make sure that that pool is as wide as possible.

Mr Hussey: Will the Acting First Minister tell us what consideration has been given to appointing a mental health champion?

Mrs Foster: Obviously, the first stage would be for a recommendation to come forward from the Minister of Health. I do not know whether the Department has had any thought on that matter. Certainly, we would consider it if such a recommendation came forward from the Department, but, as I understand it, no such recommendation has come forward.

NAMA: NI Portfolio Sale

2. **Mr Nesbitt** asked the First Minister and deputy First Minister what discussions have taken place between the First Minister and deputy First Minister on the sale of the National Assets Management Agency Northern Ireland portfolio. (AQO 8926/11-16)

Mrs Foster: Both the First Minister and the deputy First Minister have given evidence to the Finance and Personnel Committee on the issue. I do not believe that I can profitably add to the information that has already been provided in that regard.

Mr Nesbitt: I thank the Minister for that answer. As both Acting First Minister and Finance Minister, will she tell the House whether she is satisfied that she knows sufficient detail about the NAMA sale and, if not, what gaps in her knowledge she would like addressed?

Mrs Foster: All I can say to you is that I obviously came into office a long time after the NAMA sale. I am therefore relying on the information that has been brought to me by the Department, which has been fully shared with the Committee for Finance and Personnel. As the Member would expect, I have been through the various documents, and they have now been shared, as I said. My departmental officials have met the National Crime Agency

in relation to the issue, and I am satisfied that I am aware of all of the salient points.

Mr Sheehan: Go raibh maith agat, a Cheann Comhairle. I asked the Minister last week in her role as Finance Minister whether two former Ministers should follow her lead and give evidence to the Finance Committee. I ask her now if she will encourage Sammy Wilson and Simon Hamilton to give evidence to the Committee.

Mrs Foster: I have not given evidence to the Committee in relation to NAMA: I think he probably meant to say that the First Minister has given evidence to the Committee on the issue. As I said last week, it really is a matter for the Ministers involved. As I understand it, they have been asked. When he asked me the question last week, I was not sure whether they had been asked to the Committee, but, as I understand it, they have been asked to appear in front of the Committee. I think that, before they do so, they want to speak with the National Crime Agency to make sure that they stick to the relevancy of the issue before the Committee. It will therefore be a matter for them whether they go forward and give evidence.

Mr D Bradley: Go raibh míle maith agat, a Cheann Comhairle. In light of the diverging narratives from the First Minister and deputy First Minister on the events leading up to the Project Eagle sale, whom does the Minister believe?

Mrs Foster: The Member is being rather mischievous on that matter. His Committee is engaged in an evidence- and fact-finding situation, as I understand it, although sometimes, when one listens to the Committee, it is hard to get away from the suggestion that members have already made up their mind in relation to the outcome and are now retrofitting the facts in and around that. However, they are involved in an evidence-finding situation, and it is therefore up to them what the outcome of their evidence finding is. I do not think it is for me to say whom I do and do not believe. Let us just say that the evidence has been provided to him, and it is therefore up to him and his fellow Committee members —

Mr D Bradley: — [Interruption.]

Mr Deputy Speaker (Mr Beggs): Order.

Mrs Foster: — to come out and decide where the issue lies. He knows very well what the situation is. The First Minister and the deputy First Minister have given their evidence to the Committee, and therefore it is a matter for the Committee.

Mr Allister: Up until May 2013, the First Minister and the Finance Minister contended that NAMA was playing a positive role in Northern Ireland. Then the First Minister's friends — Messrs Cushnahan and Coulter — arranged a secret meeting for the First Minister and the Finance Minister with PIMCO, and suddenly the First Minister was advocating the liberating of the assets through the sale of the loan book. What induced the DUP Ministers to change their mind?

Mrs Foster: As I have indicated, I have nothing to add to the evidence of the First Minister. I am sure that Mr Allister listened intently to the evidence. It was evidence, not opinion, that was given last week.

Good Relations Indicators

3. **Mr B McCrea** asked the First Minister and deputy First Minister for their assessment of the good relations indicators published in September 2015. (AQO 8927/11-16)

Mrs Foster: The purpose of the good relations indicator is to monitor progress on good relations here as a result of the Together: Building a United Community strategy. The first baseline report under that policy was published on 22 September 2015. It provides us with a picture of the current state of good relations. Future updates of the indicator report will provide us with statistical evidence on changes in good relations. It will allow us to make a strategic assessment of the progress made towards achieving outcomes in Together: Building a United Community, aligned with the four key priorities: our children and young people, our shared community, our safe community and our cultural expression.

Mr B McCrea: Would it surprise the Acting First Minister to know that the percentage of people who think that relations are worse now than they were previously is at its highest since the Belfast Agreement? Why might that be? Is it because of the Executive's failure to tackle contentious issues such as flags and emblems?

Mrs Foster: There is a wide range of indicators. Mr McCrea has picked out one that he thinks is very negative, but, when you look through all the indicators, you see a positive trend in relation to the issues. If you look at the trends since 2007, you see that there have been ups and downs, but the trajectory is in the right direction.

We will come across difficulties, and there have been difficulties over the past couple of years. The Member mentioned the issue of flags, and there was a particular issue in and around the taking down of the flag from City Hall that led to a range of difficulties, particularly in the city of Belfast. Therefore, we have to be realistic that we have to deal with those issues. However, if he looks at the trends overall, he will see that they are going in the right direction.

Mr McAleer: Go raibh maith agat, a Cheann Comhairle. Will the Minister elaborate on what work has been carried out to date in attempting to bring down the so-called peace walls?

Mrs Foster: That was set out very clearly by the office as something that needed to be dealt with, but we have to deal with it in a very sensitive way. We are not just speaking in abstract terms; we are dealing with real communities who live beside those walls, and we have to work with those communities to deal with the issues in front of us. Therefore, it has to be a process of co-design — we have heard that a lot — and working with the different communities to make sure that, if we remove the walls, it is something that everyone welcomes.

Mr Eastwood: What is the Minister's assessment of the relatively high number of racially motivated hate crimes?

Mrs Foster: Most of the hate crimes were sectarian in motive, which remains a difficulty for us in Northern Ireland, as I am sure the Member accepts. The second largest group was racially motivated. That was quite a high number, and I was quite surprised — I should not be surprised, because there has been a lot of coverage of racially motivated crime. That points to the fact that we, as a society, need to deal with the sectarian issue, of course,

but, equally, we need to deal with the issues of race and the fact that, particularly in our inner-city areas, we have difficulties integrating people of different races into our society.

Mr Lyttle: Does the Acting First Minister welcome the inclusion of an indicator on integrated education in the new good relations indicators? Does that suggest a need to revise the Building a United Community strategy to include specific reference to the need to promote integrated education?

Mrs Foster: The Member will know that I have been heavily involved with shared education in Fermanagh over a time, and I was particularly pleased to see that a high percentage — I do not have the figure in front of me, but I think that it was around the 80% mark — had been involved in shared education, whether through games or classes. The communities are working together in a more cohesive way than when he or I were at primary school. I very much welcome that and think that it will lead to the longer-term trends going in the right direction.

The integrated sector will be a matter for the Executive as a whole. I am sure that we will take that forward when we look at the indicators as an Executive, I hope, in the near future.

Stormont House Agreement: Update

4. **Mr Beggs** asked the First Minister and deputy First Minister for an update on the implementation of the outstanding issues within the Stormont House Agreement that relate to their Department. (AQO 8928/11-16)

Mrs Foster: The implementation of the Stormont House Agreement is a fundamental part of the current talks process. As this round of talks is ongoing, it would not be appropriate for me to discuss matters that are part of the negotiations.

The Member will be aware that, prior to the talks, the parties had been meeting on a weekly basis since January 2015, and, during that time, good progress was made on a range of commitments, including those for which OFMDFM has responsibility.

However, those cannot be fully progressed until such times as matters relating to welfare reform are resolved. All aspects of the Stormont House Agreement are being considered as part of the talks process.

2.15 pm

Mr Beggs: The document speaks of improving efficiency and reducing the burden of administration. On 2 March, there was an oral statement in the Assembly in which the Executive agreed to draft a departmental Bill and a more detailed transfer of functions order. Given that we are now approaching a period where there will be a narrow window for new legislation in the life of the Assembly, can the Acting First Minister update us on the progress of those important matters and on when the Assembly will have an extensive opportunity to consider and debate these issues?

Mrs Foster: The Member is absolutely right that a Departments Bill will need to be brought to the House to establish the future nine-Department framework and that a transfer of functions order will make the detailed provision for the statutory responsibilities that are to be moved between the Departments in consequence of the

earlier Executive decision. The Departments Bill has been drafted. Prior to its introduction in the Assembly, detailed work on the transfer of functions order is also at an advanced stage. Extensive administrative preparations for reorganisation are being taken forward under the sight of the cross-departmental programme board. For example, I know that in my own Department, DFP, we are planning budgetary provision not for 12 Departments but for nine. So, the administrative work has begun in the different Departments, the Bill has been drafted and the transfer of functions order is at an advanced stage.

Refugees: Facilities

5. **Mr McGlone** asked the First Minister and deputy First Minister what facilities are being made available to accommodate refugees, including the provision of advice. (AQO 8929/11-16)

Mrs Foster: The only formal programme under which we would receive refugees is the vulnerable persons relocation scheme. That programme aims to relocate those who are most vulnerable and to resettle them in suitable locations where their needs can be addressed. Officials are making preparations to ensure that we are able to respond effectively to the needs of what will likely be a vulnerable group of refugees. Two groups of senior officials have been established to take forward arrangements. A strategic planning group led by OFMDFM has been established to advise Ministers on the response of Departments and agencies and to consider the strategic issues and local implications.

An operational group led by the Department for Social Development will consider and address the practical steps that will be needed to meet the immediate and longer-term needs of those who may arrive under the vulnerable persons relocation scheme. The details of how the scheme will work here have not yet been finalised. The operational group is working to put in place arrangements to manage the arrival of refugees through the scheme. That will include the provision of appropriate services and support to facilitate their integration.

Mr McGlone: Mo bhuíochas leis an Aire as a freagra. I thank the Minister for her response. Based on my practical experience at constituency level on issues associated with migrant workers, will the Minister accept that key areas of advice will be on employment, healthcare, educational needs and particularly housing, and that those matters should be pivotal, key elements of whatever advice and facilities are available, especially for refugees?

Mrs Foster: I thank the Member for his question, and I entirely agree with him. It is for that reason that we established the operational group, which is being led by the Department for Social Development in recognition of its role in connection with housing. That is because housing will be a huge issue for these refugees. They will be incredibly vulnerable. Because we have decided to take the most vulnerable from the camps in Syria, they will need the most care and attention. Therefore, housing will be a key element in the situation when they arrive here in Northern Ireland. So, DSD is leading on that operational group, but, as I understand it, all the other Departments are feeding into it as well.

Mr Cochrane-Watson: Minister, what, if any, points of difference exist between the First Minister and deputy First Minister on this issue?

Mrs Foster: As I understand it, there are no points of difference. I know that some parties always like to look for points of difference between the First Minister and deputy First Minister. I have been in this role for less than six weeks, and I realise that that is the case but, as I understand it, there are no points of difference between the two gentlemen.

Shackleton Barracks: Update

7. **Ms Maeve McLaughlin** asked the First Minister and deputy First Minister for an update on the sale of the Shackleton site in Ballykelly. (AQO 8931/11-16)

Mrs Foster: I am pleased to confirm that we have received seven proposals for the Shackleton site as part of the open, competitive sale process. The size of the site for sale is approximately 621.5 acres, so anyone who submitted a proposal to purchase and develop a site of that size has demonstrated a genuine commitment to making a significant economic impact in the north-west. We are undertaking a detailed assessment of those proposals against the set criteria and look forward to the process being completed in early 2016. With Northern Ireland Water developing approximately 85 acres of the site and DARD's relocation plans well under way, it is a very exciting time for Ballykelly and the north-west.

Ms Maeve McLaughlin: Go raibh maith agat, a Cheann Comhairle. I thank the Acting First Minister for that detail, and I welcome the seven proposals and the level of interest. Will the Minister give assurances that the number of jobs and economic opportunities will be key to any decision on the sale of the site?

Mrs Foster: Absolutely, and I thank the Member for her question. The preferred proposal, when it comes out the other side of the process, will have gone through very rigorous testing against the set criteria. Of the criteria set — job creation, the financial offer, community benefit and environmental benefits — job creation is given the highest weighting. It has 45% of the weighting, and 35% goes to the financial offer, 10% to community benefit and 10% to environmental benefits. She can see from that weighting that job creation and the difference that it will make to the area are key to deciding who the successful bidder will be and who will be able to develop the rest of the Shackleton site.

Mr Dallat: I welcome the Minister's response to the question. She will realise that there is a lot of anxiety whether this project will go ahead. Is the Minister certain that the environmental assessment has been carried out, that all issues relating to decontamination, given that this is a former army site, are cleared and that, in the future, we will not be embarrassed by any hold-ups?

Mrs Foster: Certainly, it has been a rigorous process. As I said, the environmental benefits to the area will form part of the criteria in deciding from whom the successful proposal has come. This is the first time that I can remember such a weighting being put in, and it is, probably, in recognition of the sensitivity of the environmental value of the site, as well, of course, as

its potential in relation to the creation of jobs and the economic benefit for the area.

I know that many in the north-west have been waiting for a long time for this to happen. I can understand why they might wish it to happen more quickly than, perhaps, has been the case in the past, but we hope that the process will be completed by early 2016 and that we will then be able to move on to the development. Hopefully, it will be a very good news story for not just Ballykelly but the whole of the north-west.

T:BUC: Strategy Forum

8. Mr Lyttle asked the First Minister and deputy First Minister for their assessment of the Committee for the Office of the First Minister and deputy First Minister's inquiry recommendation to establish a Together: Building a United Community strategy forum. (AQO 8932/11-16)

Mrs Foster: I do not have that paper — yes, I do. We welcome the Committee's report. Since the launch of the Together: Building a United Community (T:BUC) strategy, we have engaged with a range of stakeholders as part of the detailed design of the many actions being delivered. We greatly value the input of all the stakeholders who engage with us in the design of good relations work. Our stakeholders have a wealth of knowledge and expertise that we will continue to draw on in shaping and implementing our policies, actions and commitments.

Co-design has provided an opportunity to engage with our stakeholders, including the people directly impacted by the headline actions. There has been extensive co-design for headline actions, including the summer camps and the United Youth programme. That engagement was instrumental in shaping the way forward for both and involved a wide range of stakeholders, particularly the young people whom the actions are aimed at. The establishment of the thematic subgroups, under the auspices of the ministerial panel, is key to engaging with stakeholders in the sector. Through that, we will ensure that their input informs how action and commitments are being delivered.

It is important to seek to improve communications and engagement with stakeholders continually. The Department is in the process of looking at the establishment of a quarterly engagement forum for stakeholders to receive updates on Together: Building a United Community. They will provide feedback to the Department on the strategy, including feedback on progress, issues, identification of best practice and areas for improvement.

Mr Speaker: That was a very impressive recovery, seeing as you did not have the paper in front of you. *[Laughter.]*

Mrs Foster: I found it.

Mr Lyttle: I thank the Acting First Minister for her answer. Does she agree that the creation of a forum to harness the collective ingenuity of people across sectors in society, such as leaders in business and people from the community and voluntary sector, could help and enhance the design and delivery of the Together: Building a United Community strategy?

Mrs Foster: I thank the Member for his question. Indeed, the Department has been looking at the recommendation

to have a T:BUC forum chaired by a representative from the sector.

We have been working with the Community Relations Council to try to make better use of fora that it already has in place. One of the proposals being examined is to reconstitute the interface community partners' forum as a group that will help further enhance engagement with stakeholders across the four key priorities of T:BUC. We are continuing to work in that respect. In other words, to answer the question succinctly, we do not want to reinvent the wheel. We believe that there are already representative bodies that we can make use of. We do not want to overburden people by setting up yet another forum if we can make use of the fora that are already there.

Ms Hanna: Can the Minister provide the House with an update on progress on the implementation of shared neighbourhood projects, following the success of the Ballynafeigh development in south Belfast?

Mrs Foster: I do not have much specific detail on that issue in front of me. I apologise for that. Certainly, the shared neighbourhood aspect is one that is key to the development of T:BUC. It is one that we will want to pursue and see working in reality on the ground. We had a question earlier on the peace walls. What we want to see are fewer peace walls and more shared communities. That is why we are determined to move ahead with that part of the T:BUC strategy.

Mr Speaker: Mr Gerry Kelly is not in his place. *[Interruption.]* For those who are tut-tutting, Mrs Sandra Overend is not in her place and Mrs Judith Cochrane is not in her place. That means that we have come to the end of listed questions. We will move directly to topical questions.

National Crime Agency: Acting First Minister NAMA Briefing

T1. Mr Beggs asked the First Minister and deputy First Minister whether the Acting First Minister has had a detailed briefing from the National Crime Agency on its investigation into the NAMA affair, which encompasses meetings involving the First Minister and the operations of OFMDFM. (AQT 3001/11-16)

Mrs Foster: I have had no briefings from the National Crime Agency. In the Department of Finance and Personnel, my permanent secretary has had direct engagement on the issues that the Member mentions, but I have not received such a briefing from the National Crime Agency.

Mr Beggs: The public could easily understand why it may not be appropriate for OFMDFM to have detailed briefings on this affair, given any role that it may have played, but can the Acting First Minister explain why the First Minister met potential bidders in a private meeting without departmental officials there to provide a degree of scrutiny and transparency?

Mrs Foster: As I indicated in my previous answer on the matter, the First Minister and the deputy First Minister have given evidence — quite full evidence, by the First Minister in particular. All those issues were covered at those times. I am sure that, if the Member wishes to, he will be able to read the First Minister's evidence.

NAMA: NI Portfolio Sale Appraisal

T2. **Mr D Bradley** asked the First Minister and deputy First Minister whether DFP carried out a financial appraisal of the potential sale of the Northern Ireland portfolio by NAMA. (AQT 3002/11-16)

Mrs Foster: No, I do not believe that such an appraisal occurred.

2.30 pm

Mr D Bradley: That being the case, on what did the First Minister, the deputy First Minister and the former Finance Minister base their view that the sale of the Northern Ireland portfolio to Cerberus was good for Northern Ireland?

Mrs Foster: The sale was not a matter for DFP; it was a matter entirely for NAMA as to how it proceeded. As the Member knows, that was a matter for it and it alone. At the risk of sounding repetitive, the First Minister and the deputy First Minister have given evidence to the Member's Committee. I am quite sure that he had an opportunity to question the First Minister and the deputy First Minister on those issues, and I am quite sure that, if the Finance Minister at that time comes before the Committee, the Member can ask him a similar question.

Paramilitary Activity

T3. **Mr Cochrane-Watson** asked the First Minister and deputy First Minister whether the Acting First Minister agrees that it is important that, if the panel assessing paramilitary activity has evidence, it will clarify whether the IRA still exists, and, if so, is that an issue for the Acting First Minister and the DUP. (AQT 3003/11-16)

Mrs Foster: I am here to answer as First Minister on behalf of the First Minister, so I will answer in that capacity. Of course we look forward to the panel's report; my party pushed for that. The issue will, I believe, inform the talks that we are all so heavily engaged in. Unless the Member has had prior sight of what is in the report — I certainly have not, and I look forward to it. I hope that it will come forward this week so that we can move forward in a positive way. I am sure that he wants to move forward in a positive way as well.

Mr Cochrane-Watson: Of course I want to move forward. In public statements, the DUP focused on what the IRA is doing rather than on whether it exists. Will the Acting First Minister confirm that the existence of the IRA is not a problem for the DUP?

Mrs Foster: I am not going to confirm a negative, if that is what the Member wants me to do. If paramilitary structures are in place, of course that will have to be dealt with. That is an issue not just for the republican community but for the loyalist community. We have to deal with paramilitarism across the piece in Northern Ireland. Unfortunately, there are still many communities in Northern Ireland in which it appears as if those structures are still in existence. Despite the fact that we have had a long period under which those structures should have disappeared, it appears that they have not disappeared, so we have to deal with the issue. We will wait to see what the panel brings forward tomorrow, but if it says that those structures are still in place, we will need to look at how we can make sure that they come to an end. That will certainly be the focus for me and my party.

Mr Speaker: Before I call the next question, and before you leave us, Mr Cochrane-Watson, your question directed the Minister, who was speaking as a Minister, to a party position. Members should be aware that that is an abuse of the facility for questioning Ministers on their brief. I want to make that point before I move on to Mr Fearghal McKinney.

Arc21 Incinerator: Hightown

T4. **Mr McKinney** asked the First Minister and deputy First Minister what options are being considered for the financial transactions capital that had been set aside for the Hightown waste incinerator, planning for which was rejected. (AQT 3004/11-16)

Mrs Foster: The Member is correct; £50 million was set aside in financial transactions capital for the Arc21 incinerator. It has now been communicated to me in my role as Finance Minister that the Department is no longer in need of that financial transactions capital, so, despite the fact that it is late in the day, we will have to determine, first, by looking across Departments and, secondly, by looking at the Northern Ireland investment fund whether we can use that money. We certainly do not want to hand it back; we want to be able to use it in Northern Ireland.

Mr Speaker: I have another point, because I do not know what the Member's supplementary question is going to move on to. We are speaking today to OFMDFM, and the questions are for OFMDFM. I do not want any confusion as a result of an overlap with the Finance Ministry. A couple of questions have tempted the Minister, who has avoided the temptation.

Mr McKinney: I thank the Speaker, and I hope that, with my supplementary question, I am not frustrating his attempts for clarity on the issue. This would involve major decisions at Executive level and would involve the Office of the First Minister and deputy First Minister, in my humble opinion.

The Minister might be aware of plans for the cancer centre in south Belfast, and I would see the benefits of any expansion there as much more regionally. Is her Department, and all of the Departments, discussing the potential for financial transactions capital in that regard, given the economic and health benefits that would be had of linking academia, health and pharma?

Mrs Foster: If there is a way that we can use even a part of that £50 million for the extension of the cancer centre in Belfast, which is, of course, a regional hub for the whole of Northern Ireland, I would be more than happy and more than sympathetic to hearing that argument. As I said, we will be talking to the rest of the Departments to see whether they have any requirement for financial transactions capital.

I have to say to the Member that we have been disappointed with the way that Departments have looked at this. I accept that it is a new way of funding capital projects in Northern Ireland, but I am hoping that, in the future, we will see more take-up from a public-private partnership in trying to use that money, which is money that can make a real difference. We have seen that through the way in which we were able to use financial transactions capital at Ulster University and, indeed, through many housing schemes.

Government Performance: 2011-16 Mandate

T5. **Mr McCallister** asked the First Minister and deputy First Minister for the Acting First Minister's assessment of this Government's performance during this mandate. (AQT 3005/11-16)

Mrs Foster: I think that we have made a number of very important developments on strategy and, more importantly, on delivery. Over the Programme for Government period, we have delivered 37,000 new jobs to Northern Ireland against a target of 25,000. We have passed our targets on investment from outside Northern Ireland. We have passed our targets in relation to the amount of money that has been put into research and development, and we have passed our targets on the number of tourists who are coming to Northern Ireland. While some in the House may want to talk down the achievements of devolution, I think that we have made an impact on the lives of people living here in Northern Ireland, and I hope that we can continue to do so.

Mr McCallister: Mr Speaker, I did mean to offer an apology for missing a question two weeks ago.

Although the Acting First Minister has named some successes, I think that you would need to be living somewhere else to not say that we have significant problems. Does she accept that, when we come back after the next election, presumably next May, we cannot come back to the same level of dysfunctionality and zero decision-making as we faced in the current mandate? Does she agree that the next mandate truly must be about delivery?

Mrs Foster: The next mandate should be about delivery, and that is one of the reasons why the Programme for Government will now be looked at as an outcomes-based process. Instead of just setting targets, we will look at what impact a particular action will have on the people of Northern Ireland. I think that that is right; I think that our focus on outcomes is where we need to go.

I do think that he is being rather downbeat in saying that there is zero decision-making. Some decision-making is still happening, and I think that he knows that. Things are still happening in Northern Ireland, and I was delighted to be in the north-west, for example, on Friday, when the deputy First Minister and I opened part of the Ebrington site to a cluster of new digital companies that are making a real difference in that area, creating jobs and using the digital infrastructure that we put in place. The devolved Administration put the digital infrastructure in place, and now, because of the development at that Ebrington site, we are seeing real jobs being created.

I suppose that it depends on whether you see the glass as being half-empty or half-full. I prefer to talk about the positive impact that we are having on lives while not taking away from the dysfunctionality that we have run into at the moment. Is it not good that we are talking about that dysfunctionality and trying to find a solution rather than walking away from dealing with the issues in front of us?

Paramilitary Activity

T6. **Mr Allister** asked the First Minister and deputy First Minister, given that, since being appointed, the Acting First Minister has affirmed that her partner, Sinn Féin, is inextricably linked with the IRA, if the panel confirms

that IRA members murdered Kevin McGuigan, is she nonetheless ready to sweep that murder under the carpet and resume business as usual. (AQT 3006/11-16)

Mrs Foster: There are so many ironies in that statement that it is incredible. The Member and others did not support us when we tried to make sure that we did not have business as usual in the House. When we do not have business as usual, we are criticised, and when we do have business as usual, we are criticised. People need to make up their mind as to what they actually want.

Mr Allister: Perhaps the Minister could try to answer. Let me say that I would have more than supported the First Minister if he had done the proper thing and resigned rather than taking the hokey-cokey option that kept Sinn Féin in the Government. If the IRA murdered Kevin McGuigan — dress it up as you like, massage it as this report may — the Minister has a choice to make: is she going to resume full political cohabitation with Sinn Féin, which she says is inextricably linked to that killing machine, the IRA?

Mrs Foster: I prefer to wait for the panel to report before I make up my mind. Jim does not have to do that, of course, because Jim has made up his mind already, and that is the reality. The fact of the matter is this: Mr Allister has always engaged in wanting to wreck the Assembly. Even in his supplementary question, he made the point that he would have much preferred it if the First Minister had resigned and walked away, and what would that have meant? It would have meant the end of devolution.

Mr Allister: Meant an election.

Mrs Foster: Would that not have suited Mr Allister —

Mr Allister: Meant an election.

Mrs Foster: Would that not have suited Mr Allister that the people of Northern Ireland did not have a devolved Government?

Mr Allister: Meant an election.

Mr Speaker: Order.

Mrs Foster: He has exposed himself again as having a wreckers' charter. He should wait to hear what the panel has to say before making up his mind.

Corporation Tax: Benefit of a Reduction

T7. **Mr Eastwood** asked the First Minister and deputy First Minister for the Acting First Minister's assessment of the benefit of the reduction in corporation tax now, given that corporation tax in Britain is being reduced overall. (AQT 3007/11-16)

Mrs Foster: I think that the benefit of having a reduction in corporation tax still stands. The fact that the Chancellor has acknowledged the impact of having a lower rate of corporation tax strengthens our hand when going out and selling Northern Ireland as a place to do business. It actually reduces the cost to our block grant, so that is a good thing. It still gives us that marketing edge, I believe, when we go to companies that heretofore we have not been able to go to because they wanted to talk about tax and we did not have the advantage that, I think, we would have if we had a lower rate of corporation tax. So, I absolutely think that it is still the right thing to do.

Mr Speaker: Order, Members. Time is up. Thank you, Minister.

Health, Social Services and Public Safety

Mr Speaker: The next item of business is questions to the Minister of Health, Social Services and Public Safety. As there is a vacancy in that ministerial office, Question Time cannot proceed. Let us return now to the debate on the absence of Executive Ministers — very appropriate.

Mr G Kelly: On a point of order, Mr Speaker.

Mr Speaker: If it is an apology, I will accept it in advance.

Private Members' Business

Absence of Executive Ministers

Debate resumed on motion:

That this Assembly notes that the Minister for Social Development, the Minister for Regional Development, the Minister of Health, Social Services and Public Safety and the Minister of Enterprise, Trade and Investment have resigned and resumed office more than 20 times since 10 September 2015; believes that this practice of rolling resignations has had a significant and detrimental effect on the governance of Northern Ireland and on the public's faith in the political institutions; and further believes that engaging in this practice of rolling resignations amounts to a breach of the terms of the Pledge of Office. — [Mr Lyttle.]

Mr McKinney: I welcome the opportunity to participate in the debate, and I do so as SDLP health spokesperson. Before making my comments focusing on health issues, I would like to make a number of wider points, principally on the nature of DUP abstentionism. Peter is out, but Arlene is in twice. The party is putting pounds before patients by keeping the Finance Ministry open while pretending to be in and out of the Health Ministry. Jonathan is out, but he is in when he is out of the country. You literally could not make it up.

We have held a number of very important debates in the Chamber in the last number of weeks: on autism, which affects many thousands of young people and their families; on cancer, which reaches into all levels of society here; and on SpAds, which has a much more limited audience. The DUP was absent for the first two, which had the public interest at their core, but it turned up for the much narrower and self-interested SpAd issue, and I notice social media's outrage.

As I listened to the BBC news this morning, I was intrigued to hear a DUP contribution on this debate today on the airwaves. So, the DUP is happy enough to go to the radio stations, but it is not happy to turn up in the Chamber. In my view, that is perpetrating a deceit on the public: pretending that it is making a contribution while, of course, it is not. Ultimately, the fact that the DUP has either turned up to vote on issues or participated narrowly in others shows that there is no principle at the heart of this approach. The party has continued to put enormous public concern over issues, such as health, second in favour of a spat between it and the Ulster Unionist Party over who is taking the hardest unionist line.

We all agree that the current situation in society is not pleasant, but it is not a situation that should allow Ministers to abandon their post, abandon the public and abandon the democratic process.

2.45 pm

In health, we have seen it translated down into elective care, cancer services and autism. Instead, we have a smokescreen, with the Minister turning up for five or 10 minutes to do a small bit of business to make it look as if the bigger bit is being done. The public are not blind and are not fools, and the issues are not restricted to those that I have listed. There are others such as the availability of cancer drugs and the Transforming Your Care plan, which

is at the very heart of our health service. Think about the strategic difference that that would make if it were being properly driven. Other issues include the well-deserved pay rise for health staff and the recent focus on the air ambulance service here. Punitive changes to junior doctors' contracts is another issue that is now coming to the surface. I take a moment to congratulate all those who turned out at the weekend to support our junior doctors and the NHS overall.

If the DUP's in-out approach says anything, it is that the strategy has not been properly thought through. It has been an attempt to pull the wool over the eyes of patients and the public. It has not worked. Indeed, the DUP said that it was doing this to put a focus on the murders that were talked about in earlier contributions: if anything, it has taken focus off those horrendous murders, which we should all, quite rightly, abhor. By any measure, their strategy has cataclysmically failed.

We have no leadership and no strategy. Health staff, the public and patients continue to be failed. Where else would it be acceptable to have a part-time Health Minister as we continue to witness crisis after crisis, as I have outlined? It is important to remember that the Ministries that are occupied by the DUP retain the key policy levers that are paramount in dealing with the long-term issues facing Northern Ireland.

Part of this morning's contribution elsewhere was that those who had supported the concept of an Assembly adjournment — the Alliance Party — had no room to criticise the DUP when it took further escalation measures. I remind the House that the SDLP objected completely and unanimously to the concept of an adjournment and, by the DUP's logic, is therefore in a stronger position to criticise its in-out approach today. It is letting down patients —

Mr Lyttle: Will the Member give way?

Mr McKinney: I will.

Mr Lyttle: I am reluctant to get drawn into a war of words, given that the purpose today is to send out a clear message that MLAs and Ministers want to work in the best interests of people in Northern Ireland, but, given that the Member has criticised the Alliance Party, does he accept that the abdication of responsibility to take difficult decisions on welfare reform is damaging our community just as much as the abdication of actual ministerial office?

Mr Speaker: The Member has an extra minute.

Mr McKinney: Thank you very much, Mr Speaker. The Member may have misinterpreted what I was reflecting on. While I have my criticisms of your party's support of the adjournment process, I was making the point that the DUP said that you had little room to criticise when it escalated its approach beyond that. I am comparing and contrasting that with the SDLP's very robust approach of saying that it wanted the Assembly institutions running. We do not accept the principle of adjournment and therefore, perhaps uniquely in the Chamber, we can stand here and say that this is wrong in terms of adjournment, wrong in terms of escalation procedures and, as I say, wrong from a strategic perspective. The party that adopted that process claimed that it was —

Mr Speaker: Time is up.

Mr McKinney: — going to bring a focus on the murders when, in fact, it has only brought focus on its own failed strategy.

Mr Speaker: Time is up.

Mr Cochrane-Watson: I thank the Members for bringing the motion to the Assembly today.

We need to remind ourselves of the timeline of the DUP's hokey-cokey strategy, if you want to call it a strategy, of resigning and reappointing Ministers. When the Ulster Unionist Party decided to withdraw from the Executive and my colleague Minister Danny Kennedy resigned, the DUP had no intention — repeat: no intention — of following suit. They made noises about excluding Sinn Féin from the Executive, yet they knew fine well that, under the St Andrews Agreement, the possibility of excluding Sinn Féin from the Executive through an Assembly motion simply did not exist. I remind Members that, when we withdrew from the Executive, we did so cleanly and clearly on a point of principle — the point of principle being the complete undermining of trust in the serial denial of Sinn Féin in the wake of the implication of a still-operational Provisional IRA in the McGuigan murder.

From the public statements of various DUP spokesmen in late August/early September it is abundantly clear that they had no intention of withdrawing from the Executive, which would have triggered Assembly elections — no intention whatsoever. Sammy Wilson stated on 28 August:

"The UUP's decision to leave government is cowardly rather than courageous and self-serving rather than selfless. It is premature and opportunistic. This is a time for sensible leadership not knee-jerk reactions."

How Sammy must regret those comments. On 7 September, Peter Robinson stated:

"If it becomes apparent to us that a satisfactory resolution in the talks is not possible then, as we indicated in our earlier statement, as a last resort ministerial resignations will follow."

The day after, Mrs Foster attacked my party leader, stating:

"One day Mike Nesbitt is in the Executive and the next day he's out. One day he's in the talks and the next day he's out."

The next morning, on 9 September, she berated the leader of the Ulster Unionist Party on Radio Ulster, unfortunately for her just minutes before news broke of a certain Mr Copeland being arrested and Mr Storey joining him. On 9 September, we were told that, if the adjournment of the Assembly did not happen or the Secretary of State did not suspend the Assembly, DUP ministerial resignations would follow. Next day, we were told by Peter Robinson that he was, therefore, standing aside as First Minister and that other DUP Ministers would resign with immediate effect, with the exception of Arlene Foster.

There is no record from the DUP on its website or by any other means of the tactic to resign and then take up their ministerial positions. The DUP can shout and yell at fellow unionists, but the truth is that the guiding principle through the past weeks was to protect the DUP at all costs. Their so-called clever tactic is all about self-preservation, and that is always their motivation. The mantra is this: the party comes first. The fact is that, despite their occasional hard

line rhetoric, through it all the DUP have been joined at the hip with Sinn Féin for the past eight years in a carve-up of this dysfunctional Executive.

Mr Lyttle: I thank the Member for giving way. I find strange his analysis of another party that he is trying to criticise as being joined at the hip with Sinn Féin odd when his party was joined at the hip/inextricably linked to the DUP at only the last Westminster election.

I appreciate the aim of doing what is right for Northern Ireland, but how is abandoning a Department that is scheduled to make a £15 million underspend and has serious issues in road maintenance and street lighting doing what is right for the people with public services?

Mr Speaker: The Member has an extra minute.

Mr Cochrane-Watson: I thank the Member, but I remind him, as a member of the Committee for Regional Development like me, that the Committee unanimously agreed to ask the permanent secretary to go back to the Minister to do a ministerial directive to spend an additional £20 million, so the concerns felt by the Member were not shared by him in the Committee meetings. I remind the Member, who declared on Radio Ulster this morning that the in-out policy was the hokey-cokey policy, that my party is out of the Executive. We made that clear in August.

Over the past six weeks, we have watched as the DUP Ministers have been absent from responding to debates and questions in the Assembly. Yet we all witnessed in disbelief the Minister coming back to talk about the very urgent and important matters of the Renewables Obligation Closure Order —

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

Mr Cochrane-Watson: — the Credit Unions and Co-operative and Community Benefit Societies Bill, and, last week, the Civil Service —

Mr Speaker: Thank you.

Mrs D Kelly: I am disappointed to have to take part in this debate. I had hoped that, by now, common sense would have prevailed and we would have a functioning Executive and Assembly, particularly in light of dissident activity over the last few days where lives were very clearly put at risk. We all know the danger of a political vacuum here in the North and of who steps in to fill such a vacuum. If for no other reason than that, I appeal to the DUP to get back to work.

Many contributors to the debate have outlined the challenges waiting in many of the Ministers' in trays — not least, of course, in Health. Once again, we have seen and heard of job losses over the last number of days. We hear about potential investors who will not commit to that investment in the absence of political stability. It is long past the time. The argument as to why DUP Ministers ought to get back to work is well made right across the political, civic, voluntary and business sectors.

In the words of the DUP's Chief Whip in the Assembly, their tactic is messy. He said that in an interview over the weekend on 'Sunday Politics'. Many Members, particularly those from the DUP who want to get back to work, believe that it is very messy and counterproductive. Unfortunately, it is not just counterproductive for all those businesses, the community, the patients on waiting lists, the homeless or those waiting for announcements on benefits, pensions and housing, but to the detriment of us all as the public

loses faith in these institutions. Of course, it was the will of the people and the votes of the people back in 1998 that established these institutions. It is those people who have been most betrayed by the failure to make politics work in the North.

I listened carefully to the Sinn Féin contribution earlier. I cannot help but reflect that, some two years ago, Sinn Féin blocked the Executive from meeting for three months. So, at times, Sinn Féin has little to offer in the way of criticism that could be stood over. When the recent crisis occurred, someone asked me what I thought the DUP would do. I said, "Well, they cannot just block the Executive. They will do something like that, but they will do it differently because Sinn Féin has already done that." That is why we have such a messy situation. That is why some strategist, on a very dark night when they were obviously not performing at their best, came up with the ploy of in-out, hokey-cokey Ministers. It does a disservice not just to the people of Northern Ireland but to all of us.

We have heard others say that they are defending these institutions. I do not know how they are defending them. There are quite a few weaknesses in the fortress surrounding these institutions because of the antics of some. One of the biggest risks to these institutions is the failure of, in the main, the two big parties to work together collaboratively. That is why we have seen so many strategies stuck, particularly in the Office of the First Minister and deputy First Minister. Why can there not be an effective anti-poverty strategy, particularly in light of all the Tory cuts? I welcome the current backlash in England in relation to the attack on the tax credit system. I hope that that particular cut is stood down. Imagine that the House of Lords, where people have the most privileged of all backgrounds, one would think, might well be the last defence of those who are most vulnerable across England, Wales, Scotland and here in the North. It is quite ironic, is it not?

In relation to earlier comments about my party and the issue around welfare, at least we did not acquiesce on the issue of welfare. We are still in the business of seeking mitigation and having a sensible way forward for the benefit of all.

3.00 pm

Mr Allister: This is the time of year of falling leaves. Seldom can a First Minister have waited so anxiously beneath the fig tree in Stormont House to grasp the falling fig leaf to enable him to get back into government, and yet, patently, that is the ploy now afoot.

The DUP tell us — the Acting First Minister told us — that its partner in government is inextricably linked to the IRA. The Chief Constable told us that members of the IRA murdered Kevin McGuigan. The DUP said that, in consequence, it cannot be business as usual. Hence, we become "sometimes Ministers", in and out, but always careful to preserve our pension continuity and our positions.

The panel report is to issue. It may be tomorrow or it may not be — it was supposed to be last week, but maybe it took a little more massaging than anticipated. If the panel report can sanitise, present and suggest that there might have been a little recreational murder but the bigger picture is that the paramilitary organisations have the best of motives and really want to help the peace process, and, in

fact, it is a great idea that we have them, as Mr Powell tried to tell us last week, and if the panel report does its business and provides the fig leaf, rest assured that the DUP will be back in office, begging the question that it could not have done business as usual because of an IRA murder. If the panel, despite all the massaging, has to confirm that it was a murder by members of the IRA, why oh why are they standing ready, brush in hand, to brush that murder under the carpet? That will be the consequence of the resumption of business as usual. The very thing that could not happen because of that murder, now, it seems, under the fig leaf that they hope is going to fall into their hands, can be done, despite that murder. In other words, sweep it under the carpet. That is the spectacle that we are going to see, I believe, this week. It is a spectacle that is wholly lacking in principle and sincerity because it effectively creates the licence to kill again.

If a paramilitary organisation can kill in those circumstances and there are political consequences, and then the political consequences are ameliorated and withdrawn, what does that say to that paramilitary organisation or any other paramilitary organisation? If you kill, we will huff and puff, but we will not really do anything about it, and, when a decent interval of time has passed, we will carry on as if it never happened. By that very approach, a licence to kill again is created.

Of course, what does that matter in the world of political expediency, where the expedient is to avoid an election, cling to office and get back into full cohabitation with Sinn Féin? That, sadly, is the DUP approach in this matter.

Mr B McCrea: It has been an interesting debate thus far. People are struggling to find some rational explanation for why we have got into this place in this way. There are a number of people who I feel a little sorry for. This may be somewhat surprising. Number one is Simon Hamilton, who, as Minister for Health, has, I think, found himself in an invidious position. I agree with the points that he makes in the briefing document. He says whether he is in the Executive:

"has no bearing on the standard of health care",

in the short term. But he is caught in this morass, where his reputation is being trashed. Of all the winners and losers in this debate, I happen to think that Simon Hamilton is the biggest loser of all. This was a man on the rise, someone who had a future and opportunity. He has been in lots of ministerial positions, and he was going to go and do something. Together with his absence from the Chamber and, potentially, his association with other events being discussed by the Committee for Finance and Personnel, I think that he deserves the opportunity to come and explain himself. Yet he is not able to do that because of party political positions.

I am also interested in following up on the point that Mr Allister made, which was this: where is the panel? Where are the three wise men who were going to tell us whether there is an issue with paramilitaries? That was supposed to happen last week, but it is not even today. It might be tomorrow. Who knows? The very issue that brought about this crisis has been forgotten even by those parties that walked out on it. They are now caught up —

Mrs D Kelly: Will the Member give way?

Mr B McCrea: Yes.

Mrs D Kelly: I cannot help but think that, in relation to the loyalist paramilitaries, we got the answer and analysis from them last week when they came with their begging caps out looking for help to get out of extortion, drug dealing and other criminality. It seems the case in point that they are very much active.

Mr Speaker: The Minister has an extra minute. *[Laughter.]* I mean the Member has an extra minute.

Mr B McCrea: Thank you, Mr Speaker. As Mrs Kelly points out, there are many contradictions in this place that in any other part of the world you would look at in disbelief. However, being here, we have some people saying, 17 years later, "We are going to stop doing bad things." Other people are saying, "We never did bad things in the first place." You get this strange argument going on about what form of democracy we have here.

The point I really want to make on this issue is that the whole crisis was based around some form of shooting, whether there was an allegation of paramilitary activity and whether it is still in place. And yet, it is gone. It is hardly mentioned. What we are talking about now is process: how are we going to deal with a non-functioning Executive? How are we going to deal with flags? How are we going to deal with the past? This is not what this crisis was about. It has morphed into something different.

When I look in this very helpful pack provided by the Library, one of the key questions I have for ministerial officeholders is on the Pledge of Office, which states they should:

"discharge in good faith all the duties of office".

I want to know this: does that stop the minute you are no longer a Minister? Do you say, "I am no longer going to act in good faith"?

Mr McKinney: I thank the Member for giving way. He is aware that, under paragraphs (ii) and (iii) of article 1.5 of the ministerial code, there is a duty to communicate with Assembly Members and the public. Given the number of times that those Ministers have been out of their seats, is there a risk that they have, in fact, breached the ministerial code?

Mr B McCrea: I was coming to the ministerial code, and I will say just that 1.5(ii) states that Ministers should:

"be accountable to users of services, the community and, through the Assembly, for the activities within their responsibilities".

My argument is that you cannot just do it one day and then not the next day.

The last point that I want to make on the Pledge of Office is that I was struck by its inclusion of the commitment:

"to support, and to act in accordance with, all decisions of the Executive Committee and Assembly".

I think that, on multiple levels, the Ministers who are not here are failing to live up to those conditions. I am quite happy to accept that there are serious political issues to be resolved. There are some things that need to be brought to the fore and that we need to resolve. However — it is stating the obvious, but I state it for the sake of clarity — this strategy on the part of DUP Ministers, whether well-intentioned or not, is backfiring spectacularly.

Mr Speaker: The Member's time is up.

Mr B McCrea: There is not a person I talk to who does not say, "This is wrong. It has exposed this place, and we really have to do something to try to regain the trust of the electorate."

Mr McCallister: When looking at the strategy and debating the motion, we look back, and all colleagues referred to events over the summer that were the precursor to this. I have always taken the view that paramilitary activity over the last number of years has become very clearly linked to criminality. The act of brutal criminality that we had on our streets — the murder of Mr McGuigan — is, to my mind, a matter for the police, who should have all the resources that they need to investigate such a crime. If there are wider implications of organised crime, we have the National Crime Agency to investigate and deal with that. An act of brutal criminality like that should never have been in a position to bring down the entire Government of Northern Ireland. These institutions were hard won in 1998. It is no surprise that I want them to change, progress, evolve and normalise as much as possible, but a brutal act of criminality should not have brought our Government down or to their knees and the very being of the Assembly into question.

What of the DUP strategy of absentee, or in/out, Ministers? I do not think that it is remotely helpful to the Assembly or the public at large. I do not think that it is remotely helpful to the DUP. There is some argument about what impact a Minister in position would have on the health service. Nearly four years into the Transforming Your Care strategy, and three Ministers later — if you count Mr Hamilton's time as continuous service — what have our Government delivered? Twenty per cent of our population are on a waiting list. What impact is that having on our economy? We do not have an Enterprise Minister, except when he has a trip to China to go on; and we do not have a Health Minister, although he says that his absence has no impact. Meanwhile, we have people waiting, people who should, and want, to get their operation over with and, possibly, go back into the workplace. Companies are depending on some people coming back to work. This is bound to have a detrimental effect on our economy.

Look at the state of our economy: we have not achieved the level of growth that we see in other parts of the UK, and the Republic of Ireland is heading for a growth rate of 6.2%.

Where are we with any of that debate? The best that our economy Minister can do before he has to resign is to take a trip to China or bring in legislation on credit unions.

3.15 pm

The key drivers of inward investment are delivering political stability and delivering on skills. Where are we with either? That is the impact that the situation is having. Looking across government, I note that Minister O'Dowd is bringing forward legislation on shared education. I welcome that and want to see it, but Minister O'Dowd cannot get that legislation out of the Executive, because they are not meeting. How can we make progress and find agreement on an agenda that we want to see moving on? It almost reminds me of the Major Government in 1996 when BSE hit, when they decided that they would veto all European Union rules for a while, even the ones that they agreed with.

We are now in the ridiculous situation where nothing is going through the Executive, because they are not meeting. We have in-out Ministers, and the only thing that they can come together on is to vote against a reduction in the number of SpAds.

Mr F McCann: Go raibh míle maith agat, a Cheann Comhairle. I support the motion. A lot of sensible stuff has been said here today, especially about the consequences of the resignations. Take the Minister for Social Development and probably the rest: he has resigned five times since 10 September. The DUP has taken a silly position on resigning, which has not only made this place a laughing stock but left everyone in the House open to ridicule. Its picking and choosing of when its Ministers are in and when they are out not only makes life difficult for the business of this place but impacts on its constituents.

There does not seem to have been a pattern to Ministers' time spent in office. Some remain in office longer than others. Does that indicate that there is a difference of opinion in the ranks of the DUP? Since 10 September, the House has been held to ransom by this disruptive practice. There is no logic to what the DUP is doing. Its only objective seems to be to disrupt the normal working of the Assembly. That has had serious implications for the smooth running of business. It has delayed the passage of important legislation.

A Minister must:

"be accountable to users of services, the community and, through the Assembly, for the activities within their responsibilities".

Those include key performance targets and objectives being met. That is in the Pledge of Office, and there are other things in the ministerial code of conduct:

"ensure that all reasonable requests for information from the Assembly, users of services and individual citizens are complied with".

The Pledge of Office states that Ministers will:

"participate fully in the Executive Committee".

Surely those two aspects of public life have been upset by the activities of the DUP. Many Members have been denied the opportunity to question Ministers on aspects of their work, and the smooth passage of legislation has been affected.

One of the seven principles of public life, under the heading "Accountability", states:

"Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office."

Surely that has been denied to Members. Ministers are not available to the Chamber or to Committees so that MLAs can tackle and challenge them. One can take the Housing (Amendment) Bill, which deals with antisocial behaviour and information-sharing protocols: it could be lost because of the absence of the Minister for Social Development. My colleague Alex Maskey, the Chair of the Committee for Social Development, has done two things to try to ensure that Bills are kept going. He has called the senior official to the Committee to give us an RD — a rundown — of what is

happening, what decisions have been made and how the Department is dealing with the Bill. He has demanded that someone attend the Committee weekly to keep it informed on the decisions that have been made.

The DUP said quite a lot about the perceived delays in the recent Red Sky inquiry, which the Chair challenged. At that time, he said that we needed to be able to get back to dealing with the serious question of housing and all its aspects, including the crisis in new build, social housing, the future structures that will guide housing over the next 30 years and the serious flaws in the housing selection scheme that condemn people to lengthy waits for housing. In my constituency, over 4,000 people are on the waiting list, which impacts socially on many families in hostels or in overcrowded conditions. The absence of the Minister for Social Development is denying me, as an MLA, the right to question him on those matters. There are many other aspects of his Ministry that affect the most vulnerable in society, such as dealing with deprivation and other issues that come up in Committee. It is time to put an end to this nonsense and get down to the real business, which is protecting the people out there who need protection.

Mr Lunn: I obviously support the motion, and I thank all those who contributed. I will agree with Mrs Kelly straight away: it is a pity that we had to table the motion, and it is a pity that Mrs Kelly had to speak — I quite often say that. The motion is really about the image of this place, and others have referred to that. The image of this place as a legislature is at an all-time low. It could not have got much worse prior to this episode blowing up, but it has. The population is indifferent, critical or just could not care less. The media are queuing up to poke fun at us or, more likely, to pour scorn on us. The business community is completely exasperated and frustrated, and it is fearful about the economy and the future. Our image across the world must be suffering through all this. We are also leaking money at £10 million a month, and we have no Executive meetings. I could probably go on for 10 minutes just being negative.

We have had so many stand-offs and blockages at the Executive, and we now have rolling resignations, hokey-cokey, in-out or — a new one that came up today — yo-yo Ministers — I like that one — introduced by the DUP following a formal resignation by the UUP. I listened to Mrs Dobson with a sense of irony, because its resignation was just as premature — even more so — and just as reprehensible.

How does this affect the running of a Department, which is what this is really about? I would say that, in this place, Ministers are normally the busiest of people. Of all Members, Ministers have the most onerous task and should be the busiest in their job, possibly with the honourable exception of you, Mr Speaker. They are supposed to adhere to the Pledge of Office, and others have mentioned sections of the Pledge of Office. The meaning of the Pledge of Office is pretty clear: they are supposed to act with integrity and diligence and do their best in the interests of the people of Northern Ireland — the people who put them here and the people whom they are supposed to serve. Are they really doing that when they are not attending briefings, meetings and events as Ministers? They are not able to make decisions, except very quickly on the hoof before they have to resign again, and they are not attending to legislation. Other Members

quoted instances of legislative matters having to be put back because we do not have a Minister.

Mr McKinney and others mentioned the Health Minister — that is the big one — and the assertion made by DUP representatives that it does not really matter because it is relatively short-term and, whether the Health Minister is at his desk or not, it does not really affect waiting lists. I will tell you what: in the next DUP manifesto, if we manage to get waiting lists down, the Health Minister and the DUP will take the credit for it. You cannot have it both ways.

We also have the unedifying spectacle of the disagreements over whether their salaries are being paid in full or are being stopped when they are out of office. Pension rights were also mentioned, along with the use of ministerial cars. A couple of instances have at least made me smile. One was the attendance of a Minister who was out of office at a cycling event.

We had the spectacle of his car being visible while his chauffeur pumped up the tyres on his bike. I mean, really. We had instance of another Minister who was out of office but apparently coming back here to retake the Pledge of Office and pick up the reins of power again — in his ministerial car from Ballymoney. I do not like to use the word “farce”, because I am just adding to the general impression that it is a farce.

All of this is because a republican was murdered, evidently by other republicans. In the DUP's case, its ultimate reason for withdrawing its Ministers was the arrest and questioning of three senior republicans: Bobby Storey, Eddie Copeland, and I forget the other fellow's name. It is so full of irony. I listened to Mrs Foster at Question Time telling Mr Allister off for being premature in wanting to bring this place down and saying that he should have waited for the report. According to Mrs Foster and the DUP, the fact that Bobby Storey was taken in for questioning is apparently proof of guilt. It defies belief. This is a solicitor lecturing a barrister. What happened to the presumption of innocence in this country? Somebody being taken in for questioning should not, as Mr McCallister said — it was a brutal murder, fair enough — be a reason for bringing down a Government, threatening to bring down a Government or threatening the institutions of a place like this.

I make this point too: how many murders have there been since the IRA ceasefire? I wonder how many murders were, possibly, committed by members or ex-members of the IRA. I wonder, in the longer term, how many murders have been committed by members, dormant members or ex-members of the UVF or UDA. The panel report tomorrow may well be a very interesting document, but I have heard so much condemnation of the murder of Mr McGuigan that I cannot help wondering where was all the condemnation of the murder of Jock Davidson, which apparently precipitated that murder. I hardly heard a word. It is pick-and-choose, tactical stuff. The DUP wanted an excuse to take action on the back of the action that the UUP took, and it found that excuse — that three people had been arrested and, therefore, must be guilty.

I will quickly run through what Members said in the debate. Chris Lyttle, in introducing it, talked about the discharge of duties in good faith. He made the case that many have made about the DUP turning up for certain motions and not for others: it is OK to talk about SpAds, but it is not OK to talk about autism. I could make various comparisons like

that. He also made the point that we would have favoured a short adjournment, but in no way did we ever agree to the kind of tactical nonsense that has been going on here for the last month or five weeks.

Steven Agnew interjected and asked about a process for investigation of breaches of the ministerial code. It is long overdue. He is gone, but he is right. Mrs Dobson referred to the DUP's decision to withdraw its Ministers and start this hokey-cokey nonsense as being "undemocratic" and "un-British". Words fail me: that is a bit rich from the party that started this.

Ms McCorley said that it was not good enough and mentioned the problems with DSD, junior doctors and Transforming Your Care. She mentioned welfare cuts. The SDLP introduced welfare cuts as some kind of a reason to bring up in this debate. Welfare cuts cost this country and our Budget £10 million a month because of Sinn Féin's obstinacy.

Mr Cochrane-Watson — I liked this — criticised Sammy Wilson's comments, which criticised his party. All he did, frankly, was confirm that unionism generally is all over the place on this. They do not know how they got here, and they do not know how to get out of it. Somebody said that Peter Weir had called the situation "messy". My goodness, "messy" is right, is it not, Peter? It is a mess of your making. You can blame other people for it, but your party — sorry, Mr Speaker — Mr Weir's party made the decisions that have caused the mess.

3.30 pm

Mr Allister waxed lyrical about falling leaves and fig leaves. I am afraid that, after that, I lost interest slightly. We have heard that speech so many times, and we know where he is on this. That is fair enough. Mr McCrea said that he was sorry for Simon Hamilton. Some of us would have a grain of sympathy for Mr Hamilton; he clearly wants to be at his desk. John McCallister pointed out that it should have been left to the police. It is a police matter and never should have been allowed to bring down an Executive or a Government. Fra McCann spoke about this place being a laughing stock and all the problems of DSD at the present time.

I wish that I had 20 minutes. This cannot go on; it is a farce. It is a DUP-instigated farce, and it needs to stop. Hopefully, tomorrow's panel report will be the beginnings of trying to stop it. I support the motion.

Question put.

The Assembly divided:

Ayes 54; Noes 34.

AYES

Mr Agnew, Mr Beggs, Mr D Bradley, Mr Byrne, Mr Cochrane-Watson, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Flanagan, Mr Ford, Mr Gardiner, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Mr Nesbitt, Ms Ní

Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Somerville, Ms Sugden.

Tellers for the Ayes: Mr Lunn and Mr McCarthy.

NOES

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McQuillan and Mr G Robinson.

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Allister

Question accordingly agreed to.

Resolved:

That this Assembly notes that the Minister for Social Development, the Minister for Regional Development, the Minister of Health, Social Services and Public Safety and the Minister of Enterprise, Trade and Investment have resigned and resumed office more than 20 times since 10 September 2015; believes that this practice of rolling resignations has had a significant and detrimental effect on the governance of Northern Ireland and on the public's faith in the political institutions; and further believes that engaging in this practice of rolling resignations amounts to a breach of the terms of the Pledge of Office.

Adjourned at 3.44 pm.

Northern Ireland Assembly

Tuesday 20 October 2015

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

Members observed two minutes' silence.

Committee Business

Public Services Ombudsperson Bill: Consideration Stage

Mr Speaker: I call the Chairperson of the Committee for the Office of the First Minister and deputy First Minister to move the Bill.

Moved.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Speaker: Members will have a copy of the Marshalled List of amendments detailing the order for consideration. The amendments have been grouped for debate in the provisional grouping of amendments selected list. There are three groups of amendments, and we will debate the amendments in each group in turn. The amendments in group 1 deal with name changes and technical matters. The second debate will be on amendments relating to the powers and remit of the ombudsperson. The third debate will be on amendments dealing with the complaints handling procedure.

I remind Members intending to speak that, during the debates on the three groups of amendments, they should address all the amendments in each group on which they wish to comment. Once the debate on each group is completed, any further amendments in the group will be moved formally as we go through the Bill and the Question on each will be put without further debate. The Questions on stand part will be taken at the appropriate points in the Bill. If that is clear, we shall proceed.

Clause 1 (The Northern Ireland Public Services Ombudsperson)

Mr Speaker: We now come to the first group of amendments for debate. With amendment No 1, it will be convenient to debate all the other amendments in group 1, along with the opposition to clause 52 stand part. These amendments deal with name changes and technical matters. Members should note that amendment No 10 is consequential to amendment No 9; amendment No 130 is consequential to amendment Nos 1 and 76; and amendment No 131 is consequential to amendment Nos 1, 76 and 130.

Opposition to clause 52 has been tabled by Mr Nesbitt as Chairperson of the Committee for the Office of the First Minister and deputy First Minister. I call the Chairperson of the Ad Hoc Committee on the Public Services

Ombudsperson Bill, Lord Morrow, to move amendment No 1 and address the other amendments in the group.

Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill): I beg to move amendment No 1: In page 1, line 4, leave out “Ombudsperson” and insert “Ombudsman”.

The following amendments stood on the Marshalled List:

No 2: In page 1, line 4, after “Ombudsperson” insert “(in this Act “the Ombudsperson”)”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 3: In page 1, line 5, leave out subsection (2).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 5: In clause 2, page 2, line 1, leave out subsection (2) and insert

“(2) But this is subject to—

(a) the power of the Assembly Commission to determine the salary, pension and terms of appointment of the Ombudsperson under paragraphs 6, 7 and 8 of Schedule 1,

(b) the power of the Assembly to request Her Majesty to remove the Ombudsperson from office under paragraph 9 of Schedule 1,

(c) the power of the Department of Finance and Personnel to direct the form of accounts the Ombudsperson must prepare, under paragraph 7 of Schedule 2, or sections 9 to 13 of the Government Resources and Accounts Act (Northern Ireland) 2001.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 6: In clause 9, page 4, line 18, after “publish” insert “and have regard to”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 7: In clause 12, page 5, line 5, leave out “First Minister and deputy First Minister acting jointly may” and insert

“Office of the First Minister and deputy First Minister may, with the concurrence of the Assembly Commission”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 8: In clause 12, page 5, line 27, at end insert

“(b) its expenses are defrayed out of moneys appropriated by Act of Parliament.”.— [Mr Nesbitt

(The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)

No 9: In clause 12, page 5, line 31, leave out “First Minister and deputy First Minister acting jointly” and insert

“Office of the First Minister and deputy First Minister”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 10: In clause 12, page 5, line 33, leave out “they think” and insert “it thinks”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 14: In clause 15, page 6, line 22, after “decision” insert “of that body”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 16: In clause 16, page 6, line 31, after “decision” insert “of that body”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 20: In clause 17, page 7, line 15, after “decision” insert “of that body”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 25: In clause 19, page 8, line 10, leave out “First Minister and deputy First Minister acting jointly may” and insert

“Office of the First Minister and deputy First Minister may, with the concurrence of the Assembly Commission”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 26: In clause 22, page 9, line 7, after “may” insert

“, with the concurrence of the Office of the First Minister and deputy First Minister”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 28: In clause 24, page 9, line 24, leave out “it is reasonable to do so in the circumstances” and insert

“there are special circumstances which make it proper to do so”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 36: In clause 28, page 10, line 35, leave out “it is reasonable to do so” and insert

“there are special circumstances which make it proper to do so”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 37: In clause 30, page 11, line 36, leave out “furnishes” and insert “provides”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 38: In clause 30, page 12, line 1, leave out “furnishing” and insert “providing”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 39: In clause 31, page 12, line 12, leave out “supply” and insert “provide”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 40: In clause 31, page 12, line 16, leave out “supply” and insert “provide”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 41: In clause 31, page 12, line 24, leave out “supply” and insert “provide”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 42: In clause 32, page 12, line 38, leave out “supply” and insert “provide”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 43: In clause 33, page 13, line 6, leave out “officer” and insert “member of staff”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 55: In clause 37, page 14, line 24, after “investigation” insert

“(other than one under section 8)”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 56: In clause 38, page 14, line 35, leave out “in accordance with section 32(2)” and insert

“under section 31(1) by virtue of section 32(2)”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 57: In clause 41, page 16, line 26, after “give” insert “written”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 61: In clause 47, page 19, line 27, leave out “in accordance with section 32(2)” and insert

“under section 31(1) by virtue of section 32(2)”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 62: In clause 48, page 19, line 35, leave out “or an officer of the Ombudsperson”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 63: In clause 49, page 20, line 11, at end insert

“(3) The person holding office as Northern Ireland Judicial Appointments Ombudsman immediately before the coming into operation of this section ceases to hold that office upon the coming into operation of this section.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 64: In clause 50, page 20, line 15, at end insert

“‘action taken by a listed authority’ has the meaning given in section 13.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 66: In clause 50, page 20, leave out lines 34 to 38 and insert“(a) Minister of a Northern Ireland department, and

(b) junior Minister.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 68: In clause 50, page 20, line 38, at end insert

“Northern Ireland Minister’ has the same meaning as in the Northern Ireland Act 1998.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 70: After clause 51 insert

“Orders

52.—(1) No order to which subsection (2) applies is to be made unless a draft of the order has been laid before, and approved by resolution of, the Assembly.

(2) This subsection applies to an order under section 12(2), 19(3), 22(2) or 51.

(3) Orders under paragraph 6(1) of Schedule 1 are subject to negative resolution.

(4) Orders mentioned in this section may contain such incidental, consequential, supplementary, transitional and savings provisions as appear to the authority making them to be necessary or expedient.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 72: In clause 55, page 22, line 2, leave out “paragraph 11” and insert “paragraphs 5(2) and 11”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 73: In clause 55, page 22, line 3, at end insert“(a) section 14(2)(d).”— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 74: In clause 55, page 22, line 23, at end insert“(c) section 11(c),

(d) section 29,

(e) section 30(4),

(f) section 36,

(g) section 37(3).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 76: In clause 56, page 22, line 25, leave out “Ombudsperson” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsperson Bill).]*

No 77: In schedule 1, page 23, line 5, at end insert

“1.—(1) The person for the time being holding the office of the Northern Ireland Public Services Ombudsperson is by that name a corporation sole.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 78: In schedule 1, page 24, line 40, leave out sub-paragraph (4) and insert

“(4) But—

(a) a person is not disqualified from being appointed as Ombudsperson by virtue of being the Northern Ireland Judicial Appointments Ombudsman,

(b) the Ombudsperson is not prevented from being appointed as the Northern Ireland Judicial

Appointments Ombudsman.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 81: In schedule 2, page 28, line 40, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 82: In schedule 2, page 29, line 4, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 83: In schedule 2, page 29, line 11, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 84: In schedule 2, page 29, line 12, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 85: In schedule 2, page 29, line 13, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 86: In schedule 2, page 29, line 19, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 87: In schedule 2, page 29, line 22, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 88: In schedule 2, page 29, line 24, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 89: In schedule 2, page 30, line 16, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 90: In schedule 2, page 30, line 21, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 91: In schedule 2, page 30, line 36, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

No 92: In schedule 2, page 31, line 3, leave out sub-paragraph (2) and insert

“(2) Accordingly, Article 4(4) to (6) of, and Schedule 1 to, the Commissioner for Complaints (Northern Ireland) Order 1996, or, as the case may be, Article 5(4) to (6) of, and Schedule 1 to, the Ombudsman (Northern Ireland) Order 1996 continue to have effect with respect to such persons.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 93: In schedule 2, page 31, line 7, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the*

Committee for the Office of the First Minister and deputy First Minister.)]

No 94: In schedule 2, page 31, line 10, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 95: In schedule 2, page 31, line 31, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 96: In schedule 2, page 31, line 31, leave out “but” and insert “and”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 97: In schedule 2, page 31, line 32, leave out “no complaint was” and insert

“a complaint could have been, but was not”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 98: In schedule 2, page 31, line 33, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 99: In schedule 2, page 31, line 34, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 100: In schedule 2, page 32, line 1, leave out “appointed” and insert “transfer”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 101: In schedule 3, page 32, leave out lines 9 to 21 and insert

“Northern Ireland Departments

A Northern Ireland department”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 102: In schedule 3, page 32, line 29, leave out “A” and insert

“The board of governors of a”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 105: In schedule 3, page 33, leave out lines 30 to 32.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 106: In schedule 3, page 34, line 26, at end insert

“The Health and Safety Executive for Northern Ireland”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 109: In schedule 4, page 35, line 30, leave out “Article 110 of the Planning (Northern Ireland) Order 1991” and insert

“section 203 of the Planning Act (Northern Ireland) 2011”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 110: In schedule 5, page 36, line 17, leave out paragraph 3.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 111: In schedule 5, page 36, line 31, leave out subparagraph (2) and insert

“(2) But the Ombudsman may investigate that action, notwithstanding any limitation of time imposed by section 26, if conditions 1 and 2 are satisfied.

(3) Condition 1 is that—

(a) the Attorney General has decided not to proceed with an investigation,

(b) the Attorney General has decided not to institute proceedings, or

(c) there has been a final determination of those proceedings.

(4) Condition 2 is that—

(a) a person aggrieved complains that the action resulted in the person aggrieved sustaining injustice in consequence of maladministration,

(b) that injustice has not been remedied, and

(c) the Ombudsman is satisfied that there are reasonable grounds for that complaint.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 112: In schedule 6, page 39, line 27, at end insert

“9. Omit paragraph 13 (financial provisions and directions).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 113: In schedule 6, page 39, line 33, after “Assembly” insert “Commission”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 114: In schedule 6, page 39, line 36, after “Assembly” insert “Commission”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]*

No 129: In schedule 9, page 46, line 40, at end insert

“

<i>The Ombudsman and Commissioner for Complaints (Amendment) Act (Northern Ireland) 2015</i>	<i>The whole Act.</i>
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”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister.)]

No 130: In the long title, leave out first “Ombudsman” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

No 131: In the long title, leave out second “Ombudsman” and insert “Ombudsman”.— *[Lord Morrow (The Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

Lord Morrow: As Chairman of the former Ad Hoc Committee on the Public Services Ombudsman Bill, I would like to thank the members of the Committee, those who provided evidence to the Committee, the OFMDFM Committee Bill team, supporting officials and the Committee support team for the time and effort that they put into the Bill and into the preparation of the Committee's report. The Ad Hoc Committee, by its very nature, carried out its scrutiny of the Bill in a relatively short period of time, and I am appreciative of the consideration paid by the members of the Committee during this period.

The aim of the Bill is to combine the offices of the Assembly Ombudsman and the Commissioner for Complaints into a single office for public service complaints — the Northern Ireland Public Services Ombudsman, or NIPSO. The Bill not only combines the powers and remit of the existing offices but provides for the appointment of the NIPSO on the nomination of the Assembly and for the NIPSO to report to the Assembly.

While the Committee did not oppose any clauses in or schedules to the Bill in its consideration and was content with the amendments put forward by the OFMDFM Committee prior to its formal clause-by-clause scrutiny, members expressed concerns on a number of issues and made recommendations to the OFMDFM Committee, as the sponsor of the Bill, to take steps to address the Committee's concerns. I will address these concerns throughout the course of the debate.

With regard to amendment No 1 and the other amendments proposed by the Ad Hoc Committee, namely amendment Nos 76, 130 and 131, the Committee is proposing that the title of the new office will be the Public Services Ombudsman. The Ad Hoc Committee considered the usage of the term "ombudsman" in the Bill as drafted and noted that the OFMDFM Committee's intention was that the name be unambiguously gender-neutral.

The Committee noted the comments of the International Ombudsman Institute, the Ombudsman Association and the Welsh and Irish ombudsmen that the term is already gender-neutral, that it is a trusted and recognised brand and that to change the title could cause confusion among the public. The Committee noted the Scandinavian origin of the term and its original meaning in Swedish as "representative". While, initially, some members of the Committee preferred ombudsman as an explicitly gender-neutral form, following consideration of a research paper on the etymology of the term, the Committee agreed to propose amendments to change "ombudsman" to "ombudsman".

There are over 200 instances of the word "ombudsman" in the Bill, and the Committee, seeking an efficient and practical means of effecting its amendments, agreed that it would seek amendments to the first instances of the term in the Bill — that is, in clause 1 — and to the short and long titles at this Consideration Stage and, depending on the outcome of today's proceedings, intends to table amendments to the other affected clauses at Further Consideration Stage. I understand that the OFMDFM Committee, as sponsor of the Bill, is content with the Ad Hoc Committee's amendments to change "ombudsman" to "ombudsman".

The Ad Hoc Committee did not have sight of amendment No 73 prior to the Committee's formal clause-by-clause scrutiny and, therefore, does not have a view.

The Ad Hoc Committee considered the remaining technical amendments in this group proposed by the OFMDFM Committee following briefings from the Bill team and was content to agree them. The Chairperson of the OFMDFM Committee will, no doubt, explain the intentions behind those amendments in his contribution to the debate.

The Ad Hoc Committee considered clause 37, to which amendment No 55 relates, at length in its deliberations. Clause 37 provides the power for the NIPSO to lay a special report before the Assembly if, after conducting an investigation, it appears to the NIPSO that an injustice has been sustained and that the injustice has not been or will not be remedied or adequately remedied. The Committee noted evidence welcoming this provision as a means of strengthening the office of the NIPSO but also noted the concerns of representatives of the medical profession that such a power could be construed as coercive and have significant reputational impact, for example, for a general practitioner.

The Committee noted that the Ombudsman (Northern Ireland) Order 1996 provides for the laying of a special report before the Assembly. As at clause 11, the Committee noted stakeholder concerns with regard to potential implications of an ongoing judicial review and the laying of special reports. In considering legal advice on this issue, the Committee noted that the judicial review relates to the Commissioner for Complaints Order and that any decision on powers exercisable under the Commissioner for Complaints Order cannot be read across to this Bill. The Committee also noted that the NIPSO, as a public authority, will be required by section 6 of the Human Rights Act 1998 to act in a manner that is compatible with rights under the European Convention on Human Rights, including article 6, the right to a fair hearing, and article 8, the right to a private and family life, and to ensure that it discharges its functions in a manner that is procedurally fair.

While the Committee was content to agree clause 37 and amendment No 55, it expressed its reservations in respect of the provisions in this clause for the NIPSO to lay a special report before the Assembly and was concerned that such a power could potentially be construed as coercive and that such a report had the potential to have a detrimental impact on a medical practitioner. Accordingly, the Committee recommended that the Committee for the Office of the First Minister and deputy First Minister, as sponsor of the Bill, satisfies itself that there are proper safeguards and procedural fairness before any such power is exercised.

The Committee noted that the Audit Committee is seeking resolution through a protocol with DFP and is seeking ministerial agreement to a memorandum of understanding (MOU) between the Assembly and the Executive on the budget process where such a protocol could be included. However, the Audit Committee is not aware that such a resolution is imminent and states that it is likely that, as currently drafted, schedule 1(17) would allow for similar issues to arise in respect of the NIPSO and the budget of the NIPSO's office. The Committee sought the views of the Committee for the Office of the First Minister and

deputy First Minister on the concerns expressed by the Audit Committee. The Committee for the Office of the First Minister and deputy First Minister noted the Audit Committee's comments but did not propose to bring forward amendments in this regard. The Committee for the Office of the First Minister and deputy First Minister noted the distinction made between the Audit Committee agreeing the estimate and its being included in the Finance Minister's Budget Bill. However, the Committee for the Office of the First Minister and deputy First Minister noted that, to date, there had been no divergence between the agreed estimate and the figure included in the Budget Bill. It further noted that the Audit Committee was seeking to resolve the issue through a protocol with DFP.

The Ad Hoc Committee was content to agree schedule 1 but draws the Assembly's attention to the concerns expressed by the Audit Committee that schedule 1 may not provide the NIPSO with sufficient protection from the Executive controlling or directing its access to resources. The Committee strongly recommends that the Committee for —

10.45 am

Mr A Maginness: I thank the Member for giving way. I think that this is an important point not just politically but constitutionally: if the Assembly is given the power to appoint and provide for, in payment to and the terms and conditions of, the NIPSO, that power should not be restricted by the Department of Finance and Personnel through funding. It is very important that the office of the ombudsman is seen to be and is, in fact, independent and properly resourced, and no constraints should be placed on it by the political office of the Department of Health and Social Services. The point that I am making to Lord Morrow is, I think, a very important and crucial part of the Assembly's considerations. Any safeguards that the Member has talked about must be foolproof and guarantee that independence, not just to the NIPSO but to the Assembly itself.

Lord Morrow: I thank Mr Maginness for the points that he makes. I have heard what he has said, and I think that similar points were made during the journey of the Bill through the Ad Hoc Committee.

The Committee strongly recommends that the OFMDFM Committee, as sponsor of the Bill, takes steps to address the concerns raised by the Audit Committee to ensure that there is sufficient protection from the Executive controlling or directing the NIPSO's access to resources. The Committee notes that the Audit Committee has urged the Minister of Finance and Personnel to agree a proposed memorandum of understanding between the Assembly and the Executive on the budget process in which a protocol to resolve similar issues in respect of the budget of the Audit Office could be included. The Committee also notes that, to date, no such protocol or MOU has been agreed.

The Ad Hoc Committee recommends that an MOU acknowledging and safeguarding the NIPSO's financial independence should be agreed with DFP at the earliest opportunity. I look forward to hearing from the Chairperson of the OFMDFM Committee on how the Committee proposes to address the Ad Hoc Committee's recommendations and the Audit Committee's concerns.

The Ad Hoc Committee was content to agree the remaining technical amendments in this group proposed by the OFMDFM Committee.

Ms McGahan: Go raibh maith agat. I welcome the opportunity to speak on the Bill. I have been involved in it from its very inception, and although I am off the OFMDFM Committee, I still feel that I have a role to play.

The Chair will be aware that we are broadly happy with the provisions in the Bill. From its very inception, we opposed clauses 2, 3, 40 and 41, so it will come as no surprise that our party will oppose some of the amendments.

We will oppose amendment Nos 1, 76, 130 and 131 on the change from "ombudsperson" to "ombudsman". We live in a very progressive society. My understanding is that the term "ombudsperson" is used in America, and I do not believe that there is any confusion out there.

We will also oppose amendment No 5 on the appointment of the ombudsman by the Queen. We do not believe that the Queen has any role to play in that; it should be the Assembly. It is a point of principle. Again, the Committee Chairperson will be well aware of our stance from the very beginning; we are on record in regard to that matter.

We are also opposed to amendment Nos 57, 58 and 59 on disclosure contrary to public interest. We raised serious concerns throughout the discussions at Committee regarding national security and the involvement of the Secretary of State. When we were formulating our policy recommendations, the evidence showed that the policy was not utilised in any other region, so we did not believe that there was a need. However, it went to a vote, and the Committee voted to include the recommendation and to amend all the clauses that flowed from it.

That is all I have to say at the moment. I look forward to further consideration of the Bill.

Mr Eastwood: I give a broad welcome to the legislation. It is good and useful, and it is important that a Committee such as the OFMDFM Committee has done the work to bring such an important Bill to the House. It is a lesson for the rest of the Committees that that can be done well and properly. I sat on the OFMDFM Committee when the Bill was beginning its long process. I have not been on that Committee in quite a while, but we are here now. For my sins, I also sat on the Ad Hoc Committee, and we had some good debates on some of the issues.

I will focus on one issue in the first group of amendments: clause 37 and the laying of reports. We had concerns, as did the BMA, about the impact of general health practitioners being named on the schedule as some of the people who could be investigated by the ombudsman. We were slightly concerned about the size of a one- or two-person doctors' surgery compared with a trust or a Department and how all that fits together. We went through all the details, and, whilst we still have reservations, we are broadly content, having discussed the issues with the ombudsman.

The laying of reports concerned us. The potential for an individual doctor or a doctors' surgery being named at the Health Committee, for example, could be overreaching and have dire consequences for an individual doctor or a doctors' surgery. Given how connected and close our community is, the reputational damage to somebody around that type of activity could be very severe. We

had those discussions in Committee and also spoke to the ombudsman, and we are broadly content now. The ombudsman said that he would be happy for those reports to be anonymised. We will keep a watchful eye on how that plays out, but, if we ever get to the stage of laying one of those reports to the Committee, it is important that they are anonymised to protect the individual doctors concerned. There are other issues, but that deals with many of the issues about general practitioners.

Mr Lunn: I was a member of the Ad Hoc Committee, and I will speak about the amendments that deal with the name of the ombudsman or ombudsperson.

Before I do that, I want to say that I agree with Mr Eastwood's comments about the laying of special reports. That may need more attention, along with representation at an ombudsman's hearing or, as he calls it, an inquisitorial process. At the moment, the Bill appears to allow the ombudsman, if a professional person is before him, to advise him that he may need legal representation. My concern is that it may be too late at that point. He may already have compromised his position, and, if a case has to go on to County Court level, the details of the ombudsman's hearing are discoverable. The laying of special reports, particularly for an individual GP or single-practice GP, is a cause for concern. We will have to return to that.

There is nothing sexist, or whatever the word might be, about the word "ombudsman".

As the Chairman said, it goes back into modern history and almost into prehistory. It is not an English word; it appears to be a Scandinavian word. It is in use around the world. I accept Ms McGahan's point that it is not in use in America now, but if you look around the near continent and anywhere else they have ombudsmen, you see that in only a very few circumstances do they call them ombudspersons. Some commissioners in some countries are referred to as "ombudspersons", but the general rule, historically based, is "ombudsman".

Mr Hazzard: I thank the Member for giving way. I would have taken a view similar to him until I did a wee bit of digging into this. You are right to reference the historical connotations when it comes to "ombudsman". It comes from the Old Norse: "umbodhr": "commission"; "madhr": "man". That is something that we need to bear in mind.

When the Member started speaking today, a few times he referred to "he, he, he, he" when he referred to "ombudsman". So, it is not a sexist term, but if we are going to set up a new office, we maybe could break away from this, which leads us to always say "he" or "him, when it could be gender-neutral if we went for "ombudsperson".

Mr Lunn: Yes, I accept the rebuke from Mr Hazzard and his comment. I will, frankly, never manage to wholly convert to using "they" rather than "he" or "she". It is the way we are, but it does not mean any offence. I am sure he knows that.

Formal use of the word goes back to 1809, when the Swedish Parliamentary Ombudsman was formed. However, it was referred to in 1713 by the Swedish King Charles XII as Högste Ombudsmannen. If you want to trace it right back, you can find it in China in the Qin dynasty of 221 BC, never mind in the Korean history of the Joseon dynasty, which was around the same time. I could take you to the Turkish use of the word from 634 to

644. You could go on like this, but the fact is that down the centuries it has been common practice to use the term "ombudsman". There are plenty of female persons in the position of ombudsman around the world right now who have no problem with being called "the ombudsman". They quite value the phrase, actually.

That was the reason I proposed this amendment at Committee, and I will stand by it. It is a pity that we cannot agree about it, but there is no offence intended. I refer back to the "Women in Politics" report, which, I think, I instituted. I think that my record on this is good enough that if I occasionally say "he" instead of "she" or "they", you will forgive me.

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

On behalf of the Committee, I thank the Lord Morrow and the Ad Hoc Committee for the invaluable work it has done on the Public Services Ombudsperson Bill. Also thanks to the stakeholders who made submissions or gave evidence to the Ad Hoc Committee, Ministers and their officials, and the Ombudsman's Office, which contributed to the Committee's thinking during the Committee Stage.

The Ad Hoc Committee recommended that the OFMDFM Committee satisfied itself that there were adequate safeguards in place in relation to the exercise of the power to make a special report to the Assembly. That was in light of concerns raised that the naming of listed authorities in such reports could be construed as coercive. The OFMDFM Committee considered that point and took advice on it, concluding that we are content that it will be a matter for NIPSO, as a public authority, to exercise the power to make a special report in the manner that is compatible with the convention rights of the listed authority.

The power to make a report to the legislature is a key feature of other ombudsman legislation and underpins their authority. The Parliamentary and Health Service Ombudsman for England has made reports to Parliament about individuals who are general healthcare providers. I remind Members that this is a power that can be exercised only where NIPSO finds that the person aggrieved has sustained an injustice and that this has not or will not be remedied. I think that this place should be informed when that happens.

11.00 am

I will now address the concerns by Lord Morrow and Mr Eastwood, among others. It is a balance between the prospective reputational damage, for example to a doctor or a small GP surgery, and the fact that NIPSO has concluded that there has been an injustice that has not and will not be remedied.

The Audit Committee highlighted to the Ad Hoc Committee that, while the Audit Committee approves the budget estimate of the Comptroller and Auditor General and will approve the estimate of the NIPSO, this would not rule the possibility that the Department of Finance and Personnel might take a different view. The Committee for OFMDFM is aware that the Committee for Finance and Personnel has been working to address this issue. The Committee for OFMDFM will explore this again with both the Finance Committee and the Audit Committee to see if we can identify how best to progress and conclude a memorandum of understanding, which has been

suggested as the best way of resolving the difficulties and tensions inherent in the involvement of the Executive in the Budget process for the bodies that scrutinise it. Lord Morrow talked of sufficient protection from interference by the Executive in setting the Budget for a scrutiny body of that Executive.

I note that the Ad Hoc Committee was content with the provision in the Bill that requires listed authorities to disclose to the NIPSO relevant information that would otherwise be privileged, such as relevant legal advice. I refer here to clause 32(2). I note that some Members continue to have concerns about that issue. I can assure Members that the Committee for OFMDFM, like the Ad Hoc Committee, took advice on this issue. The Committee for OFMDFM is satisfied that there are sufficient safeguards in the Bill to avoid information being used to the detriment of the listed authority. The content of the advice cannot be disclosed in the NIPSO's reports, as covered by clause 38, or used in court proceedings, as covered by clause 47. The normal privilege attaching to legal advice is not lost through disclosure to the NIPSO.

I now turn to the amendments before us. I will comment first on the Ad Hoc Committee's amendments to change "Ombudsperson" to "Ombudsman", namely amendment Nos 1, 76, 130 and 131. The Committee for OFMDFM, in light of the views expressed by the Ad Hoc Committee, commissioned more research on the etymology of the term "Ombudsman". In the end, the Committee was satisfied that the term is not gender-specific. There was cross-party support for the Ad Hoc Committee's amendments, although I note the contributions from Sinn Féin Members this morning.

The Committee for OFMDFM has proposed amendment Nos 2, 3 and 77 on foot of a suggestion from the Office of the Legislative Counsel. That is a recommendation that provision for the NIPSO to be a corporation sole would be preferable. I would like to thank the Office of the Legislative Counsel for that and a number of other very helpful comments. The effect of amendment No 77 is to provide that the NIPSO will be a corporation sole. That is in line with similar provision for the Comptroller and Auditor General and others.

Amendment No 3 removes the current provision in clause 1(2), which would have established the office of the ombudsperson. Amendment No 2 inserts "(in this Act 'the Ombudsperson')" at the end of clause 1(1) because this interpretation provision would have been lost with the removal of clause 1(2). I accept that, if amendment Nos 1 and 3 are made, clause 1(1) will read:

"There is to be a Northern Ireland Public Services Ombudsman (in this Act 'the Ombudsperson')."

However, this can be easily remedied at Further Consideration Stage.

Clause 2 declares that the NIPSO is independent and not subject to the direction or control of Ministers, Departments or the Assembly. However, all public servants must be accountable, not least for the public moneys that they receive. The Committee took the view that, where possible, accountability should be to the Assembly; to the legislature rather than the Executive. We felt that accountability should be clearly stated in clause 2(2) but, having reflected on comments received at Committee

Stage, we agreed that not all the provisions referenced in clause 2(2) amounted to powers of direction and control.

Amendment No 5 changes clause 2(2) by both reducing the number of provisions referenced and making it clear what the nature of the provisions were, such as the setting of salary and other terms and conditions, the power of the Assembly to request the NIPSO's removal, which requires the support of two thirds of all MLAs, and financial accountability.

Clauses 8 and 9 provide for own-initiative investigations by the NIPSO. Clause 9 states that the NIPSO must publish the criteria for launching such an investigation. Amendment No 6 makes it explicit that the NIPSO must also have regard for those criteria.

Amendment No 7 reflects two changes suggested by the Examiner of Statutory Rules. I thank the Examiner for his report on the delegated powers, which the Ad Hoc Committee shared with us.

Clause 12 provides that the First Minister and deputy First Minister, acting jointly, may, by order, amend the schedule of listed authorities in schedule 3 that the NIPSO may investigate. The Examiner pointed out that such powers traditionally lie with Departments, and amendment No 7 provides for the power to lie with the Office of the First Minister and deputy First Minister. Amendment Nos 9, 10 and 25 reflect similar change.

Amendment No 7 also makes provision for another suggestion, namely that the power in clause 12 to amend the schedule of listed authorities is exercised with:

"the concurrence of the Assembly Commission".

That reflects the Committee for OFMDFM's policy of aligning the NIPSO with the Assembly. However, the Committee wishes to consider that approach further. On that basis, it has decided not to move amendment No 7 and come back to this issue at Further Consideration Stage.

Amendment No 25 introduces the same requirement in clause 19, which empowers OFMDFM to update the schedule of tribunals in schedule 4. Amendment No 26 mirrors this approach by providing that the power in clause 22 for the Assembly Commission to, by order, amend schedule 5 — which deals with matters that are excluded from investigation — is exercised with the concurrence of OFMDFM. The Committee has decided to not move amendment Nos 25 and 26. That will allow us time for further consideration and we will revisit them at Further Consideration Stage as necessary.

Amendment No 8 touches on clause 12, which sets some criteria for exercising the power to add new bodies to the schedule of listed authorities, one of which is being publicly funded. Amendment No 8 supplements the list of possible public funding mechanisms in clause 12(5) by inserting reference to expenses being:

"defrayed out of moneys appropriated by Act of Parliament".

Amendment Nos 14, 16 and 20 insert the words, "of that body", to avoid any possible misreading of clauses 15(2)(c), 16(2)(b) and 17(2)(c).

Amendment Nos 28 and 36 provide for standard wording across the clauses, where the NIPSO is deciding whether to accept a complaint that has been submitted or referred outside a time limit and where a complaints procedure has not been invoked and exhausted.

Clauses 24 and 28 are amended to reflect the wording in clause 26(4) so that the NIPSO may exercise discretion where:

“there are special circumstances which make it proper to do so”.

Amendment Nos 37 to 43 inclusive standardise some of the terminology in the Bill, such as changing “furnish” and “supply” to “provide”, and other similar changes.

Clause 37 deals with the NIPSO’s laying of reports before the Assembly. Amendment No 55 clarifies that clause 37(2) does not apply to a report on an own-initiative investigation. Such reports are required to be laid in the Assembly by clause 37(3).

Amendment Nos 56 and 61, to clauses 38 and 47 respectively, insert references to the NIPSO’s power to obtain information and documents under clause 31.

Amendment No 57 requires that any non-disclosure notice served under clause 41 must be in writing.

Amendment No 62, which applies to clause 48, omits the words:

“or an officer of the Ombudsman”.

Those words are unnecessary in light of the Committee’s proposed amendment to the power to delegation in schedule 1 to the Bill. That is amendment No 79 to schedule 1, which we shall come to later.

Amendment No 63 deals with clause 49 and provides for the office of the Northern Ireland Judicial Appointments Ombudsman (NIJAO) to be held by the NIPSO. Amendment No 63 provides that the current NIJAO will cease to hold office when clause 49 comes into operation.

Amendment Nos 64, 66 and 68 inclusive amend clause 50 on interpretation. Amendment No 64 points the reader to the definition of “action taken by a listed authority” in clause 13. Amendment Nos 66 and 68 amend the provision dealing with Ministers so that “Minister” means a Minister of a Northern Ireland Department and a junior Minister and provides that “Northern Ireland Minister” has the same meaning as in the Northern Ireland Act 1998.

Amendment No 70 inserts, in effect, a new clause to replace clause 52, which the Committee opposes standing part of the Bill. The purpose is to make clearer provision for the exercise of delegated powers under the Bill in line with the recommendations of the Examiner of Statutory Rules, including changing the mechanism for certain order-making powers from affirmative to draft affirmative, requiring an order to be laid in draft and approved by the Assembly before the order is made.

Amendment No 72 commences the power for the Department of Finance and Personnel to make arrangements for the transfer of staff one month after Royal Assent. Amendment Nos 73 and 74 postpone the commencement dates for certain provisions to coincide with universities coming within the NIPSO’s remit on 1

October 2016 and own-initiative investigation powers, which will commence on 1 April 2018.

Amendment No 78 amends schedule 1 sub-paragraph 5(4). It makes clear that someone who is currently the Judicial Appointments Ombudsman is not disqualified from being appointed as the NIPSO. Schedule 2 paragraph 11 ensures that the current ombudsman would not be disqualified. It also ensures that appointment of the NIPSO as the Judicial Appointments Ombudsman is not prevented by paragraph 5(2), which prevents the NIPSO holding any other office.

We now come to 17 identical technical amendments and to schedule 2, which deals with the transfer of assets, staff and other transitional issues. They are amendment Nos 81 to 91, 93 to 95 and 98 to 100. References to “appointed day” become “transfer day”, which is 1 April 2016.

Amendment No 92 replaces paragraph 8(2) of schedule 2. It preserves the provisions of the current legislation dealing with the pensions of previous ombudsmen to avoid any detriment to them from the repeal of the current legislation.

Amendment Nos 96 and 97 amend schedule 2 paragraph 10(1) to allow complaints to be made to the NIPSO in respect of the actions of listed authorities that predate the transfer day and which could have given rise to a complaint. Where a complaint is made after the transfer day, the provisions of the NIPSO legislation will apply.

Amendment No 101 amends the schedule of listed authorities in schedule 3, by replacing the individually named Northern Ireland Departments with a generic “A Northern Ireland Department”.

Amendment No 102 changes the reference to “a grant-aided school” to refer to “the board of governors of a grant-aided school”.

Amendment Nos 105 and 106 remove the entry for Health and Safety Agency, which was accidentally included in schedule 3, and relocate the entry for “Health and Safety Executive”.

Amendment No 109 updates the statutory provision under which the Planning Appeals Commission is constituted. That reflects changes that were made after the NIPSO Bill had been introduced.

Amendment No 110 removes paragraph 3 of schedule 5. That provision excluded complaints between a healthcare body and a general healthcare provider about the arrangements between them. It is not needed because of the provision for complaints to come from a member of the public, that is, an individual or body other than a listed authority.

Amendment No 111 simply restructures paragraph 5(2) of schedule 5 to make it easier for the reader.

Amendment No 112 inserts words in schedule 6, which deals with the Northern Ireland Judicial Appointments Ombudsman, in order to repeal the provision of the Justice (Northern Ireland) Act 2002 that requires the Department of Justice to pay the expenses of the Judicial Appointments Ombudsman. The current ombudsman and the Department have agreed a reallocation of budget to cover NIJAO expenses.

Amendment Nos 113 and 114 deal with provisions of the Justice (Northern Ireland) Act, which require the NIJAO to lay an annual report and a power to direct the NIJAO to report on certain matters.

11.15 am

The general approach taken was that the annual report should be laid in the Assembly, rather than given to the Minister of Justice as at present, and that the power to direct the Northern Ireland Judicial Appointments Ombudsman to report on a particular subject should be similarly given within the Assembly. However, the Committee agreed to bring amendments Nos 113 and 114 to give that power of direction to the Assembly Commission.

Amendment No 129 includes in the table of repeals at schedule 9, the Ombudsman and Commissioner for Complaints (Amendment) Act (Northern Ireland) 2015, which the Assembly passed earlier this year to allow the acting ombudsman's term of appointment to be extended and to provide time for the Assembly to deal with this NIPSO Bill. It can safely be removed on commencement of the NIPSO Act.

That concludes my comments on this round.

Lord Morrow: In winding up on the first part of the debate, I would like to comment briefly in relation to some of the things that some Members have been saying. I will be very brief.

I was not aware that there was any division in relation to whether the person should be called an "ombudsperson" or "ombudsman". I think it was generally taken in the Committee that this was the road to go and I am a wee bit surprised that some are seeking to make an issue out of that particular point now, on the Floor of the Assembly. However, we have heard what has been said.

Also, we have not heard of the opposition to "Her Majesty" before either or, at least, I cannot recall it.

Mr Eastwood spoke in relation to clause 37, on the laying of special reports and the potential naming of a GP by a NIPSO. Yes, that was a matter that was discussed and stood quite a bit of debate and discussion and it was something that the Committee was perhaps exercised on, but we were able to proceed.

Trevor Lunn said that he shares the SDLP's concern on special reports and also concern that the provision of legal representation is at the NIPSO's discretion. He is quite correct. He gave us some history lesson in relation to the name of the ombudsman. He is quite correct when he says that it is of Scandinavian origins. He went on to remind us that it went back to the days of Charles XII. I think that Charles XII reigned somewhere between the late 1600s and the early 1700s. I hope I am correct in that, but I have no doubt that some of our historians will stand up and challenge me if it is not correct.

In respect of the technical amendments in this group proposed by the Committee for OFMDFM, Mr Nesbitt has provided the House with the Committee's intentions behind those amendments and I do not propose to rehearse those again.

In closing on this group of amendments, I thank all the Members who have contributed to the debate so far.

Question put, That amendment No 1 be made.

The Assembly divided:

Ayes 55; Noes 25.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr D Bradley, Ms P Bradley, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Dallat, Mrs Dobson, Mr Dunne, Mr Easton, Mr Eastwood, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCreagh, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr A Maginness, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr Rogers, Mr Ross, Mr Somerville, Ms Sugden, Mr Weir.

Tellers for the Ayes: Mr D McIlveen and Mr Nesbitt.

NOES

Ms Boyle, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Ms J McCann and Ms Ruane.

Question accordingly agreed to.

Amendment No 2 made:

In page 1, line 4, after "Ombudsperson" insert "(in this Act "the Ombudsperson")".— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 3 made:

In page 1, line 5, leave out subsection (2).— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Speaker: We now come to the second group of amendments for debate. With amendment No 4, it will be convenient to debate the other amendments in this group, which deal with the powers and remit of the ombudsperson. Members should note that amendment Nos 21 and 22 are mutually exclusive; amendment No 59 is consequential to amendment No 58; amendment No 108 is consequential to amendment No 24; amendment Nos 119 and 120 are mutually exclusive; and amendment Nos 121 to 123, 125 and 128 are all consequential to amendment No 115.

I call the Chairperson of the Committee for OFMDFM, Mr Mike Nesbitt, to move amendment No 4 and to address the other amendments in this group.

Mr Nesbitt: I beg to move amendment No 4: In page 1, line 7, after "investigate" insert "alleged".

The following amendments stood on the Marshalled List:

- No 11: In clause 14, page 6, line 8, after “taken” insert
“in the exercise of administrative functions”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]
- No 12: In clause 15, page 6, line 18, after “taken” insert
“in the exercise of administrative functions”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]
- No 13: In clause 15, page 6, line 20, leave out paragraph (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 15: In clause 16, page 6, line 29, after “taken” insert
“in the exercise of administrative functions”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 17: In clause 16, page 6, line 32, leave out “clinical” and insert “professional”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 18: In clause 17, page 7, line 10, after “taken” insert
“in the exercise of administrative functions”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]
- No 19: In clause 17, page 7, line 13, leave out paragraph (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 21: In clause 18, page 7, line 26, leave out subsection (2) and insert
“(2) The Ombudsman may investigate alleged maladministration through action taken by a university in the exercise of administrative functions, in respect of students enrolled in courses validated by the university.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 22: In clause 18, page 7, line 27, leave out “in respect of students”.— *[Mr Allister.]*
- No 23: In clause 18, page 7, line 28, leave out subsection (3).— *[Mr Allister.]*
- No 24: In clause 18, page 7, line 37, at end insert
“(7) In this Act, references to a university include references to a constituent college, school or hall or other institution of a university.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 53: In clause 35, page 14, line 5, leave out subsection (1) and insert
“(1) This section—
(a) applies where the Ombudsman proposes to publish a report of a type referred to in section [Meaning of complaints handling procedure: Amendment 34](1), but
(b) does not apply in respect of an investigation conducted under section 8.”.— *[Mr Nesbitt (The*

Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

- No 54: In clause 35, page 14, leave out subsections (1) to (4) and insert
“(1) The Ombudsman shall publish all reports of a type referred to in section [Meaning of complaints handling procedure: Amendment 34](1) on the public website of the Ombudsman, with personal details redacted upon the request of any person affected, unless the Ombudsman believes it would not be in the public interest to publish the report.”.— *[Mr Allister.]*
- No 58: In clause 41, page 17, line 1, leave out “the Secretary of State” and insert
“each of the office holders named in section 41(2)”.—
[Mr Allister.]
- No 59: In clause 41, page 17, line 4, leave out subsection (5) and insert
“(5) The Ombudsman must lay before the Assembly copies of all such memoranda and any revisions to them.”.— *[Mr Allister.]*
- No 60: In clause 42, page 17, line 38, at end insert
“(i) a local government auditor within the meaning of Article 4 of the Local Government (Northern Ireland) Order 2005,
(j) the Comptroller and Auditor General, and
(k) the Health and Social Care Regulation and Quality Improvement Authority under the Health and Social Care (Reform) Act (Northern Ireland) 2009.”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]
- No 79: In schedule 1, page 27, line 4, at end insert
“Delegation of functions
14.—(1) Any function of the Ombudsman may be performed by any member of staff of the Ombudsman authorised by the Ombudsman for that purpose.
(2) Any function of the Ombudsman may be performed by any other person authorised by the Ombudsman for that purpose if—
(a) that other person is suitably qualified to do so, and
(b) there are special circumstances which make it proper to do so.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 80: In schedule 1, page 27, line 19, leave out subparagraph (5).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 103: In schedule 3, page 32, line 31, at end insert
“The General Teaching Council for Northern Ireland”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*
- No 104: In schedule 3, page 33, line 10, at end insert
“The Police Rehabilitation and Retraining Trust”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 107: In schedule 3, page 34, leave out line 32.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 108: In schedule 3, page 35, leave out lines 2 and 3.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 115: In schedule 7, page 40, line 7, leave out paragraph 2.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 116: In schedule 7, page 40, line 19, at end insert

“3. After section 56 insert—

“Adjudication hearings

Adjudication hearings

56A.—(1) Where the Commissioner proposes to make an adjudication under section 55(5)(c), the Commissioner may first hold an adjudication hearing.

(2) The adjudication hearing must be held in public save to the extent that the Commissioner determines that this would not be in the public interest.

(3) Subject to—

(a) subsection (2), and

(b) the provisions of the 2015 Act which apply to adjudication hearings by virtue of section 63, the procedure for an adjudication hearing is to be such as the Commissioner considers appropriate in the circumstances of the case.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 117: In schedule 7, page 40, line 19, at end insert

“4. In section 59 (decision following report) after subsection (7) insert—

“(7A) Where the Commissioner censures a person under subsection (4), the Commissioner must give notice to the clerk of the council concerned—

(a) stating that the person has failed to comply with the code of conduct;

(b) specifying the details of that failure; and

(c) stating that the person is censured in the terms the Commissioner has decided.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 118: In schedule 7, page 40, line 19, at end insert

“5. In section 59(10)—

(a) in subsection (a) omit “and”,

(b) in subsection (b), at the end insert

—

“and

(c) may be published elsewhere.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 119: In schedule 7, page 40, leave out line 22 and insert

“63.—(1) The provisions of the 2015 Act set out below have effect in relation to this Part as follows.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 120: In schedule 7, page 40, leave out line 22 and insert

“63.—(1) The provisions of the 2015 Act set out below have effect in relation to this Part as follows, and as if the references to the Ombudsperson in the 2015 Act were references to the Commissioner.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 121: In schedule 7, page 40, line 34, leave out “Ombudsperson” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 122: In schedule 7, page 40, line 40, leave out “Ombudsperson” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 123: In schedule 7, page 41, line 4, leave out “Ombudsperson” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 124: In schedule 7, page 41, leave out lines 10 to 12 and insert

“(c) applies as if the reference in section 40(2)(e) to section 42 (consultation and co-operation with other ombudspersons) only applied in respect of the persons listed in section 42(4)(i) and (j) (local government auditor and Comptroller and Auditor General),

(d) applies as if the references to section 45 and 46 (court proceedings) were omitted.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 125: In schedule 7, page 41, line 16, leave out “Ombudsperson” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 126: In schedule 7, page 41, leave out lines 18 and 19.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 127: In schedule 7, page 41, line 21, at end insert

“(9) The following provisions of the 2015 Act apply in relation to an adjudication hearing under section 56A as they apply in relation to an investigation under the 2015 Act—

(a) section 30(7)(b) of the 2015 Act (legal representation),

(b) section 30(8) of the 2015 Act (payments to persons giving evidence),

(c) section 31(3) of the 2015 Act (power to compel witnesses and require production of documents), and

(d) section 33 of the 2015 Act (obstruction and contempt) except for subsection (3).”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 128: In schedule 7, page 41, leave out line 27 and insert

““the Commissioner” means the Ombudsperson (within the meaning of the 2015 Act) who is to be known, for the purposes of exercising functions under this Part, as the Northern Ireland Local Government Commissioner for Standards;”.— [Mr Nesbitt (The Chairperson of

the Committee for the Office of the First Minister and deputy First Minister.]

Mr Nesbitt: Amendment No 4 makes it clear that the principal purpose of the NIPSO is to investigate alleged maladministration and avoid any suggestion of prejudging the result of that investigation.

Amendment No 11 qualifies the NIPSO's power of investigation of complaints of maladministration by making it explicit that the power exists only for alleged maladministration through action taken in the exercise of administrative functions. While maladministration obviously suggests that the power of investigation related to administrative actions, the Committee was content to insert the explicit qualifying words. Those can also be found in amendment Nos 12, 15, 18 and 21, covering all the bodies that can be investigated in clauses 14 to 18.

Amendment Nos 13, 17 and 19 deal with the NIPSO's power to investigate complaints in the health and social care sector — complaints about the merits of a decision to the extent that it was taken in consequence of the exercise of professional or clinical judgement. The amendments remove reference to clinical judgement as a separate category so that the powers of investigation in clauses 15 to 17 cover professional judgement, reflecting the approach taken in the Welsh ombudsman legislation.

Amendment Nos 21 to 24 and amendment No 108 all touch on the NIPSO's proposed power of investigation in respect of universities. Amendment Nos 22 and 23 were tabled by Mr Allister, and I will come to them in a moment. The effect of amendment Nos 24 and 108 are to relocate a provision clarifying that:

"references to a university include references to a constituent college, school or hall or other institution of a university",

from the notes at the end of schedule 3 to the end of clause 18.

Amendment No 21 makes it clear that the power of investigation relates to complaints from students enrolled in courses validated by the university. The theological colleges that are members of the Queen's University Institute of Theology offer a range of courses, and not all their students are students at Queen's. Some are enrolled in courses validated by the University of Chester and the University of Cumbria, as well as others. The effect of amendment No 21 is to ensure that it is only those students at the theological colleges enrolled in courses validated by Queen's who can complain to the NIPSO. The universities of Chester and Cumbria, and, indeed, the Open University, provide their students with access to the Office of the Independent Adjudicator at the conclusion of the internal complaints procedure.

While the Committee for OFMDFM's amendments would ensure that it is only students enrolled in courses validated by the university who can complain to the NIPSO, amendment Nos 22 and 23 from Mr Allister appear to take the policy in the opposite direction so that anybody could complain about a university. The Committee considered amendment Nos 22 and 23, together with Mr Allister's comments at Second Stage, and agreed not to support them. The fundamental question here is this: who are the users or consumers of the publicly funded services

— namely, higher education — being provided by the universities? Clearly, the answer is that the students are.

Amendment No 53 clarifies that the power of publication of reports in the public interest in clause 35 does not apply to reports of own-initiative investigations. Publication of own-initiative investigation reports is dealt with by clause 36. Such reports must be published.

Mr Allister's amendment No 54 to clause 35 would in effect replace the Committee's proposal for publication of reports where the NIPSO considers it is in the public interest to do so with a requirement for the NIPSO to publish all investigation reports on the NIPSO website, unless the NIPSO believes that it would not be in the public interest to publish. Personal details would be redacted on the request of any person affected.

I remind Members that, at present, the reports of the ombudsman and the Commissioner for Complaints are not published and that the legislation prevents disclosure, save in very limited circumstances, one of which is the ombudsman's report to the Assembly. Other ombudsmen publish case summaries on their websites and, in some cases, more detailed reports of their investigations.

The Committee considered that the confidential nature of the investigation and the distribution of the report only to those immediately involved in the complaint tended to encourage open and frank engagement in the process, while the prospect of greater publicity may be a corresponding disincentive. In bringing forward its proposal in clause 35 for the publication of reports where the NIPSO considered it was in the public interest to do so, the Committee had regard to the views of the current ombudsman. The Committee considers that that represents the best balance and agreed that it would not support amendment No 54.

Mr Allister's amendment No 58 would amend clause 41. Clause 41 provides that OFMDFM, acting jointly, a Northern Ireland Minister or the Secretary of State may serve a non-disclosure notice on the NIPSO where the Minister is of the opinion that the disclosure of a document or information would be prejudicial to the safety of Northern Ireland or the United Kingdom or otherwise contrary to the public interest. Clause 41(4) provides that the Secretary of State and the NIPSO must enter into a memorandum of understanding concerning the exercise of their functions in relation to that section. Amendment No 58 would require that all those who can serve a non-disclosure notice must enter into such a memorandum with the NIPSO, and amendment No 59 provides for a new clause 41(5) to allow for memoranda with a variety of Ministers rather than a single memorandum with the Secretary of State.

By way of background, the Committee considered a request from the Secretary of State for a mechanism in the Bill to help inform her decisions regarding the exercise of that power. The Committee agreed, by a majority, that that mechanism would be a memorandum of understanding to be agreed between the Secretary of State and the NIPSO concerning the exercise of their functions in relation to clause 41, and that the memorandum agreed would be laid in the Assembly. The underlying reason for that provision is that the Secretary of State would not normally be aware of what documents or information were being provided to the NIPSO and, therefore, would not be in a position

to consider if a further disclosure by the NIPSO would be prejudicial to the safety of Northern Ireland or the United Kingdom or otherwise contrary to the public interest. Northern Ireland Ministers, on the other hand, would be in a position to be briefed about what information their Departments or agencies were disclosing to the NIPSO and be able to consider whether a non-disclosure notice was required. Therefore, the Committee does not consider that Mr Allister's amendment is required and does not support it.

Amendment No 60 adds to the list of bodies with which the NIPSO must consult and may cooperate with under clause 42. Those are the local government auditor, the Comptroller and Auditor General and the Regulation and Quality Improvement Authority (RQIA), given its role in the regulation of health and social care bodies. The point of that provision is to avoid the duplication of functions, investigations and costs, and to enable maximum cooperation.

Amendment No 79 inserts a new provision in schedule 1 of the Bill that provides for delegation by the NIPSO to any member of staff. It also includes a new power to delegate to any other suitably qualified person where there are special circumstances that make it proper to do so. The ombudsman requested that power to manage circumstances where a conflict of interest might arise.

Amendment No 80 removes the current delegation provision at paragraph 14(5) of schedule 1.

Amendment Nos 103, 104 and 107 bring the General Teaching Council within the NIPSO's remit — that is at the council's request — add a newly created body, the Police Rehabilitation and Retraining Trust — that came in at the request of the Department of Justice — and remove, at the request of the Department of Agriculture and Rural Development, the Rural Development Council, which is independent and not core funded.

We now come to schedule 7, which deals with the NIPSO's role in relation to investigations of complaints about breaches of the local government code of conduct under Part 9 of the Local Government Act (Northern Ireland) 2014. Amendment No 128 provides that the ombudsperson is to be known as the Northern Ireland Local Government Commissioner for Standards when investigating under the 2014 Act. That change was requested by the current ombudsman, and the Minister was content. As a result, we no longer need a number of provisions that insert "Ombudsperson" at various places in the 2014 Act. Most notably, amendment No 115 removes a long list of such insertions, as do amendment Nos 121, 122, 123 and 125.

11.45 am

Amendment No 116 was requested by the current ombudsman, following agreement with the Minister of the Environment. It inserts a new section, 56A, into the 2014 Local Government Act to make explicit provision that the commissioner may, following a code of conduct investigation, hold an adjudication hearing and, where he or she does so, such a hearing must be in public.

Amendment No 127 provides that the NIPSO Bill provisions relating to legal representation, witness expenses, the power to compel witnesses and require production of documents, as well as the provisions relating to obstruction and contempt, apply in relation to an

adjudication hearing as they apply in relation to a NIPSO investigation.

Amendment No 118 was also requested by the ombudsman. It will allow the commissioner to publish reports of investigations under the Local Government Act on his or her website.

Amendment No 117 provides that where the commissioner censures someone, notice must be given to the clerk of the council concerned.

The Committee has laid two amendments that touch on the opening paragraph of the new section 63 to be inserted in the 2014 Act on page 40 of the Bill. The Committee prefers the late, revised form of amendment No 120, and, accordingly, I will not be moving the earlier version in amendment No 119. Amendment No 120 provides for the applicable powers in the 2015 Act to be read as if they applied as if references to the ombudsperson were references to the commissioner. I will also mention, at this stage, that the Committee has agreed not to move amendment Nos 113 and 114, to allow further time for consideration of allocating functions to the Assembly Commission.

Amendment No 124 provides for the commissioner to exercise the NIPSO's consultation and cooperation powers in relation to the Local Government Auditor and the Comptroller and Auditor General, in light of their remit in relation to the work of councils.

Amendment No 126 omits a reference to the expenses of the NIPSO in discharging this local government role. This is adequately set out in the Local Government Act 2014.

That concludes my remarks on this mid-section of our debate.

Lord Morrow: With regard to the amendment Nos 4, 11 to 13, 15 and 17 to 19, proposed by the Committee for OFMDFM, the Ad Hoc Committee noted that these amendments qualify the power of investigation of the NIPSO, in that the powers would relate to alleged maladministration through action taken in the exercise of administrative functions and would exclude any judicial or quasi-judicial functions. The Committee also noted the clarification provided with respect to the distinction between clinical and professional judgement. The Committee was content with these amendments.

In respect of clause 18, the Committee considered this new power for the NIPSO to investigate maladministration as it relates to universities, superseding the existing power of the board of visitors of a university to investigate complaints by students. The Committee noted the views of the universities, which felt that the existing board of visitors' system offered a more flexible remedy for students. Conversely, student representatives felt that the board of visitors should be excluded from considering any complaints in relation to student matters.

During its deliberations, the Committee sought clarification from the Committee for OFMDFM on the jurisdiction of the NIPSO in respect of constituent and theological colleges. The Committee noted that amendment No 21 clarifies the situation for students of theological colleges and ensures that only those students enrolled in courses validated by universities here can complain to the NIPSO.

The Committee noted that amendment No 24 provides clarity in respect of constituent colleges and that

amendment No 108 moves the provisions in respect of amendment No 24 from schedule 3 to clause 18. The Ad Hoc Committee was content with these amendments proposed by the Committee for OFMDFM, but noted the concerns of some members in relation to the inclusion of universities within the NIPSO's remit.

I move now to Mr Allister's amendment Nos 22 and 23 in respect of clause 18. The Ad Hoc Committee did not consider those prior to formal clause-by-clause scrutiny and, therefore, has no view. The Committee did, however, take note of Mr Allister's comments on those provisions in the Second Stage debate and raised the issues with the Northern Ireland Ombudsman when he gave evidence in May. It may be helpful to outline the ombudsman's response.

With regard to the NIPSO not having the power to investigate complaints made by university staff, the ombudsman highlighted the fact that the Committee for OFMDFM, in developing its policy proposals, decided that it was no longer defensible for only people in the public sector to have access to the NIPSO on employment issues and that there were other suitable mechanisms, such as the Equality Commission, industrial tribunals and so forth, for the resolution of such complaints. The ombudsman stated:

"it would not be consistent to abolish the employment jurisdiction in the public service and, at the same time, to be bringing university employment issues into the jurisdiction of the ombudsman. We are putting the employment issues of public servants and civil servants on the same footing as everybody else now across Northern Ireland."

I move now to Mr Allister's amendment No 53 to clause 35. The Committee did not have sight of the amendment prior to formal clause-by-clause scrutiny and therefore does not have a view. The Committee, during its deliberations on clause 35, noted that a number of stakeholders, in their response to the call for evidence, recommended that reports by the NIPSO be published. However, concerns were expressed by representatives of the medical profession about the publication of reports on investigations involving issues of clinical judgement. They recommended that reports on the exercise of clinical judgement not be published.

The Committee noted that the intention of the Bill, as drafted, is to leave to the NIPSO's discretion the determination of whether a report raises an issue of sufficient public interest to warrant publication. The Committee heard from the ombudsman that the publication of all reports would have resource implications. He said that moving to a position in which all reports should be put into the public domain would, he envisaged, develop over time as capacity and expertise in the ombudsman's office built. The Committee was content to agree amendment No 54 proposed by the Committee for OFMDFM to clarify the situation on the publication of reports in the public interest.

Amendment Nos 58 and 59, in the name of Mr Allister, relate to clause 41. The Committee did not have sight of the amendments prior to formal clause-by-clause scrutiny and therefore does not have a view.

The Committee, in its consideration of clause 41, which relates to disclosure contrary to public interest, noted that there is similar provision in legislation for the Scottish and Welsh ombudsmen and for the parliamentary ombudsman.

The Committee noted comments from the ombudsman:

"a memorandum of understanding with the Secretary of State is on narrow grounds to cover issues of national security. The Secretary of State is in a different position as regards NIPSO from Executive Ministers whose actions will be overseen by NIPSO. There would be a substantial risk of the perception that the NIPSO was not independent from the Executive if it were to enter into an MOU with the head of the Department he has power to investigate. This proposal would undermine the independence of the NIPSO. I consider that to extend an MOU to Executive Ministers would raise in the public's mind suspicion and a perception of lack of independence and I do not consider it is necessary or desirable to extend this."

The Ad Hoc Committee had considered amendment Nos 60, 115, 119, 126 and 128 in this group prior to formal clause-by-clause scrutiny. The Committee noted that they were largely technical in nature, provided clarity on which provisions would have effect in relation to the Local Government Act and removed unnecessary drafting.

The Committee was content to agree those amendments.

With regard to amendment No 79 to schedule 1, which is proposed by the Committee for the Office of the First Minister and deputy First Minister, the Committee noted correspondence from the Northern Ireland Ombudsman seeking this amendment in order to provide for delegation to any other person to, first, allow for delegation of an investigation to another ombudsman should a conflict arise and, secondly, to provide for an external review process. As the amendment was not available for the Committee's consideration prior to formal clause-by-clause scrutiny, the Committee did not take a view.

Regarding amendment Nos 103, 104 and 107 on the listed authorities in schedule 3, the Committee noted various requests made to the Committee for OFMDFM for amendment to schedule 3, namely from the General Teaching Council and the Department of Justice to add the Police Rehabilitation and Retraining Trust to the listed authorities under the remit of the NIPSO. The Committee also noted that the Department of Agriculture and Rural Development sought the removal of the Rural Development Council from the listed authorities. The Committee for OFMDFM's amendments to give effect to these changes to schedule 3 were not available for the Ad Hoc Committee's formal clause-by-clause consideration, and the Committee did not take a view.

The Committee did not have sight of the remaining amendments in the group prior to the formal clause-by-clause scrutiny and therefore did not take a view.

Mr Maskey: Go raibh maith agat, a Cheann Comhairle.

I rise to make a number of points on this group. First, I thank all the officials, who have been very supportive of the Committee in our fairly lengthy and protracted deliberations on the Bill, including the Bill Office officials, who have been helpful and supportive to all members.

Earlier, my colleague Bronwyn McGahan made it clear that we are very much in support of the Bill, albeit that we are opposed to a small number of its provisions, particularly the relationship that the Bill wants there to be in the appointment of the ombudsperson by "Her Majesty", as referred to in the Bill; issues around disclosure in relation

to the Official Secrets Act; public interest matters; and, equally, the proposed involvement of the Secretary of State. We are opposed to those matters and have made that very clear consistently. I note that Lord Morrow said that he had never heard those issues or concerns. That may well have been the case at the Ad Hoc Committee; I do not know as I am not a member of that Committee. Certainly, at the principal Committee, the Committee for OFMDFM, concerns were routinely and consistently raised at every occasion when the matter arose in deliberations. I think that the Committee Chairperson would acknowledge that. Obviously, we did not get support for that and, again, that is a matter of record, but we are very much in support of the intent of the Bill itself.

As has been made very clear, the Bill is about merging the office of the independent Commissioner for Complaints with the ombudsman's office, as it is currently, into the new NIPSO. We believe that the new provisions in their totality will actually enhance the protections of members of the public who may well fall foul of any deficits that there may well be in the public sector and in public-service delivery. Again, I put on record that, as far as we are concerned, we all know that the vast majority of public servants and those who are charged with responsibility to dispense public services are absolutely 100% professional, have personal and professional integrity and deliver a perfect or very good service, but of course there are always cracks in the various systems. The Bill is designed to try to ensure that people who fall foul of any of those deficits have the maximum protection at their disposal.

We have considered all the matters long and hard. Some of the decisions that the Committee has reached, mostly by way of consensus, have been on the basis of the balance of the evidence that was presented to us. I think that the Chairperson highlighted a number of those very well in his remarks, particularly when opening this group.

12.00 noon

I would just like to make a couple of points. We will oppose a number of amendments in this group. We will oppose amendment Nos 22 and 23, moved by Mr Jim Allister. As has already been suggested, these relate to whether this remit would be exclusively at the disposal of students or whether it would bring in others. It is important to reiterate the point that this is about the delivery of public services at the discretion of the recipient of those services where it is believed that there has been a failure. Staff and others have other recourse to redress if they feel the need for it. On that basis, we are opposed to amendment Nos 22 and 23.

We are also opposed to amendment No 54 on the basis that the ombudsman, the ombudsperson or the NIPSO will have all the latitude necessary to make judgement calls. On balance — the Chairperson of the OFMDFM Committee has already made this point — where reports will generally be withheld from those directly involved, that has led to better outcomes for the complainants. On balance, that is why we took that decision.

We are opposed to amendment Nos 58 and 59 because they relate to clause 41, and we have already made it clear that we are opposed to clause 41.

Mr A Maginness: I wish to refer to clauses 30 and 32. Clause 32(1) and (2) deals with legal privilege. Some issues were raised in relation to legal privilege, and

it is worth addressing them. It has been suggested, in particular by the BMA, that those provisions would introduce a new power for the NIPSO to override legal professional privilege. In fact and, indeed, in law, that is not correct because the ombudsman's current powers in relation to investigations conducted as the Assembly Ombudsman under the Ombudsman (Northern Ireland) Order 1996 permit the ombudsman access to legal advice held by Northern Ireland Civil Service Departments and their statutory agencies. His practice has been to request access to legal advice infrequently and only where it is relevant to an investigation. The legal advice is, however, not shared with the complainant, or with any other person, and is held in confidence by the ombudsman and his staff.

I would certainly be very concerned if, in fact, that threatened legal privilege, as it is important that we preserve legal privilege. However, given the legal advice that the Ad Hoc Committee received on this matter, and considering what the ombudsman has said about this aspect of the Bill — that is, clause 32(1) and (2) — I am reassured that legal professional privilege is not threatened in a real sense by clause 32. Those who have, properly, raised criticisms about clause 32 should themselves be reassured that it does not stray into that area and that legal privilege is safeguarded in these circumstances.

I wanted to raise that because I know that it was a matter that concerned a number of people, not just the BMA but the Bar Council.

It also concerned the Law Society and others involved in the legal profession, but I think that the House can be assured that, in fact, legal professional privilege is protected, and the Bill continues with that protection.

Mr Nesbitt: I thank the Member for giving way because I very much value his assurance that he accepts that legal privilege is being protected, not least given his legal background. An earlier contributor felt that legal advice could be disclosed in the County Courts. I assure Members that that is not the case. The only person who will have access to privileged legal information will be the ombudsman, which will allow him or her to come to the right decision. The ombudsman will not disclose that legal privilege further under any circumstances, so, as Mr Maginness pointed out, that barrier is protected.

Mr A Maginness: I am grateful to Mr Nesbitt for his contribution. It is important to reassure the public generally and legal practitioners. Effectively, there is a firewall for the legal advice that the ombudsman receives, which does not permit such legal advice or information to go further than his office. It is important to remember that.

Another issue relates to clause 30(7)(b) and legal representation. That clause gives the NIPSO discretion to determine whether a person can be legally or otherwise represented. Subsection (7) states:

"In particular the Ombudsman may—

(a) make such inquiries as are appropriate, and

(b) determine whether any person may be represented in the investigation by counsel, solicitor or otherwise."

The BMA raised that matter. It said that the opportunity currently exists in article 12 of the Commissioner for

Complaints (Northern Ireland) Order 1996 for the body complained against to request a formal hearing and be legally represented. The BMA said that, under the Bill, that provision will be removed but that there is a right to legal representation at the ombudsman's discretion. That is correct: if this clause is accepted, there is now a discretion, in certain circumstances, for the ombudsman to permit legal representation.

I am not saying definitively at this point that I disagree with the removal of the automatic right of representation and that the discretion is wrong. What I do raise is the issue of whether the House should consider allowing the current situation to remain — an automatic right to legal representation in certain circumstances — as opposed to a discretion on the part of the ombudsman. I raise the issue because I think that the House should think carefully about this and reflect on it, and it may be that, at Further Consideration Stage, the matter could be re-examined by way of further amendment. Technically, it may prove difficult when considering whether or not that is possible. Nonetheless, the House should be sensitive to the matter and give it special consideration. There is a sense that, if there is not automatic legal representation, then the person or body being investigated would be at a disadvantage.

Mr Nesbitt: I thank the Member for giving way. I am not speaking as Committee Chairman on this occasion, because I do not think that we have looked at the issue in those terms. You said that we should consider these matters, and I very much agree. Perhaps we should look at the recent example of the historical institutional abuse (HIA) inquiry where, I think, the chair, Sir Anthony Hart, makes the call as to whether individuals or groups should have access to publicly funded legal representation. It may be an idea to examine the efficacy of how that regime has worked heretofore in the HIA inquiry.

Mr A Maginness: The Member makes a very good point. It may well be that the House prefers the new arrangement, or what is posited as the new arrangement, in terms of the ombudsman having that discretion.

I raise these points because I think that, where stakeholders go to the extent of giving evidence to a Committee — the Ad Hoc Committee in this instance — and make representations to individual Committee members and individual political parties in the House, we should at least ventilate those issues so that they are not forgotten about when we consider aspects of this Bill or, indeed, any other legislation.

I will just conclude by speaking about clause 11(b) on an investigation by the ombudsman, which states:

“where it appears to the Ombudsperson to be desirable, to bring about a settlement, including by recommending that—

(i) action be taken by the person aggrieved or listed authority, or

(ii) that the listed authority make a payment to the person aggrieved”.

It has been suggested that this is, effectively, a compensatory payment that the ombudsman is imposing on the public body or individual complained about. That is an incorrect interpretation of the previous legislation

and what is proposed in this Bill; he is making a recommendation. The whole approach of the ombudsman is to try to reach a settlement, and contained within that settlement is a recommendation. The person or body complained about does not have to accept the recommendation, although it has to be said that, in many instances, it is accepted. However, it is not, in fact, a compensatory payment: that should be made clear. That view has been expressed to the Ad Hoc Committee and to the House, and I think it is incorrect. Yes, in circumstances where the recommendation is rejected, the complainant can go to the County Court in order to have it determine what payment can, in fact, be made and effectively imposed upon the person or body complained about, but that is an entirely different situation. I just wanted to clarify that point, because I think it is important that the legal and factual situation be properly expressed in the House so that people outside are properly informed of the situation.

Mr Allister: There are three groups of amendments to the Bill, and I am going to speak primarily to amendment No 54 initially, because I think it raises a very important issue, touching upon the publication and outcome of complaints.

The presumption at the moment, contrary to the situation that prevails in some other jurisdictions, is that when a complaint is investigated by the ombudsman, the ombudsman's report effectively remains secret. It is not publicised. Indeed, those who bring complaints receive, along with the report, what to them, being unfamiliar with the territory, appears quite an intimidatory letter warning them that they must not disclose the content of the report. I do not think that that is in the public interest.

12.15 pm

The issue came to my attention particularly in the aftermath of the Presbyterian Mutual Society (PMS) saga, when a complainant made a very legitimate complaint, which was upheld, about how the Department had handled matters touching upon the PMS, yet he got a report in his favour with a severe warning not to publicise the report. Why? Because of the statutory presumption against publication. Was that in the public interest? I think not. I think that there were issues there that required and could have benefited from public knowledge and ventilation.

Then, when a constituent made a very serious and proper complaint against the Northern Trust and had the findings upheld, I asked the Department what action it takes on foot of reports from the ombudsman on health issues. I tabled that question, and it was answered on 17 October 2013. The question was:

“To ask the Minister of Health, Social Services and Public Safety what procedures and follow up exist to ensure that recommendations from the Ombudsman, when upholding a complaint in respect of the standard of care in a Health Service facility or administrative failures therein, are adequately acted upon; and whether his Department monitors such matters.” — [Official Report (Hansard), Bound Volume 88, WA339].

I will pause there to suggest that I would have thought that most members of the public would expect that, if there is an adverse finding in respect of how something is being done in the health service, the Minister of Health and the Department of Health would be in a position to monitor how matters have improved and to act upon, and ensure

that the trust acts upon, the matters on which they were found wanting. However, the amazing answer from the Minister was:

“All investigations by the Ombudsman are conducted in private. The Ombudsman has no general powers to share information publicly. ... My Department, therefore, does not receive copies of the Ombudsman’s Investigation reports. These are strictly confidential and are only shared by the Ombudsman with those individuals/organisations concerned.”

Here we have a situation under the current regime, which the Bill seeks to preserve, whereby a complaint — to the Northern Trust in this case — finds failures from which others can learn, yet that report is not even within the knowledge of the Department. That is appalling.

Mr Nesbitt: I thank the Member for giving way. Surely he recognises that, under our proposals, the NIPSO will have the right and the ability to publish when he believes that it is in the public interest.

Mr Allister: I understand that, but, at the moment, there has been no recourse to publication in the public interest. This is about the starting point. What is the starting point? Surely, the starting point should be a presumption in favour of publication, and that is what my amendment says. In circumstances when it is not in the public interest to publicise, you do not do so, but the presumption should be in favour of publication. I find it astounding, in the examples I have given, that there has been no publication of those reports and no assurance under this legislation that there would be publication.

What is the purpose, and where is the public interest, in concealing from the Department of Health findings against some of its arm’s-length bodies? Yet, that is what has been happening and could continue to happen unless we take the initiative, reverse the onus and make presumption in favour of publication and cause non-publication to be demonstrated to be in the public interest.

Amendment No 54 is couched in the way it is to reverse that presumption and cause all reports to be publicised on the website, with personal details redacted where that is the request of the individual, organisation or staff within the organisation, unless the ombudsman thinks it would not be in the public interest to publicise the report at all.

What is there to lose with this approach? It is the common sense, sensible approach to end the nonsense situation in which affected Departments may not even know about reports or that they should be monitoring the implementation of steps taken on the foot of those reports. At present, they are kept in the dark. That is in no one’s interests. This is the logic that lies behind amendment No 54. I heard some people comment on it adversely. I trust that they will reconsider and take these points on board.

I was very surprised to hear that the ombudsman raised an objection on resource implications. This amendment calls for the report to be put on the website. Where are the resource implications in putting a report on the ombudsman’s website so that anyone can view it, learn from it and avoid the mistakes that were made? There cannot be serious resource implications.

Mr Lyttle: I thank the Member for giving way. He has taken good time to make a point he feels strongly about. The

Chair of the Committee for OFMDFM responded to make it clear that the power to publish would be provided for in the Bill on the decision of the ombudsman.

One concern raised with the Committee was that the approach being proposed by Mr Allister may, in some way, impede open and frank engagement in the process, while the prospect of greater guaranteed publicity could be a corresponding disincentive. Does he have any view in relation to those concerns?

Mr Allister: It is precisely because of there being some validity attaching to those concerns that the amendment is worded as it is, with the proviso that personal details are redacted upon the request of the person affected. So, yes, someone making a complaint but not wanting to be named across the media as the complainant, or have their details generally publicised, is protected in this amendment to, upon request, have their details redacted, so that no one need, or would, know who they are. Likewise, the person within the establishment who is being complained against, or whoever the individual is, could make that request.

The concern about disincentive is removed by the protection built into the amendment of allowing personal details to be redacted.

The further safety net is the giving to the ombudsman the right to prevent publication if he thinks that that is in the public interest.

To me, this amendment turns the matter in the right direction by making the presumption and starting point publication subject to redaction, with the public interest recourse only used to prevent publication, rather than saying that there will be no publication unless, in the eyes of the ombudsman and no one else, in the public interest there can be publication. In what is supposed to be an open, transparent society where government and agencies are subject to scrutiny, I have to say that, logically and properly, the onus and the starting point should be a presumption of publication rather than a presumption of concealment. That is what this legislation presently makes as its starting point: concealment of the outcome of reports. I do not think that that is in the public interest. For the reasons that I have given, I recommend that amendment to the House.

The point on amendment Nos 22 and 23 is very simple. Within the education system, there are provisions for staff etc who feel wronged in how they have been treated. However, it is in-house supervision, where the visitors are appointed by the university. It lacks the transparency of a proper public scrutiny. I think it is appropriate that, if we are bringing the universities into the ambit of this Bill, we should bring all of their administration within the ambit of this Bill; not just how they deal with students but how they deal with staff. There have been a number of pretty dissatisfactory outcomes in respect of staff and visitor arrangements, so I think that there is nothing to lose by that.

On amendment Nos 58 and 59 I simply make the point that if local Ministers are to have the power under clause 41 to serve a notice preventing disclosure of documents prejudicial to the safety of Northern Ireland and therefore contrary to the public interest, it strikes me as rather incongruous that, if the Secretary of State is to exercise that function, she exercises it within the ambit of a memorandum of understanding with the ombudsman, but,

if the local Minister is to exercise that function of preventing disclosure of documentation, he can do it at large with no restraint of any memorandum of understanding. I want to balance up that territory and say, if a memorandum of understanding is required for one, why not the other? Within both, there may need to be the protections that a memorandum of understanding would provide against unwarranted recourse to preventing disclosure by adopting the language that is easy to adopt, namely that this would be prejudicial to the interests or safety of Northern Ireland. Just as you would expect it for the Secretary of State, I would expect for any of the Ministers given that power the same memorandum of understanding or a parallel one to cover them. That is the logic and reason for those two amendments.

Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister): I welcome the opportunity to wind up this group of amendments. I thank all the Members who have contributed to the debate. There has been a constructive engagement on the amendments throughout.

12.30 pm

The Chairperson of the Committee for OFMDFM set out its position on the amendments in effective detail, and I will not go through that again. Lord Morrow, as Chairperson of the Ad Hoc Committee, did the same. In particular, in response to the seeking of clarity on provisions relating to universities and theological colleges, he expressed reassurance. We then heard from a number of Members on the amendments.

Mr Maskey, on behalf of Sinn Féin, outlined support for the Bill, notwithstanding the objections consistently presented at Committee Stage to the appointment process and provisions for arrangements with the Secretary of State. He stated that the bringing together of the Commissioner for Complaints and the ombudsman was positive and that he hoped that that would enhance protection for the public in the delivery of public services. He also noted, helpfully, that the majority of our public servants seek to deliver an effective service with the utmost integrity at all times. He noted, as the Committee did, that Sinn Féin will oppose amendment Nos 22, 23, 54, 58 and 59.

Mr Maginness, on behalf of the SDLP, raised important points on clause 32(1)(2). He outlined how concerns about legal privilege, which were raised by stakeholders such as the BMA, the Bar Council and the Law Society, have been capably addressed. We also heard from the Chairperson, who spoke to reassure those bodies that legal professional privilege would not be altered by the Bill.

Mr Maginness also addressed clause 30 (7)(b) and asked for reflection on the introduction of discretion for the ombudsman to permit legal representation. The Chairperson of the Committee for OFMDFM gave the helpful example of the arrangements in place for the chair of the historical abuse inquiry, which may be worth examining.

Mr Allister spoke to the amendments that he tabled, and the Chairperson of the Committee for OFMDFM and I responded. On amendment No 54, the Chairperson and members of the Committee for OFMDFM are content that clause 34(2)(d) makes provision for a report to be provided to any person whom the ombudsman

considers appropriate. Indeed, it creates the power for the ombudsman to publish a report when it is in the public interest to do so.

The Committee did not feel that the case had been made to reverse that arrangement, and we certainly do not agree with Mr Allister that the provisions proposed are in any way akin to concealment. This is very much about creating a system in which members of the public feel at ease and have a clear pathway to raising with the ombudsman's office their concerns about the delivery of public services. Of course, it is also about ensuring that, where the findings of any investigation are in the public interest, they are made fully and publicly available, and that any other persons whom the ombudsman considers appropriate are notified.

The Committee did not think that the case had been made for amendment Nos 22, 23, 58 and 59, and, as mentioned, will oppose them at this stage.

In closing, I add my thanks to the officials who worked tirelessly on this group of amendments; the ombudsman, who engaged effectively; all stakeholders; the Ad Hoc Committee; and Members who contributed to this stage of the Bill.

Amendment No 4 agreed to.

Clause 1, as amended, ordered to stand part of the Bill.

Clause 2 (Independence)

Amendment No 5 made:

In page 2, line 1, leave out subsection (2) and insert

“(2) But this is subject to—

(a) the power of the Assembly Commission to determine the salary, pension and terms of appointment of the Ombudsman under paragraphs 6, 7 and 8 of Schedule 1,

(b) the power of the Assembly to request Her Majesty to remove the Ombudsman from office under paragraph 9 of Schedule 1,

(c) the power of the Department of Finance and Personnel to direct the form of accounts the Ombudsman must prepare, under paragraph 7 of Schedule 2, or sections 9 to 13 of the Government Resources and Accounts Act (Northern Ireland) 2001.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 2, as amended, ordered to stand part of the Bill.

Clauses 3 to 8 ordered to stand part of the Bill.

Clause 9 (Criteria for own initiative investigations)

Amendment No 6 made:

In page 4, line 18, after “publish” insert “and have regard to”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 9, as amended, ordered to stand part of the Bill.

Clauses 10 and 11 ordered to stand part of the Bill.

Clause 12 (Listed authorities)

Amendment No 7 not moved.

Amendment No 8 made:

In page 5, line 27, at end insert“(b) its expenses are defrayed out of moneys appropriated by Act of Parliament.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 9 made:

In page 5, line 31, leave out “First Minister and deputy First Minister acting jointly” and insert

“Office of the First Minister and deputy First Minister”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 10 made:

In page 5, line 33, leave out “they think” and insert “it thinks”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Clause 12, as amended, ordered to stand part of the Bill.

Clause 13 ordered to stand part of the Bill.

Clause 14 (Matters which may be investigated: general)

Amendment No 11 made:

In page 6, line 8, after “taken” insert

“in the exercise of administrative functions”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Clause 14, as amended, ordered to stand part of the Bill.

Clause 15 (Matters which may be investigated: health and social care bodies)

Amendment No 12 made:

In page 6, line 18, after “taken” insert

“in the exercise of administrative functions”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 13 made:

In page 6, line 20, leave out paragraph (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 14 made:

In page 6, line 22, after “decision” insert “of that body”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Mr Speaker: You are getting good at this, Mr Nesbitt.

The Question is that clause 15, as amended, stand part of the Bill. All those in favour say Aye.

Mr Nesbitt: Aye.

Mr Speaker: Contrary, No.

Clause 15, as amended, ordered to stand part of the Bill.

Mr Speaker: I am glad that the Ulster-Scots vote has been heard there.

Clause 16 (Matters which may be investigated: general health care providers)

Mr Speaker: I call Mr Nesbitt to move formally amendment No. 15.

Mr Nesbitt: Moved.

Mr Speaker: That is very moving.

Amendment No 15 made:

In page 16, page 6, line 29, after “taken” insert

“in the exercise of administrative functions”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 16 made:

In page 6, line 31, after “decision” insert “of that body”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 17 made:

In page 6, line 32, leave out “clinical” and insert “professional”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Clause 16, as amended, ordered to stand part of the Bill.

Clause 17 (Matters which may be investigated: independent providers of health and social care)

Amendment No 18 made:

In page 7, line 10, after “taken” insert

“in the exercise of administrative functions”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 19 made:

In page 7, line 13, leave out paragraph (b).— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 20 made:

In page 7, line 15, after “decision” insert “of that body”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Clause 17, as amended, ordered to stand part of the Bill.

Clause 18 (Matters which may be investigated: universities)

Mr Speaker: Amendment No 21 is mutually exclusive with amendment No 22.

Amendment No 21 made:

In page 7, line 26, leave out subsection (2) and insert

“(2) The Ombudsperson may investigate alleged maladministration through action taken by a university in the exercise of administrative functions, in respect of students enrolled in courses validated by the university.”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Mr Speaker: I will not call amendment No 22, as it is mutually exclusive with amendment No 21, which has been made.

Amendment No 23 not moved.

Mr Speaker: I call Mr Nesbitt to move formally amendment No 24. Amendment proposed —

I call Mr Nesbitt to move formally amendment —

I beg your pardon. Amendment No 24.

Mr Nesbitt: I thought that we were getting good at this. Moved, Mr Speaker.

Mr Speaker: You are getting good at it. I am getting worse.

Amendment No 24 made:

In page 7, line 37, at end insert

“(7) In this Act, references to a university include references to a constituent college, school or hall or other institution of a university.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 18, as amended, ordered to stand part of the Bill.

12.45 pm

Clause 19 (Administrative functions of staff of tribunals)

Mr Speaker: Amendment No 25 has already been debated.

Amendment No 25 not moved.

Clause 19 ordered to stand part of the Bill.

Clauses 20 and 21 ordered to stand part of the Bill.

Clause 22 (Other excluded matters)

Amendment No 26 not moved.

Clause 22 ordered to stand part of the Bill.

Clause 23 ordered to stand part of the Bill.

Clause 24 (Complaint procedure to be invoked and exhausted)

Mr Speaker: You know that the Business Committee has agreed to meet at 1.00 pm. We can either take our ease until then or start the next group. I see you nodding. We will proceed and go as far as we can.

We now come to the third group of amendments for debate. With amendment No 27, it will be convenient to debate the other amendments in this group that deal with the complaints handling procedure. Members should note that amendments Nos 46 and 47 are both consequential to amendment No 45; amendment No 48 is consequential to amendment No 47; amendment No 49 is consequential to amendments Nos 47 and 48; amendment No 51 is consequential to amendments Nos 46 and 48; amendment No 65 is consequential to amendment No 44; amendment No 67 is consequential to amendment No 47; amendment No 69 is consequential to amendment No 45; amendment No 71 is consequential to amendment No 44; and amendment No 75 is consequential to amendments Nos 45 to 52.

If all that is clear, I call the Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Mike Nesbitt, to move amendment No 27 and to address the other amendments in the group.

Mr Nesbitt: I beg to move amendment No 27: In page 9, line 22, leave out “complaints procedure” and insert “complaints handling procedure”.

The following amendments stood on the Marshalled List:

No 29: In clause 25, page 9, line 26, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 30: In clause 25, page 9, line 28, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 31: In clause 25, page 9, line 30, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 32: In clause 26, page 10, line 2, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 33: In clause 26, page 10, line 5, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 34: In clause 27, page 10, leave out subsections (1) and (2).— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 35: In clause 27, page 10, line 22, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 44: After clause 33 insert

“PART 3

COMPLAINTS HANDLING PROCEDURE

Meaning of complaints handling procedure

34.—(1) In this Act “complaints handling procedure” is the procedure of a listed authority for—

(a) examining complaints, or

(b) reviewing decisions,

in respect of matters which the Ombudsperson may investigate.

(2) But for the purposes of this Act, the following do not form part of a complaints handling procedure—

(a) a right of appeal, complaint, reference or review to or before a tribunal constituted under any statutory provision or by virtue of Her Majesty’s prerogative,

(b) a remedy by way of proceedings in a court of law.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 45: After clause 33 insert

“Statement of principles

35.—(1) The Ombudsman must publish a statement of principles concerning complaints handling procedures of listed authorities.

(2) The first statement of principles is not to be published unless a draft of the statement has been laid before, and approved by a resolution of, the Assembly.

(3) Before laying a draft statement of principles before the Assembly, the Ombudsman must consult—

- (a) Ministers of Northern Ireland departments, and
- (b) such listed authorities and other persons as the Ombudsman thinks fit.

(4) The Ombudsman must, in preparing the draft statement of principles, have regard to any representations made during the consultation.

(5) The statement of principles comes into force when it is published by the Ombudsman.

(6) The Ombudsman may from time to time revise and re-publish the statement of principles.

(7) Where the Ombudsman considers that any revision of the statement of principles is material, subsections (2) to (5) apply to that statement of principles as they do to the first statement of principles.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 46: After clause 33 insert

“Obligation for listed authority to have complaints handling procedure

36.—(1) A listed authority must ensure—

- (a) it has a complaints handling procedure in respect of action taken by the listed authority, and
- (b) any such procedure complies with the statement of principles.

(2) A listed authority which is responsible for a complaints handling procedure—

- (a) in relation to, or
- (b) operated by,

another listed authority, must ensure the procedure complies with the statement of principles.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 47: After clause 33 insert

“Model complaints handling procedures

37.—(1) The Ombudsman may publish model complaints handling procedures (referred to in this Act as “model CHP”) for listed authorities.

(2) A model CHP must comply with the statement of principles.

(3) The Ombudsman may publish different model CHPs for different purposes.

(4) Before publishing a model CHP the Ombudsman must consult such listed authorities and other persons as the Ombudsman thinks fit.

(5) The Ombudsman may from time to time revise and re-publish any model CHP; and in doing so, subsection (4) applies.

(6) Where a model CHP is revised and re-published, section [Obligation for listed authority to comply with model CHPs: Amendment 48] has effect with the following modifications—

(a) any specification under section [Obligation for listed authority to comply with model CHPs: Amendment 48]

(1) in relation to the model CHP continues in effect as a specification in relation to the revised and re-published model CHP,

(b) any other reference to a model CHP is to the model CHP as revised and re-published,

(c) section [Obligation for listed authority to comply with model CHPs: Amendment 48](2)(b) is omitted.

(7) The Ombudsman may withdraw any model CHP at any time; and any specification under section [Obligation for listed authority to comply with model CHPs: Amendment 48](1) in relation to the model CHP ceases to have effect upon that withdrawal.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 48: After clause 33 insert

“Obligation for listed authority to comply with model CHPs

38.—(1) The Ombudsman may specify a listed authority to which a model CHP is relevant, and must notify the authority accordingly.

(2) Where subsection (1) applies—

(a) the listed authority must ensure that there is a complaints handling procedure which complies with the model CHP,

(b) the authority must submit a description of the complaints handling procedure, having taken account of the relevant model CHP, within 6 months of the specification.

(3) A listed authority may, with the consent of the Ombudsman, modify the application of the model CHP which is relevant to it, but only to the extent that is necessary for the effective operation of the procedure by the authority.

(4) The Ombudsman may revoke a specification at any time.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 49: After clause 33 insert

“Declaration of non-compliance of complaints handling procedure

39.—(1) The Ombudsman may make a declaration of non-compliance in relation to a complaints handling procedure if subsection (2) or (3) applies.

(2) This subsection applies where the Ombudsman—

(a) has specified that a model CHP is relevant to a listed authority, and

(b) is of the opinion that a listed authority’s complaints handling procedure does not comply with the model CHP.

(3) This subsection applies where the Ombudsman—

(a) has not specified that a model CHP is relevant to a listed authority, and

(b) is of the opinion that a listed authority's complaints handling procedure does not comply with the statement of principles.

(4) Where a declaration is made, the Ombudsman—

(a) must give reasons in writing,

(b) may specify such modifications to the complaints handling procedure as would result in the declaration being withdrawn.

(5) Where a declaration is made, the listed authority must submit a description of its complaints handling procedure to the Ombudsman, having taken account of the reasons given under subsection (4)(a) and any modifications specified under (4)(b), within 2 months of the declaration.

(6) The Ombudsman may withdraw a declaration at any time if the Ombudsman thinks fit.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 50: After clause 33 insert

“Submission of description of complaints handling procedure: general

40.—(1) A listed authority must submit a description of its complaints handling procedure to the Ombudsman if the Ombudsman so directs.

(2) The description must be submitted within three months of being so directed, or such other period as the Ombudsman may direct.

(3) Sections [Obligation for listed authority to comply with model CHPs: Amendment 48](2)(b) and [Declaration of non-compliance of complaints handling procedure: Amendment 49](5) are subject to any direction given under this section.

(4) Where a listed authority has submitted a description of its complaints handling procedure to the Ombudsman under this Act or otherwise, the authority must provide such additional information in relation to that procedure as the Ombudsman may reasonably request.

(5) The additional information must be provided within such period as the Ombudsman directs.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 51: After clause 33 insert

“Application of other enactments

41. The duties in sections [Obligation for listed authority to have complaints handling procedure: Amendment 46] and [Obligation for listed authority to comply with model CHPs: Amendment 48](2)(a) do not apply to the extent that—

(a) the listed authority lacks necessary powers (other than by virtue of this Act) to ensure compliance with the duties, or

(b) the duties are inconsistent with any other statutory provision.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 52: After clause 33 insert

“Promotion of best practice etc.

42.—(1) The Ombudsman must—

(a) monitor practice and identify any trends in practice as respects the way in which listed authorities handle complaints,

(b) promote best practice in relation to such complaints handling,

(c) encourage co-operation and the sharing of best practice among listed authorities in relation to complaints handling.

(2) A listed authority must co-operate with the Ombudsman in the exercise of the function in subsection (1).

(3) The duty in subsection (2) does not apply to the extent that—

(a) the listed authority lacks the necessary powers (other than by virtue of this Act) to ensure compliance with the duty, or

(b) the duty is inconsistent with any other statutory provision.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 65: In clause 50, page 20, line 16, at end insert

“complaints handling procedure” has the meaning given in section [Meaning of complaints handling procedure: Amendment 44].— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 67: In clause 50, page 20, line 38, at end insert

“model CHP” has the meaning given in section [Model complaints handling procedures: Amendment 47].— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 69: In clause 50, page 21, line 1, at end insert

“statement of principles” has the meaning given in section [Statement of principles: Amendment 45].— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 71: In clause 55, page 21, line 31, at end insert“(a)

section [Meaning of complaints handling procedure: Amendment 44].— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

No 75: In clause 55, page 22, line 23, at end insert

“(7) Part 3 (other than section [Meaning of complaints handling procedure: Amendment 44]) comes into operation on such day as the Assembly Commission may by order appoint.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Nesbitt: Thank you, Mr Speaker. These amendments were brought forward by the Committee for OFMDFM in the light of submissions received by the Ad Hoc Committee in relation to provisions for complaints handling procedures that were introduced in Scotland by the Public Services Reform (Scotland) Act 2010. The Scottish ombudsman made a submission to the Ad Hoc Committee and with

reference to the ombudsman's complaints standards team, which implemented changes, the ombudsman had this to say:

"This small team, working collaboratively with many others across the public services in Scotland, has arguably had greater impact on the day-to-day relationship between the public and public services than any other initiative undertaken by this office."

The Ad Hoc Committee also sought the views of the ombudsman on the proposal, who advised that his office's research suggested the need for common complaints standards, principles and procedures across the public sector in Northern Ireland.

He believed that a complaints standards role for the NIPSO would not only facilitate the development of complaints handling in Northern Ireland, but would allow the Assembly and the Executive to make meaningful comparisons between the performance of bodies in each sector.

In light of the broad support for the proposals, the OFMDFM Committee agreed to bring these amendments. While the cost of introducing these changes in Scotland was relatively modest, the Committee agreed to leave commencement of these provisions to the Assembly Commission in light of current and ongoing financial constraints and with the hope that they will be commenced as soon as the necessary resources can be reasonably found.

Amendment No 27 aims to replace the phrase "complaints procedure" in clause 24 with the phrase "complaints handling procedure", as do amendment Nos 29, 30 to 33 and 35. These amendments would pave the way for the new Part 3 of the Bill, which would deal with complaints handling procedure, as, indeed, would amendment No 34.

Amendments No 44 to 52 inclusive aim to introduce the new Part 3 into the Bill. That is closely modelled on the system in place in Scotland. Amendment No 44 aims to define the meaning of a complaints handling procedure (CHP). Amendment No 45 would require the NIPSO to consult Ministers and others on a draft statement of principles concerning complaints handling procedures and to have regard to any representations made. The NIPSO would then have to lay a draft statement of principles before the Assembly for approval and, subject to that approval, publish it. A similar procedure would apply to any revisions of those principles.

Amendment No 46 would require a listed authority to have a complaints handling procedure that complies with the statement of principles. Amendment No 47 would authorise the NIPSO to publish model complaints handling procedures that comply with the statement of principles after consultation with such listed authorities and others as the NIPSO thinks fit. Any revisions, again, would follow a similar process.

Amendment No 48 would provide that, where the NIPSO specifies a listed authority to which a model complaints handling procedure is relevant, that authority must ensure that its procedure complies with the model CHP and send a description of its procedure to the NIPSO within six months. Amendment No 49 would provide that the NIPSO may make a declaration that a procedure does not comply with a specified model CHP or with a statement of principles. The NIPSO would then have to give reasons and specify required modifications. A listed authority would

then have to resubmit its procedure within two months, having taken account of the modifications.

Amendment No 50 would provide a general duty for a listed authority to submit a copy of its CHP to the NIPSO within three months of the NIPSO so directing, and such additional information in relation to the procedure as the NIPSO may reasonably request. Amendment No 51 would provide that the duties in amendment Nos 46, 47 and 48 would not apply where this would be inconsistent with any other statutory provision or where the listed authority would lack the necessary powers to ensure compliance with the duties.

Amendment No 52 would require the NIPSO to monitor the complaints handling practices of listed authorities and identify trends, promote best practice, and encourage cooperation and the sharing of best practice. Listed authorities would have to cooperate with the NIPSO in that regard, unless they lacked the power to do so or so doing would be inconsistent with any other statutory provision.

Mr Speaker, let me just amend what I said about amendment No 51: it would apply to duties in amendment Nos 46 and 48, not No 47.

Amendment Nos 65, 67 and 69 point the reader towards the relevant provisions that define key terms dealing with complaints handling procedures. Amendment No 71 would provide for commencement on the day after Royal Assent of the proposed new clause that would be inserted by amendment No 44, which would define "complaints handling procedure". That is necessary because the definition is required for other provisions of the Bill, not just the new Part 3.

Finally, amendment No 75 would provide that the other provisions in the proposed new Part 3 of the Bill would come into operation on such day as the Assembly Commission may, by order, appoint. That concludes my remarks on the third group of amendments.

Lord Morrow: The Ad Hoc Committee on the Public Services Ombudsperson Bill did not have sight of these amendments prior to its formal clause-by-clause scrutiny, and therefore there is no Ad Hoc Committee position on these amendments. However, I do wish to outline briefly the Committee's consideration of the role of the NIPSO in respect of complaints handling procedure.

The Committee noted ongoing communication between the Northern Ireland Ombudsman and the Committee for OFMDFM in relation to the potential for the NIPSO to play a design authority role in the public-sector complaints process and noted, indeed, that this was one of the themes in the Committee for OFMDFM's original consultation in 2010. The Committee noted that the Committee for OFMDFM and the ombudsman were initially of the view that the improvement of public complaint handling would be addressed through the investigation of complaints and resultant recommendations to the listed authorities involved, and noted that both were mindful of the potential resource implications for that additional role in the current financial climate.

The Ad Hoc Committee received correspondence from the ombudsman in June, providing details of legislation introduced in Scotland in 2010 that provided for the Scottish ombudsman to publish a model complaints handling procedure for listed authorities and compel

bodies to adopt the model complaints handling policy. The NI Ombudsman regards uniformity of approach to complaints handling across all public services to be important, as the public are then aware of a simple streamlined approach and their right to complain to the ombudsman if they remain dissatisfied having exhausted the internal process of the listed authority.

The ombudsman's office published research into complaints handling in public-sector bodies in 2014, and the report on that research highlighted the need for complaints standards procedures, given the confusion experienced by the public when attempting to negotiate what the ombudsman referred to as "the complaints maze". The Committee noted that, as a result, the ombudsman now believes that such a complaints standards authority role for the NIPSO would facilitate refinement and development in handling public-sector complaints in Northern Ireland and noted that the Committee for OFMDFM, in consideration of the ombudsman's views, now also sees merit in such a role for the NIPSO, modelled on that of the Scottish ombudsman and subject to commencement by the Assembly Commission, dependent on the availability of resources for implementation.

The Ad Hoc Committee noted those developments but did not have sight of the Committee for OFMDFM's amendments on that additional role for the NIPSO prior to the formal clause-by-clause scrutiny and, therefore, did not take a view on those amendments.

Mr Speaker: The Business Committee has arranged to meet at 1.00 pm today. I propose, therefore, by leave of the Assembly, to suspend the sitting until 2.00 pm. When we return, the first item of business will be Question Time.

The debate stood suspended.

The sitting was suspended at 12.58 pm.

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

2.00 pm

Oral Answers to Questions

Justice

PSNI District Command Units

1. **Mrs Dobson** asked the Minister of Justice to outline any discussions he has had with the Chief Constable in relation to the operational effectiveness of the 11 new PSNI district command units. (AQO 8896/11-16)

Mr Ford (The Minister of Justice): The operational effectiveness of the 11 new PSNI district command units, established to match the current council structure, is an operational matter for the Chief Constable, who is accountable to the Policing Board. While fully respecting his operational independence, I have regular discussions with the Chief Constable in relation to the outcome of operational decisions properly taken by him and what steps I might take to support the PSNI in delivering its policing plan.

Mrs Dobson: I thank the Minister for his answer. I would like to record my dismay at the Minister failing to respond to the Adjournment debate on the topic that I tabled back in March about how the new structures would affect my constituents. Does the Minister not share the concerns of my constituents and of businesses about a town the size of Banbridge that is left without any response units?

Mr Ford: I am sorry, Deputy Speaker, but, as Minister, I simply cannot respond to points that are operational issues for the Chief Constable. Members may have a certain frustration about that, but that is the reality of the policing structures that exist in Northern Ireland. Indeed, if we look back at events perhaps 40 years ago in our history, we can see that there are good reasons why politicians should not get involved in operational policing issues. Whilst Mrs Dobson may well have genuine and reasonable concerns about policing in Banbridge, that is an issue that she must raise with the district commander and/or with the Chief Constable, but, I am afraid, not with me.

Mr Deputy Speaker (Mr Beggs): I omitted to advise Members that question 4 has been withdrawn.

Historical Investigations Unit: Convictions

2. **Mr Allister** asked the Minister of Justice to expand on comments reported in the Belfast 'News Letter' on Wednesday 7 October 2015 that he only expected one or two convictions as a result of the work of the historical investigations unit. (AQO 8897/11-16)

Mr Ford: I am grateful for the opportunity to clarify the comments that were recently attributed to me in the Belfast 'News Letter'. I should start by setting the context for the meeting at which the alleged comment was made. It was arranged to discuss a specific life sentence prisoner who could benefit from early release arrangements as a result of the Northern Ireland (Sentences) Act 1998. It was not a

discussion on the workings of the historical investigations unit (HIU).

In response to a question about the potential for changing the legislation in the area of home leave for early releases, I advised that that would require a change to Westminster legislation and that the issue in the future may affect only a very small number of prisoners. The comment was not made in relation to the likely number of convictions or the potential for prosecutions resulting from any investigations by the proposed HIU, as has been erroneously reported. A letter was published by the 'News Letter' correcting this serious misrepresentation of my comments on 10 October.

I have said previously and I emphasise again today that the HIU presents a unique opportunity for us to ensure that victims and relatives receive an independent, article 2-compliant investigation into the death of their loved one. I again urge my political colleagues to work together to resolve the current political challenges and ensure that the Stormont House Agreement is implemented in full in order that victims can receive the truth and justice that they deserve.

Mr Allister: Is the Minister not attempting but failing to be too smart by half in suggesting that he was talking about those who might, because of early release, be subject to these provisions of weekend release etc, when the reality is that people are going to be in that position only on foot of being convicted and subject to the 1998 arrangements through which they get early release? Therefore, it is a matter of the Justice Minister effectively saying that he expects only one or two convictions that would put people in that position. Does that not suggest that the HIU is window dressing, meant to placate victims, but that, in fact, it will ultimately deliver very little, at huge expense, and create further frustration for innocent victims?

Mr Deputy Speaker (Mr Beggs): The Member has asked his question.

Mr Allister: Is it not clear that that is the Minister's position?

Mr Ford: I am not sure that I should take any lessons about being too smart by half from Mr Allister, who seems to manage that quite frequently. I said exactly what I believe to be the truth, and I repeat that that was a truthful account of the circumstances. We were talking about the specifics of the possibility of somebody who, in the context of that particular case, lived close to the widow of the person who had been murdered, and who received home leave because of a quirk in the arrangements for those who receive life sentences being entitled to early release, even though they may also benefit from the Sentences Act, but it cannot be certain at any point that they will receive the benefit. It is a very limited number and is nothing to do with the principle of the HIU.

Whatever Mr Allister may wish to denigrate the attempts that some of us are making to ensure that victims receive justice or, if they cannot receive justice, receive the truth, I will continue to do that regardless of his attempts to denigrate it.

Mr A Maginness: Despite Mr Allister's negative approach to the HIU, will the Minister reassure the House that it is a valuable and necessary part of the Stormont House Agreement in addressing the past and giving some clear

answers to the relatives of those who were slain during the Troubles?

Mr Ford: I am happy to agree with Mr Maginness's point. There is no doubt that there are those who continue to suffer, not least because of the fact that they have not received answers to matters relating to the death of their loved ones. I believe that the HIU has a very significant role that it can fulfil. It emphasises the importance, particularly on a day like today, of ensuring that we address those issues, meet the needs of those families who are suffering and get away from some of the misrepresentation about the HIU and what its effect would be and the kind of talk that has appeared in some of the media about amnesties. People need to look at the reality of what was agreed at Stormont House, and the politicians who are involved in the ongoing discussions need to ensure that we deliver and deliver speedily for the benefit of those bereaved families.

Mr Lyttle: Will the Minister of Justice confirm that there is no provision for amnesties in any part of the legacy arrangements proposed in the Stormont House Agreement? Will he also confirm that the core aim of that work is to improve access to justice, information and services for victims and survivors?

Mr Ford: I am happy to confirm that point. As I hinted in my response to Mr Maginness; unfortunately, there was a suggestion in one particular newspaper, which should not be dignified by being named here, that the proposals for the HIU would amount to an amnesty. A few days later, it announced that, as a result of its campaign, there would not be an amnesty.

Anybody who reads the words of the Stormont House Agreement will be absolutely clear that the provisions for limited immunity relate to only the information provided by an individual. If prosecutions are possible against that individual because of other information, those prosecutions will be taken. It is not an amnesty; it is a proper article 2 compliant investigation, and I want to see it in place as soon as possible.

Historical Investigations Unit: Update

3. **Mr Nesbitt** asked the Minister of Justice for an update on the development of the historical investigations unit. (AQO 8898/11-16)

Mr Ford: My Department is responsible for progressing the establishment of the independent historical investigations unit, which will investigate outstanding Troubles-related deaths and take on the legacy work of the Historical Enquiries Team and the Police Ombudsman. My officials continue to work with colleagues in the Northern Ireland Office to finalise the legislation that will, among other things, establish the HIU.

The legislation to deliver those elements, in the form of the Northern Ireland (Stormont House Agreement) Bill, is, of course, subject to the ongoing political talks. My officials have also commenced work on preparing for the implementation of the HIU, and, subject to political talks, that work will progress whilst the legislation is being debated in Parliament.

I have stated previously that the Stormont House Agreement Bill, and the HIU in particular, represents a unique opportunity to address some of the difficult issues

of our past. I once again urge the parties to work creatively to reach political agreement. We simply cannot afford to miss the chance finally to build structures that are capable of dealing with our troubled past.

Mr Nesbitt: I thank the Minister for that. Given the publication earlier today of the assessment of parliamentary groups in Northern Ireland that was commissioned by the Secretary of State and the suggestion — the clear suggestion — that the deputy First Minister takes his instructions from the army council of the Provisional IRA, will the Minister agree with me that there can be no role for OFMDFM in the appointment of the director of the historical investigations unit?

Mr Ford: I am happy to agree with the point that Mr Nesbitt made — although I made that point before we got today's report — on the clear basis that I am keen to see the HIU operating as a policing body in line with the structures that we have for policing in Northern Ireland. On that basis, the appropriate body to make the appointment would be the Policing Board; not the DOJ, not OFMDFM, and not OFMDFM in consultation with the DOJ. I am quite happy to endorse Mr Nesbitt's points, although I think that I preceded him.

Mr B McCrea: I listened carefully to the Minister's answer when he said that we had to deal with our troubled past. I will follow on from Mr Nesbitt's question: where does the Minister think that we go from here, given that we have now discovered that everybody is still around and active in one shape or another? How can we deal with our troubled past if we will not accept what is going on in the present?

Mr Ford: Before people make detailed comments on the issues in today's report, I think that we need to look at the detail of the report and how it reflects on the activities and structures of a range of organisations. It is clear from the report that the leadership of all the organisations named, apart from the dissidents, is clearly on a path to a different future. I believe that that puts us into a different place, but, sadly, there does not seem to have been a great deal of progress since the last report from the Independent Monitoring Commission in 2011. The important issue is that we see leadership from political parties, complete the journey away from paramilitarism and violence and ensure that we provide an entirely normal and peaceful democratic society for our people in as short a time as is possible and realistic.

Drugs and Alcohol

5. **Mr F McCann** asked the Minister of Justice to outline the financial impact that drugs and alcohol have on his Department. (AQO 8900/11-16)

Mr Ford: The specific financial impact of alcohol and drugs to my Department has not been formally assessed. However, I have no doubt that substance misuse has an impact on expenditure in my Department, the Executive and the wider public sector.

Research on the impact of alcohol alone identified the cost to Northern Ireland to be around £900 million a year, with an annual cost to the Fire Service and the Police Service of up to £280 million and a cost of up to £104 million to the courts and prisons. Clearly, if costs associated with drug misuse were included, those figures would be significantly higher.

Responding to the overall impacts of substance misuse is a key focus of the Executive's new strategic direction on alcohol and drugs. Although the Department of Health, Social Services and Public Safety leads on delivery, my Department is a key contributor to that work. That contribution includes the work of the Probation Board and the Youth Justice Agency to assess the treatment needs of offenders and to refer them to the appropriate support services. The Prison Service, working with health partners, also provides a continuum of treatment and support for those returning to the community.

While working in an environment of financial constraints, my Department remains committed to working with others to tackle the misuse of these substances across Northern Ireland.

Mr F McCann: Go raibh míle maith agat. I thank the Minister for his answer thus far. The issue is certainly getting worse in many communities across the North. What type of strategy has the Minister put in place with other Departments and agencies to try to deal effectively with this most serious of problems?

Mr Ford: As I said in my preliminary answer, the key issue is the Executive's new strategic direction on alcohol and drugs, whereby my Department plays a secondary role to the Department of Health — these issues predominantly relate to health — although, clearly, significant issues of criminal activity related to drug use also need to be addressed. There has been an increase in the number of drug seizures and prosecutions in recent years. It is not entirely clear whether that is an indication of increased criminal activity or whether better police activity is leading to more prosecutions. It is certainly a major priority for the PSNI and for a number of policing and community safety partnerships as well as the wider issues relating to Health and other Departments.

National Crime Agency

6. **Mr Rogers** asked the Minister of Justice for his assessment of the work of the National Crime Agency in Northern Ireland since it became operational in May 2015. (AQO 8901/11-16)

Mr Ford: Members will know that, as chair of the Organised Crime Task Force and as Justice Minister, I welcomed the passage of the legislation to give the National Crime Agency (NCA) a role here, which fits within our policing structures, in the devolved sphere from 20 May. I know — I discussed this with the director general on 1 October — that the NCA is making a significant contribution. That is reflected in the breadth and nature of its new activity and the enhanced support that it has been able to provide to law enforcement partners, especially the PSNI.

Significant elements of that include a joint PSNI and NCA investigation into the online access to and sharing of indecent images of children, which resulted in a number of searches and arrests. There have also been complex investigations originating outside Northern Ireland, which have spread to Northern Ireland, involving crimes such as drug offences. Those investigations have benefited from the NCA's broader reach across jurisdictions, as well as its ability to exercise constabulary powers within Northern Ireland.

2.15 pm

Mr Rogers: I thank the Minister for his response. Given the Secretary of State's statement today, which says that members of parliamentary groups continue to be engaged in violent activity that is directed by local leadership and conducted without sanction, will the PSNI be able to work with the NCA to deal with this problem?

Mr Ford: Mr Rogers make a valid point about today's report, but I am not sure whether the PSNI and the NCA cooperating on issues like this required that report. Of course, the NCA has other powers that were not available before 20 May, such as asset seizures, and I have no doubt that there will be movement in an area in which progress had slowed because of the inability of the NCA to operate for 18 months. Clearly, there are a number of issues. It also relates to a number of cross-border or near-border crimes, in particular. Fuel laundering has a habit of being concentrated around the border, and there is no doubt that the smuggling of tobacco and fuel is a significant issue. It is not simply a matter of the NCA cooperating with the PSNI; it is also about good work with other bodies, particularly an Garda Síochána, the Office of the Revenue Commissioners and HMRC, to ensure a joined-up approach against all of those crimes.

Mrs Overend: I thank the Minister for his responses so far. Given the undoubted success of the National Crime Agency in tackling serious and organised crime in Northern Ireland, does the Minister agree that the parties that thwarted efforts to enable the NCA to operate fully in the war against crime here made a major tactical blunder?

Mr Ford: I thank Mrs Overend for the support that she and her colleagues gave to my efforts to get the NCA operational. Time will tell whether the lengthy debates on the fine-tuning of the details of police accountability mechanisms achieved significant changes beyond what was achieved from the early contact that I had with the Home Office. The important thing is that the NCA is now fully operational and is able to carry out its operations in the devolved sphere and work in the kind of partnerships that I just outlined to Mr Rogers.

Legacy Inquests: Full Disclosure

7. **Mr McMullan** asked the Minister of Justice to outline the steps taken by his Department to ensure full disclosure in the Coroner's Court, particularly for legacy inquests. (AQO 8902/11-16)

Mr Ford: Section 8 of the Coroners Act 1959 places a duty on the PSNI to support the coroner's investigation into a death by providing him with all relevant information that it holds concerning that death. I fully recognise the importance of that disclosure in ensuring an effective investigation into a death, compliant with article 2 of the European Convention on Human Rights (ECHR). The process can be challenging, given the volume of material that may be relevant and the need for any redactions to protect individuals' rights under article 2 or article 8, or to protect national security.

The current draft Stormont House Agreement Bill includes proposals to regulate the onward disclosure of information by the historical investigations unit. The proposals remain subject to political discussion.

I am working to ensure that inquests can proceed in as timely a way as possible. Yesterday, I signed a commencement order that will make the Lord Chief Justice president of the Coroners' Courts with effect from 1 November. That will provide significant judicial leadership in addressing the problems and support a judicially led assessment of the state of readiness of the legacy inquest caseload.

To complement that work, I am inviting Criminal Justice Inspection Northern Ireland (CJINI) to undertake a review of the PSNI disclosure arrangements in support of the inquest and in discharge of its statutory duty.

I previously informed the House of other measures to improve the operation of inquests. There is no single answer to the challenge of legacy inquests. I am, however, taking all reasonable measures within my power, and working with other bodies and the judiciary, to improve the system so that it better delivers for bereaved families.

Mr McMullan: Go raibh maith agat. I thank the Minister for his answer. Does he agree that, where disclosure is prevented, there is the probability of an attempt to pervert the course of justice by covering up the criminal activity that was endemic due to the policy of collusion?

Mr Ford: No, Mr Deputy Speaker.

Mr Kennedy: I welcome the Minister's remarks. Can he outline the steps and measures that he is prepared to take to ensure that in legacy inquests at the Coroners' Court there will not be an exclusive and unfair focus on the state and security forces? How does he intend to address the concerns of a great many of us that there are those in political parties and other groups who seek to use the coronial system to simply rewrite the history of the Troubles?

Mr Ford: While I appreciate the point that Mr Kennedy is trying to make, I am not sure whether I actually have any powers to deal with the issues to which he refers. There is no doubt that the issue of the reopening of inquests is something which falls entirely to the Attorney General. Members may have seen the recent legal challenge around that point. I understand that something like 32 of those cases which have been re-referred by the Attorney General involve military witnesses, so there may well be a perception in some quarters. The reality is that the Attorney General reorders inquests on the basis of his best responsibilities as law officer. On that basis, the Courts and Tribunals Service makes the practical arrangements, working with coroners, to deliver those inquests. It is an issue that I believe might perhaps have been better addressed if there had been something like the historical institutional abuse inquiry to deal with legacy inquests, but we are where we are on the basis that there was no political agreement. In the meantime, the Courts and Tribunals Service and the judiciary will, I am sure, continue to carry out their obligations without any favour in either direction.

Domestic Violence and Abuse

8. **Mr McCartney** asked the Minister of Justice for an update on the strategy for addressing domestic violence and abuse. (AQO 8903/11-16)

Mr Ford: Significant achievements have been made under the tackling violence at home strategy since it was introduced in 2005. These have included the introduction

of multi-agency risk assessment conferencing; a 24-hour domestic-violence Freephone helpline, which expanded last year to include sexual violence; a number of domestic-violence media campaigns; and the introduction of routine enquiry in maternity units to encourage disclosure of domestic violence.

Within my Department, I have increased access to legal aid for victims to apply for non-molestation orders and piloted a new court listing arrangement in Derry, which seeks to improve the victim experience at court. In addition, integrated domestic abuse programmes, which encourage convicted perpetrators of domestic violence to take responsibility for their behaviour, have been developed and delivered.

I made provision in the Justice Act 2015 for domestic violence protection notices and orders, which protect victims of domestic violence who may be at risk of immediate harm and danger.

Looking to the future, my Department aims to build on these successes. On 24 September, an official briefed the Committee for Justice on the stopping domestic and sexual violence and abuse strategy. Consideration continues to be given as to how the aims of this strategy may be progressed by my Department and DHSSPS in the current difficult financial environment. The publication of the final strategy will be subject to clearance by the Health Minister and the Executive. In the meantime, I have instructed officials to take forward the implementation of justice priorities within that strategy.

Mr McCartney: Go raibh maith agat, a LeasCheann Comhairle. Gabhaim buíochas leis an Aire as an fhreagra sin. I thank the Minister for his answer. I welcome many of the steps which many agencies have taken in relation to domestic violence, and the Minister has outlined a number of them. In the absence of the strategy being rolled out, would the Minister give the House an assurance that it is not a budgetary requirement or deficit that prevents him from rolling out the strategy?

Mr Ford: I thank Mr McCartney for his general support of the process as Deputy Chairperson of the Committee. I cannot say whether it is a budgetary issue. The reality is that the budgetary costs to the Department of Justice are, I believe, manageable given the priority which we have put to dealing with domestic and sexual violence. It is not for me to speak for the Health Minister — when we have one — as to the priorities of that Department. I believe that the work that we are doing, which has been outlined to the Committee, whether on issues like the court listing arrangements, looking at domestic homicide reviews or looking at disclosure arrangements, is important for my Department to carry through. We will continue to do that work whilst hoping that we can get agreement about a joined-up strategy that will be fully comprehensive and better meet the needs of society.

Mr Dallat: I have listened very carefully to the Minister from this gathering of exclusively male political intellectuals. I just wonder whether he accepts that the vast majority of domestic violence cases are against women.

Does he recognise the wonderful work of Women's Aid, and has he sought its advice on putting together a strategy that might well address a very serious problem that, for most of the time, is kept quiet and under the carpet?

Mr Ford: Mr Dallat recounts that this is currently an exclusively male gathering, and it appears to be the case. I am sure, however, that he was glued to Radio Ulster at 6.05 pm last Friday to hear his colleague Dolores Kelly discuss the issue of domestic violence with me. Indeed, he might have noticed how full of praise Mrs Kelly was for the work that is being done by the DOJ, and I am sad that he did not manage to quote that.

It is certainly the case that the vast majority of victims of domestic and sexual violence are female, or, indeed, their children. They also suffer, whether directly or indirectly, because of violence in the home. On that basis, my understanding is that, as the strategy was being prepared, Women's Aid was one of a number of organisations that contributed. The challenge at this stage is not to have prepared the strategy but to put it into action. That is why, as I said to Mr McCartney, the DOJ is doing what it can on its responsible actions, but we really need agreement from the Minister of Health and the Executive, in a fully working arrangement, to ensure that we can carry the strategy forward in a comprehensive way.

Mr McCarthy: Does the Minister agree that the lack of Executive agreement on a domestic and sexual violence strategy is a direct consequence of the DUP's crazy in-out shenanigans over its ministerial responsibilities?

Mr Ford: I thank Mr McCarthy for his question. The current position is a consequence of the in-out ministerial thing, where, sadly, for a few minutes a week, we seem to have a Minister of Health, and so on. The Minister of Health has not found time to engage on the issue. Unfortunately, however, there were issues before now, and we did not deal with the matter as speedily as we should have done. I believe that my Department did all that it could on the work on the joint strategy but it is not for me to speak for the Department of Health. I just want to see Ministers back at work, the Executive functioning, the strategy agreed and all the action plans — the health bits as well as the justice bits, and also those bits that relate to other Departments in smaller areas — fully implemented.

Mr Deputy Speaker (Mr Beggs): Patsy McGlone is not in his place. Michael McGimpsey is not in his place. Pat Ramsey is not in his place. I call Colum Eastwood.

Organised Crime Seminar

12. **Mr Eastwood** asked the Minister of Justice for an update on the recent cross-border seminar on organised crime that took place in Sligo. (AQO 8907/11-16)

Mr Ford: The annual cross-border organised crime conference, attended by law enforcement officers and policymakers, was held on 30 September and 1 October. Over 100 delegates from North and South attended. This year's conference title was 'One step ahead — jointly meeting the threat'. The conference was opened by the Minister for Justice and Equality, Frances Fitzgerald TD; the Garda Commissioner, Nóirín O'Sullivan; the Chief Constable of the PSNI, George Hamilton; and me.

There were presentations and workshops on the illegal production of counterfeit goods, emerging technologies, foreign-national organised crime groups and the new fuel market. The aim was to identify and consider new and developing organised crime threats; to further develop cooperation and partnership working across the border; to

exchange ideas on best practice; and to consider lessons learned in order to enhance the response to organised crime in both jurisdictions.

Mr Eastwood: I thank the Minister for his answer thus far. Given the very recent tragedy of the murder of the guard across the border and the fact that the culprit was somebody from the North, is he confident that appropriate levels of intelligence-sharing are happening to ensure that those kinds of things cannot happen again?

Mr Ford: I think that Mr Eastwood has slightly expanded beyond the remit of the original question, Mr Deputy Speaker. The death of Garda Tony Golden was a great tragedy and the result of criminal activity perpetrated by somebody who originally lived in Northern Ireland and was then living in the Republic.

The issue of the organised crime response is not particularly relevant to such things, but, as I said, in the context of how we ensure the best possible public protection and how we deal with issues that relate to domestic and sexual violence, it may well be that we have a greater need to see matters joined up across the border when people move in that way.

I am not sure that I can say that the intelligence was necessarily shared exactly as it might have been in that particular case, but it is something that I have given a commitment to look at with my Department and in conjunction with the Department of Justice and Equality as part of our ongoing cross-border work.

2.30 pm

Mr Deputy Speaker (Mr Beggs): That is the end of our period for listed questions. We will now move to topical questions.

Peace Walls

T1. **Mr Allen** asked the Minister of Justice for an update on his Department's work with Ulster University to examine the challenges in removing peace walls. (AQT 3021/11-16)

Mr Ford: I thank Mr Allen for the question, and I think that I can now formally welcome him to his first time at Justice questions and to his first chance to ask a question.

The ongoing work on the details of getting rid of peace walls has been fairly significant for my Department. Work has been done by staff from Ulster University looking at how that is operating, and there is ongoing work looking at the best way of joining up the work that we do with that of other agencies. I am not in a position to present a formal report at this stage, but I believe that the contribution of the academics who have looked at the work from a slightly external position has been of benefit to my staff. There has certainly been very close engagement over the last while in dealing with that, and I think that it is something that shows the benefits of looking in a slightly wider way at some of the responsibilities that we have in government and of learning from that.

Mr Allen: I thank the Minister for his response. Can the Minister outline when he expects the results of the attitudes to peace walls survey to be released?

Mr Ford: I think that the next round of that survey is due to be released within the next few weeks. I will certainly see that, whenever it is released, it is placed in the

Assembly Library, and Members will be informed of that. It is clear that, when he talked about attitudes to peace walls, Mr Allen raised a very significant issue, because there is no doubt that there are still those who feel the need for physical protection, particularly if they live close to interface structures, yet there are many others who recognise that the best interests of society are served by the removal of those structures, when we can deal with those genuine fears amongst those who live close to them. We will not develop a normal society, we will not grow our economy and we will not be able to move away from the issues of the past if we cannot continue the action that has seen six interface structures removed during my time as Minister and significant engagement on many others.

Mr Deputy Speaker (Mr Beggs): The Member listed for topical question 2 has withdrawn his name.

Justice Spend: Young People with Learning Difficulties

T3. **Mr Rogers** asked the Minister of Justice how significant the budget spend in his Department is for dealing with young people in the criminal justice system, particularly those with learning difficulties, when compared with other jurisdictions. (AQT 3023/11-16)

Mr Ford: That sounds like a question that has a well-prepared supplementary, and I congratulate Mr Rogers for that. I cannot at this stage give an assessment of expenditure in Northern Ireland compared with other neighbouring jurisdictions in the way that he has asked. Sadly, Ministers do not always have every last bit of detail at their fingertips when they answer topical questions, but if he wishes to expand on it in a supplementary, I will do my best either to answer or to see that we provide the information later.

Mr Rogers: You guessed right. Do you believe, Minister, that effective early intervention in the home and school would have a significant impact on the spend of your budget and that you could spend it in other ways, rather than having so much spent on education?

Mr Ford: I am certainly happy to agree with Mr Rogers on the point about the need for early intervention, which is a critical issue. When I look at early intervention, I can see it in two different categories. One is the very early life interventions, and the Department of Justice contributes to some of those projects on a cross-departmental basis even though, in very blunt terms, we are unlikely to see the benefit of that intervention in the DOJ for 12 or 14 years until young children have grown up and might become nuisances or criminals, whereas Education and Health will see their response back very quickly. I believe that, as part of a commitment to a joined-up approach, that is necessary.

I also think that, particularly through the work of PCSPs and others, we are seeing some good being done with young teenagers who are in danger of getting into trouble. I remember that, a couple of years ago, I saw three different projects within the space of about six weeks that were all doing that kind of work. They were organised by different organisations in different parts of Northern Ireland, but each was, fundamentally, about establishing personal relationships and providing good role models for young people. They were all excellent examples of how very modest investments were helping young people to stay out

of trouble. I am committed to supporting that as best I can, given current budgetary constraints.

Arlene Arkinson Inquest: Public Interest Immunity

T4. **Ms Boyle** asked the Minister of Justice whether confidence in the policing and justice structures would be undermined if public interest immunity were granted in the Arlene Arkinson inquest. (AQT 3024/11-16)

Mr Ford: I am not in a position to give any assessment of what the public interest would be in that particular context. Ms Boyle, as a relevant constituency MLA, may have some slightly more specific ideas than I do, but the reality is that there are reasons why, at times, public interest immunity certificates are granted. Those do not fall to me — they tend to fall to the Secretary of State — so it would be very difficult for me to give any detail on that.

Ms Boyle: Go raibh maith agat. Minister, obviously you are the Minister, and people will look to you for public confidence. I am sure that you will join with me at this time in saying that our thoughts and prayers go out to the Arkinson family in seeking justice for Arlene. However, Minister, do you accept that many people believe that Robert Howard was an RUC Special Branch informant who was shielded by it from prosecution at that time and that the Chief Constable should state why public interest immunity has been sought?

Mr Ford: I cannot possibly answer that question. It may well be the case that individuals have concerns, but my Department does not have any responsibility for that issue.

Loyalist Council

T5. **Mr Dallat** asked the Minister of Justice, given that he will have been greatly excited by the recent announcement of yet another loyalist council to deal with paramilitaries that, 18 years on, remain outside the political process, whether he holds out any hope that this might end parallel policing and parallel courts of justice, which have been going on for far too long, particularly in north Antrim and east Derry. (AQT 3025/11-16)

Mr Ford: I share the concerns that Mr Dallat has expressed about the behaviour of the UDA in his constituency and in the north Antrim area. Clearly, there are still those who think that they have rights to act in a way that they never legitimately had. When we look at the report just published by the Secretary of State this afternoon and see the discussion on the statement that was happening in the House of Commons as I came into the Chamber, it is clear that there is now a major issue to be addressed in recognising that organisations that have moved to some extent since Good Friday 1998 need to complete the journey away from paramilitarism, violence, threat and the criminal activities that so many of them are involved in.

Mr Dallat: I thank the Minister for what I think is a very honest answer. Does he agree with me that there has never been a greater yearning to face a future that embraces everybody and leaves behind a past that failed everybody? Does he have the resources to be part of that? Is he on board?

Mr Ford: Mr Dallat can rest assured that the Department of Justice and the agencies with which we work are on

board to establish a peaceful, lawful society. It is not just an issue for the criminal justice system; it is an issue that requires a joined-up approach and which, most of all, requires the five parties and the two Governments meeting in Stormont House — I trust, tomorrow morning — to get on with dealing with those issues in a realistic, meaningful, joined-up way so that we can put paramilitarism behind us and see, in the shortest timescale possible, an end to those activities that were reported as still being in existence today.

Justice: Impact of HSSPS Decisions

T6. **Mr McKinney** asked the Minister of Justice, on the theme of early intervention, whether any assessment is being made of the likely impact on his budget of Health Department decisions, such as those to close addiction services in Ballymena. (AQT 3026/11-16)

Mr Ford: I cannot say that any specific assessment has been given. Mr McKinney speaks about Ballymena, and there are issues around the Railway Street project, which was funded in part by the Department of Justice. Frankly, it was not possible to continue to fund that at the previous level. There was no pleasure in withdrawing funding from that; it was the reality of the world in which we live. The failure to resolve significant financial issues and the problems that the Executive have had collectively in setting up a Budget has made it very difficult to do the work that we need to do. It is difficult to put the money into prevention in the way that we wish when we do not have the money that we need to deal with today's problems

Mr McKinney: Earlier, the Minister reflected on how it might take 12 to 14 years to feel the benefit of an education intervention, but, clearly, this type of intervention could pitch up on the Minister's desk much sooner than that. Does he recognise that fact, and what conversations could he have with the Department of Health to mitigate it?

Mr Ford: I take Mr McKinney's point slightly. I think that I actually said that, in the context of early childhood interventions, the Department of Justice might well take 12 to 14 years to get its benefit, whereas the Department of Health, Social Services and Public Safety and the Department of Education could see the benefits within two to three years. He is right to highlight that there can well be problems if we fail to deal with issues like addiction and that it can lead to costs for the criminal justice system at a fairly speedy rate. Nonetheless, the fact remains that we do not have the budget to do all that we need to do. Difficult decisions have been made. Prioritisation has happened. His colleague has just highlighted the issue of ongoing paramilitary violence, and that also needs to be considered. We cannot do all that we wish in current circumstances, but, if Members could see their way to ensuring that we get the necessary financial arrangements made, if we could see workable budgets and if we could set out plans that actually put into practice what the Programme for Government is supposed to talk about, we would be in a better position.

Criminal Assets

T7. **Mr Eastwood** asked the Minister of Justice for his assessment of the criminal assets held by people associated with paramilitaries. (AQT 3027/11-16)

Mr Ford: I cannot give any specific assessment of that, but Members will be well aware of assessments that have been made by others, notably in the Republic in recent times, that suggest that substantial assets are held. That is another reason why it was good to get the NCA operational. It is also the reason why we need all the relevant bodies. It is not just about the PSNI and the Garda Síochána; a range of bodies on both sides of the border need to carry out actions against those who hoard assets as a result of criminal activity directed against this society.

Mr Eastwood: I thank the Minister for his answer. He is right: it was good to get the NCA operational. It was only after a lot of work was done by this party to ensure that it was properly accountable. Can he give us his assessment of how much in criminal assets has actually been recovered by the NCA, the Serious Organised Crime Agency (SOCA) or anybody else?

Mr Ford: I do not have the historical figures for the Assets Recovery Agency and SOCA. My understanding is that nothing specific has been recovered by the NCA at this point, although there is preliminary work ongoing, partly because the NCA staff who were dealing with that kind of work were, until May, committed to supporting their colleagues in England, Wales and Scotland in the work that they were doing there. They will continue to do some of that work in the meantime. It is clear, now that we have the focus of the NCA fully operational in Northern Ireland, it will be in a position to follow up on those matters, and I understand that a number of cases are now under serious investigation.

Cybercrime

T8. **Mr F McCann** asked the Minister of Justice what steps he has taken to tackle the growing issue of cybercrime. (AQT 3028/11-16)

Mr Ford: If the Member is asking what the Minister is doing, the Minister is supporting a number of operational agencies. There is very significant work being done on cybercrime by the National Crime Agency. I highlighted earlier the work being done on child exploitation and the horrendous issues of child sexual abuse. Ongoing work is being done by the police, in conjunction with the NCA, across a range of criminal activities. There is no doubt that, if any crime is possible these days, it is either possible to carry it out on a cyber-basis or else electronic communications assist the carrying out of that crime.

2.45 pm

People have discovered that it is sometimes easier to rob a bank through cyber activity than by putting on a balaclava and walking in with a big bag. I spoke at a conference on cybercrime in Lisburn a couple of weeks ago, and significant efforts are being made by a range of organisations to make people more aware and advise them to be cautious of what they see in emails and even what they get in telephone calls. Things that promise too much are almost certainly too good to be true, and people need to be aware of that. At the same time, the agencies need to take resolute action.

Regional Development

Mr Deputy Speaker (Mr Beggs): The next item of business is questions to the Minister for Regional Development. As there is a vacancy in the ministerial office, Question Time cannot proceed. I ask Members to take their ease for a few moments while we change staff at the Table.

Committee Business

Public Services Ombudsperson Bill: Consideration Stage

Clause 24 (Complaint procedure to be invoked and exhausted)

Debate resumed on amendment No 27, which amendment was:

In page 9, line 22, leave out “complaints procedure” and insert “complaints handling procedure”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

The following amendments stood on the Marshalled List: Nos 29, 30, 31, 32, 33, 34, 35, 44, 45, 46, 47, 48, 49, 50, 51, 52, 65, 67, 69, 71 and 75.

Mr Hazzard: Go raibh maith agat, a LeasCheann Comhairle. I welcome the opportunity to speak at this stage of the Bill. As a new member on the Committee, I have relied heavily on the Bill Office and Committee staff for advice and guidance on the range, depth and remit of the Bill, so thanks to them and my colleague Bronwyn McGahan, who is now in pastures new, as they say.

The Chair outlined succinctly the remit of the amendments in group 3, so I will not go into them in any great detail, except to say that the experience of the Ad Hoc Committee in making suggestions and the relationship with the office of the Scottish ombudsman’s office highlight what can be done when Departments and agencies work together. That is something we look forward to. Such co-design will strengthen, I think, the complaints procedure outlined in the new clause in Part 3. There would have been some issue around cost, but it is welcome that the commencement will not happen until the Assembly Commission deems it is more economically wise to do so, as outlined in amendment No 75.

To a large extent, the amendments are just a synchronising of terminology to pave the way for the new clause in Part 3. If the wider principle is to maximise the effect of addressing a complaint, Part 3 is at the heart of the process, and it is for these amendments to do that.

Sinn Féin supports each of the new amendments, including the new clauses, and looks forward to the rest of the debate.

Mr Lyttle (The Deputy Chairperson of the Committee for the Office of the First Minister and deputy First Minister): This has been a short but constructive debate on this group of amendments. The amendments are positive and, as Members mentioned, demonstrate the good use that can be made of drawing from best practice in other jurisdictions on these islands.

The amendments, as mentioned, will focus on complaints handling procedures drawn from best practice in Scotland, such as the use of a small complaints standards team, common complaints standards, principles and procedures, model complaints handling procedures and the ability of the ombudsman to compel good practice in complaints handling procedures with listed authorities.

The Chairperson of the OFMDFM Committee has capably set that out in detail. Lord Morrow, the Chairperson of the

Ad Hoc Committee, raised concerns about the resource implications of these provisions. However, he also acknowledged that uniformity, consistency and clarity are needed for the public when presenting complaints about public services and that, while the Ad Hoc Committee was not able to form a collective view at this stage, he could see merit in these proposals. Chris Hazzard also referred to those provisions in a positive light. I give the Committee’s support to these amendments.

Amendment No 27 agreed to.

Amendment No 28 made:

In page 9, line 24, leave out “it is reasonable to do so in the circumstances” and insert

“there are special circumstances which make it proper to do so”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 24, as amended, ordered to stand part of the Bill.

Clause 25 (Duty to inform person aggrieved about the Ombudsperson)

Amendment No 29 made:

In page 9, line 26, leave out “complaints procedure” and insert “complaints handling procedure”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 30 made:

In page 9, line 28, leave out “complaints procedure” and insert “complaints handling procedure”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 31 made:

In page 9, line 30, leave out “complaints procedure” and insert “complaints handling procedure”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Clause 25, as amended, ordered to stand part of the Bill.

Clause 26 (Form and time limit for making complaint)

Amendment No 32 made:

In page 10, line 2, leave out “complaints procedure” and insert “complaints handling procedure”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 33 made:

In page 10, line 5, leave out “complaints procedure” and insert “complaints handling procedure”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Clause 26, as amended, ordered to stand part of the Bill.

Clause 27 (Meaning of exhausting the complaints procedure)

Amendment No 34 made:

In page 10, leave out subsections (1) and (2).— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 35 made:

In page 10, line 22, leave out “complaints procedure” and insert “complaints handling procedure”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 27, as amended, ordered to stand part of the Bill.

Clause 28 (Procedure for complaint referred to the Ombudsperson)

Amendment No 36 made:

In page 10, line 35, leave out “it is reasonable to do so” and insert

“there are special circumstances which make it proper to do so”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 28, as amended, ordered to stand part of the Bill.

Clause 29 ordered to stand part of the Bill.

Clause 30 (Investigation procedure)

Amendment No 37 made:

In page 11, line 36, leave out “furnishes” and insert “provides”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 38 made:

In page 12, line 1, leave out “furnishing” and insert “providing”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 30, as amended, ordered to stand part of the Bill.

Clause 31 (Information, documents, evidence and facilities)

Amendment No 39 made:

In page 12, line 12, leave out “supply” and insert “provide”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 40 made:

In page 12, line 16, leave out “supply” and insert “provide”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 41 made:

In page 12, line 24, leave out “supply” and insert “provide”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 31, as amended, ordered to stand part of the Bill.

Clause 32 (Privileged and confidential information)

Amendment No 42 made:

In page 12, line 38, leave out “supply” and insert “provide”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 32, as amended, ordered to stand part of the Bill.

Clause 33 (Obstruction and contempt)

Amendment No 43 made:

In page 13, line 6, leave out “officer” and insert “member of staff”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 33, as amended, ordered to stand part of the Bill.

3.00 pm

New Clause

Amendment No 44 made:

After clause 33 insert

“PART 3

COMPLAINTS HANDLING PROCEDURE

Meaning of complaints handling procedure

34.—(1) In this Act “complaints handling procedure” is the procedure of a listed authority for—

- (a) examining complaints, or
- (b) reviewing decisions,

in respect of matters which the Ombudsperson may investigate.

(2) But for the purposes of this Act, the following do not form part of a complaints handling procedure—

(a) a right of appeal, complaint, reference or review to or before a tribunal constituted under any statutory provision or by virtue of Her Majesty’s prerogative,

(b) a remedy by way of proceedings in a court of law.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 45 made:

After clause 33 insert

“Statement of principles

35.—(1) The Ombudsperson must publish a statement of principles concerning complaints handling procedures of listed authorities.

(2) The first statement of principles is not to be published unless a draft of the statement has been laid before, and approved by a resolution of, the Assembly.

(3) Before laying a draft statement of principles before the Assembly, the Ombudsman must consult—

- (a) Ministers of Northern Ireland departments, and
- (b) such listed authorities and other persons as the Ombudsman thinks fit.

(4) The Ombudsman must, in preparing the draft statement of principles, have regard to any representations made during the consultation.

(5) The statement of principles comes into force when it is published by the Ombudsman.

(6) The Ombudsman may from time to time revise and re-publish the statement of principles.

(7) Where the Ombudsman considers that any revision of the statement of principles is material, subsections (2) to (5) apply to that statement of principles as they do to the first statement of principles.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

Mr Deputy Speaker (Mr Beggs): Amendment No 46 is consequential to amendment No 45.

New Clause

Amendment No 46 made:

After clause 33 insert

“Obligation for listed authority to have complaints handling procedure

36.—(1) A listed authority must ensure—

- (a) it has a complaints handling procedure in respect of action taken by the listed authority, and
- (b) any such procedure complies with the statement of principles.

(2) A listed authority which is responsible for a complaints handling procedure—

- (a) in relation to, or
- (b) operated by,

another listed authority, must ensure the procedure complies with the statement of principles.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 47 made:

After clause 33 insert

“Model complaints handling procedures

37.—(1) The Ombudsman may publish model complaints handling procedures (referred to in this Act as “model CHP”) for listed authorities.

(2) A model CHP must comply with the statement of principles.

(3) The Ombudsman may publish different model CHPs for different purposes.

(4) Before publishing a model CHP the Ombudsman must consult such listed authorities and other persons as the Ombudsman thinks fit.

(5) The Ombudsman may from time to time revise and re-publish any model CHP; and in doing so, subsection (4) applies.

(6) Where a model CHP is revised and re-published, section [Obligation for listed authority to comply with model CHPs: Amendment 48] has effect with the following modifications—

(a) any specification under section [Obligation for listed authority to comply with model CHPs: Amendment 48]

(1) in relation to the model CHP continues in effect as a specification in relation to the revised and re-published model CHP,

(b) any other reference to a model CHP is to the model CHP as revised and re-published,

(c) section [Obligation for listed authority to comply with model CHPs: Amendment 48](2)(b) is omitted.

(7) The Ombudsman may withdraw any model CHP at any time; and any specification under section [Obligation for listed authority to comply with model CHPs: Amendment 48](1) in relation to the model CHP ceases to have effect upon that withdrawal.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

Mr Deputy Speaker (Mr Beggs): Amendment No 48 is consequential to amendment No 47.

New Clause

Amendment No 48 made:

After clause 33 insert

“Obligation for listed authority to comply with model CHPs

38.—(1) The Ombudsman may specify a listed authority to which a model CHP is relevant, and must notify the authority accordingly.

(2) Where subsection (1) applies—

(a) the listed authority must ensure that there is a complaints handling procedure which complies with the model CHP,

(b) the authority must submit a description of the complaints handling procedure, having taken account of the relevant model CHP, within 6 months of the specification.

(3) A listed authority may, with the consent of the Ombudsman, modify the application of the model CHP which is relevant to it, but only to the extent that is necessary for the effective operation of the procedure by the authority.

(4) The Ombudsman may revoke a specification at any time.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

Mr Deputy Speaker (Mr Beggs): Amendment No 49 is consequential to amendment Nos 47 and 48.

New Clause

Amendment No 49 made:

After clause 33 insert

“Declaration of non-compliance of complaints handling procedure

39.—(1) The Ombudsman may make a declaration of non-compliance in relation to a complaints handling procedure if subsection (2) or (3) applies.

(2) This subsection applies where the Ombudsman—

(a) has specified that a model CHP is relevant to a listed authority, and

(b) is of the opinion that a listed authority’s complaints handling procedure does not comply with the model CHP.

(3) This subsection applies where the Ombudsman—

(a) has not specified that a model CHP is relevant to a listed authority, and

(b) is of the opinion that a listed authority’s complaints handling procedure does not comply with the statement of principles.

(4) Where a declaration is made, the Ombudsman—

(a) must give reasons in writing,

(b) may specify such modifications to the complaints handling procedure as would result in the declaration being withdrawn.

(5) Where a declaration is made, the listed authority must submit a description of its complaints handling procedure to the Ombudsman, having taken account of the reasons given under subsection (4)(a) and any modifications specified under (4)(b), within 2 months of the declaration.

(6) The Ombudsman may withdraw a declaration at any time if the Ombudsman thinks fit.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 50 made:

After clause 33 insert

“Submission of description of complaints handling procedure: general

40.—(1) A listed authority must submit a description of its complaints handling procedure to the Ombudsman if the Ombudsman so directs.

(2) The description must be submitted within three months of being so directed, or such other period as the Ombudsman may direct.

(3) Sections [Obligation for listed authority to comply with model CHPs: Amendment 48](2)(b) and [Declaration of non-compliance of complaints handling procedure: Amendment 49](5) are subject to any direction given under this section.

(4) Where a listed authority has submitted a description of its complaints handling procedure to the Ombudsman under this Act or otherwise, the authority must provide such additional information in relation to that procedure as the Ombudsman may reasonably request.

(5) The additional information must be provided within such period as the Ombudsman directs.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

Mr Deputy Speaker (Mr Beggs): Amendment No 51 is consequential to amendment Nos 46 and 48.

New Clause

Amendment No 51 made:

After clause 33 insert

“Application of other enactments

41. The duties in sections [Obligation for listed authority to have complaints handling procedure: Amendment 46] and [Obligation for listed authority to comply with model CHPs: Amendment 48](2)(a) do not apply to the extent that—

(a) the listed authority lacks necessary powers (other than by virtue of this Act) to ensure compliance with the duties, or

(b) the duties are inconsistent with any other statutory provision.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

New Clause

Amendment No 52 made:

After clause 33 insert

“Promotion of best practice etc.

42.—(1) The Ombudsman must—

(a) monitor practice and identify any trends in practice as respects the way in which listed authorities handle complaints,

(b) promote best practice in relation to such complaints handling,

(c) encourage co-operation and the sharing of best practice among listed authorities in relation to complaints handling.

(2) A listed authority must co-operate with the Ombudsman in the exercise of the function in subsection (1).

(3) The duty in subsection (2) does not apply to the extent that—

(a) the listed authority lacks the necessary powers (other than by virtue of this Act) to ensure compliance with the duty, or

(b) the duty is inconsistent with any other statutory provision.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

Clause 34 ordered to stand part of the Bill.

Clause 35 (Publication of reports on investigations in the public interest)

Amendment No 53 made:

In page 14, line 5, leave out subsection (1) and insert

“(1) This section—

(a) applies where the Ombudsperson proposes to publish a report of a type referred to in section [Meaning of complaints handling procedure: Amendment 34](1), but

(b) does not apply in respect of an investigation conducted under section 8.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 54 proposed:

In page 14, leave out subsections (1) to (4) and insert

“(1) The Ombudsperson shall publish all reports of a type referred to in section [Meaning of complaints handling procedure: Amendment 34](1) on the public website of the Ombudsperson, with personal details redacted upon the request of any person affected, unless the Ombudsperson believes it would not be in the public interest to publish the report.”.— [Mr Allister.]

Question, That amendment No 54 be made, put and negated.

Clause 35, as amended, ordered to stand part of the Bill.

Clause 36 ordered to stand part of the Bill.

Clause 37 (Reports to the Assembly)

Amendment No 55 made:

In page 14, line 24, after “investigation” insert

“(other than one under section 8).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 37, as amended, ordered to stand part of the Bill.

Clause 38 (Reports and privileged information)

Amendment No 56 made:

In page 14, line 35, leave out “in accordance with section 32(2)” and insert

“under section 31(1) by virtue of section 32(2).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 38, as amended, ordered to stand part of the Bill.

Clause 39 ordered to stand part of the Bill.

Clause 40 (Disclosure of information)

Question put, That the clause stand part of the Bill.

The Assembly divided:

Ayes 58; Noes 24.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Ford, Mrs Foster, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr A Maginness, Mr Middleton, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Somerville, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Moutray and Mr Nesbitt.

NOES

Ms Boyle, 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, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O’Dowd, Mrs O’Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Ms McGahan and Ms Ruane.

Question accordingly agreed to.

Clause 40 ordered to stand part of the Bill.

Clause 41 (Disclosure contrary to public interest)

Amendment No 57 made:

In page 16, line 26, after “give” insert “written”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 58 proposed:

In page 17, line 1, leave out “the Secretary of State” and insert

“each of the office holders named in section 41(2).”— [Mr Allister.]

Question, That amendment No 58 be made, put and negated.

Mr Deputy Speaker (Mr Beggs): I will not call amendment No 59, as it is consequential to amendment No 58, which has not been made.

Question put, That the clause, as amended, stand part of the Bill.

Mr Deputy Speaker (Mr Beggs): I have been advised by party Whips, in accordance with Standing Order 27(1A) (b), that there is agreement that we can dispense with the three minutes and move straight to the Division.

The Assembly divided:

Ayes 55; Noes 24.

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan,

Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lyons, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr A Maginness, Mr Middleton, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Somerville, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Moutray and Mr Nesbitt.

NOES

Ms Boyle, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Ms McGahan and Mr Milne.

Question accordingly agreed to.

Clause 41, as amended, ordered to stand part of the Bill.

Clause 42 (Consultation and co-operation with other ombudspersons)

Amendment No 60 made:

In page 17, line 38, at end insert“(i) a local government auditor within the meaning of Article 4 of the Local Government (Northern Ireland) Order 2005,

- (j) the Comptroller and Auditor General, and
- (k) the Health and Social Care Regulation and Quality Improvement Authority under the Health and Social Care (Reform) Act (Northern Ireland) 2009.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 42, as amended, ordered to stand part of the Bill.

Clauses 43 to 46 ordered to stand part of the Bill.

Clause 47 (Court proceedings and privileged information)

Amendment No 61 made:

In page 19, line 27, leave out “in accordance with section 32(2)” and insert

“under section 31(1) by virtue of section 32(2)”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 47, as amended, ordered to stand part of the Bill.

Clause 48 (Supplementary provision in relation to court proceedings)

Amendment No 62 made:

In page 19, line 35, leave out “or an officer of the Ombudsman”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 48, as amended, ordered to stand part of the Bill.

Clause 49 (Ombudsman to be Judicial Appointments Ombudsman)

Amendment No 63 made:

In page 20, line 11, at end insert

“(3) The person holding office as Northern Ireland Judicial Appointments Ombudsman immediately before the coming into operation of this section ceases to hold that office upon the coming into operation of this section.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 49, as amended, ordered to stand part of the Bill.

Clause 50 (Interpretation)

Amendment No 64 made:

In page 20, line 15, at end insert

“”action taken by a listed authority” has the meaning given in section 13.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment No 65 is consequential to amendment No 44, which has been agreed to.

Amendment No 65 made:

In page 20, line 16, at end insert

“”complaints handling procedure” has the meaning given in section [Meaning of complaints handling procedure: Amendment 44].”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 66 made:

In page 20, leave out lines 34 to 38 and insert

“(a) Minister of a Northern Ireland department, and (b) junior Minister.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment No 67 has already been debated and is consequential to amendment No 47, which has been agreed to.

Amendment No 67 made:

In page 20, line 38, at end insert

“”model CHP” has the meaning given in section [Model complaints handling procedures: Amendment 47].”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 68 made:

In page 20, line 38, at end insert

“”Northern Ireland Minister” has the same meaning as in the Northern Ireland Act 1998.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment No 69 has already been debated and is consequential to amendment No 45, which has been agreed to.

Amendment No 69 made:

In page 21, line 1, at end insert

“statement of principles” has the meaning given in section [Statement of principles: Amendment 45].”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 50, as amended, ordered to stand part of the Bill.

Clause 51 ordered to stand part of the Bill.

New Clause

Amendment No 70 made:

After clause 51 insert

“Orders

52.—(1) No order to which subsection (2) applies is to be made unless a draft of the order has been laid before, and approved by resolution of, the Assembly.

(2) This subsection applies to an order under section 12(2), 19(3), 22(2) or 51.

(3) Orders under paragraph 6(1) of Schedule 1 are subject to negative resolution.

(4) Orders mentioned in this section may contain such incidental, consequential, supplementary, transitional and savings provisions as appear to the authority making them to be necessary or expedient.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

New clause ordered to stand part of the Bill.

Clause 52 (Orders)

Mr Deputy Speaker (Mr Beggs): The Chairperson of the Committee for the Office of the First Minister and deputy First Minister’s opposition to clause 52 has already been debated, but, as usual, the Question will be put in the positive.

Question, That the clause stand part of the Bill, put and negated.

Clause 52 disagreed to.

Clauses 53 and 54 ordered to stand part of the Bill.

Clause 55 (Commencement)

Mr Deputy Speaker (Mr Beggs): Amendment No 71 has already been debated and is consequential to amendment No 44.

Amendment No 71 made:

In page 21, line 31, at end insert

“(a) section [Meaning of complaints handling procedure: Amendment 44].”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 72 made:

In page 22, line 2, leave out “paragraph 11” and insert “paragraphs 5(2) and 11”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 73 made:

In page 22, line 3, at end insert “(a) section 14(2)(d).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 74 made:

In page 22, line 23, at end insert

*“(c) section 11(c),
(d) section 29,
(e) section 30(4),
(f) section 36,
(g) section 37(3).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

3.45 pm

Mr Deputy Speaker (Mr Beggs): Amendment No 75 is consequential to amendment Nos 45 to 52, which have been made.

Amendment No 75 made:

In page 22, line 23, at end insert

“(7) Part 3 (other than section [Meaning of complaints handling procedure: Amendment 44]) comes into operation on such day as the Assembly Commission may by order appoint.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Clause 55, as amended, ordered to stand part of the Bill.

Clause 56 (Short title)

Amendment No 76 proposed:

In page 22, line 25, leave out “Ombudsman” and insert “Ombudsman”.— [Mr Sheehan (The Deputy Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]

Question, That amendment No 76 be made, put and negated.

Clause 56 ordered to stand part of the Bill.

Clause 57 ordered to stand part of the Bill.

Schedule 1 (The Northern Ireland Public Services Ombudsman)

Amendment No 77 made:

In page 23, line 5, at end insert

“1.—(1) The person for the time being holding the office of the Northern Ireland Public Services Ombudsman is by that name a corporation sole.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 78 made:

In page 24, line 40, leave out sub-paragraph (4) and insert

*“(4) But—
(a) a person is not disqualified from being appointed as Ombudsman by virtue of being the Northern Ireland Judicial Appointments Ombudsman,*

(b) the Ombudsman is not prevented from being appointed as the Northern Ireland Judicial Appointments Ombudsman.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 79 made:

In page 27, line 4, at end insert

“Delegation of functions

14.—(1) Any function of the Ombudsman may be performed by any member of staff of the Ombudsman authorised by the Ombudsman for that purpose.

(2) Any function of the Ombudsman may be performed by any other person authorised by the Ombudsman for that purpose if—

(a) that other person is suitably qualified to do so, and

(b) there are special circumstances which make it proper to do so.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 80 made:

In page 27, line 19, leave out sub-paragraph (5).—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 1, as amended, agreed to.

Schedule 2 (Transfer of assets, liabilities, staff, and other transitional arrangements)

Amendment No 81 made:

In page 28, line 40, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 82 made:

In page 29, line 4, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 83 made:

In page 29, line 11, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 84 made:

In page 29, line 12, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 85 made:

In page 29, line 13, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 86 made:

In page 29, line 19, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the

Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 87 made:

In page 29, line 22, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 88 made:

In page 29, line 24, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 89 made:

In page 30, line 16, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 90 made:

In page 30, line 21, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 91 made:

In page 30, line 36, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 92 made:

In page 31, line 3, leave out sub-paragraph (2) and insert
“(2) Accordingly, Article 4(4) to (6) of, and Schedule 1 to, the Commissioner for Complaints (Northern Ireland) Order 1996, or, as the case may be, Article 5(4) to (6) of, and Schedule 1 to, the Ombudsman (Northern Ireland) Order 1996 continue to have effect with respect to such persons.”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 93 made:

In page 31, line 7, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 94 made:

In page 31, line 10, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 95 made:

In page 31, line 31, leave out “appointed” and insert “transfer”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 96 made:

In page 31, line 31, leave out “but” and insert “and”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 97 made:

In page 31, line 32, leave out “no complaint was” and insert

“a complaint could have been, but was not”.—
[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 98 made:

In page 31, line 33, leave out “appointed” and insert “transfer”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 99 made:

In page 31, line 34, leave out “appointed” and insert “transfer”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 100 made:

In page 32, line 1, leave out “appointed” and insert “transfer”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 2, as amended, agreed to.

Schedule 3 (Listed authorities)**Amendment No 101 made:**

In page 32, leave out lines 9 to 21 and insert

“Northern Ireland Departments
A Northern Ireland department”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 102 made:

No 102: In schedule 3, page 32, line 29, leave out “A” and insert

“The board of governors of a”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 103 made:

In page 32, line 31, at end insert

“The General Teaching Council for Northern Ireland”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 104 made:

In page 33, line 10, at end insert

“The Police Rehabilitation and Retraining Trust”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 105 made:

In page 33, leave out lines 30 to 32.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 106 made:

In page 34, line 26, at end insert

“The Health and Safety Executive for Northern Ireland”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 107 made:

In page 34, leave out line 32.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment No 108 is consequential to amendment No 24, which has been made.

Amendment No 108 made:

In page 35, leave out lines 2 and 3.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 3, as amended, agreed to.

Mr Deputy Speaker (Mr Beggs): Thank you for bearing with me. I was just seeking some advice.

Schedule 4 (Tribunals referred to in section 19)**Amendment No 109 made:**

In page 35, line 30, leave out “Article 110 of the Planning (Northern Ireland) Order 1991” and insert

“section 203 of the Planning Act (Northern Ireland) 2011”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 4, as amended, agreed to.

Schedule 5 (Other excluded matters)**Amendment No 110 made:**

In page 36, line 17, leave out paragraph 3.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 111 made:

In page 36, line 31, leave out sub-paragraph (2) and insert

“(2) But the Ombudsperson may investigate that action, notwithstanding any limitation of time imposed by section 26, if conditions 1 and 2 are satisfied.

(3) Condition 1 is that—

(a) the Attorney General has decided not to proceed with an investigation,

(b) the Attorney General has decided not to institute proceedings, or

(c) there has been a final determination of those proceedings.

(4) Condition 2 is that—

(a) a person aggrieved complains that the action resulted in the person aggrieved sustaining injustice in consequence of maladministration,

(b) that injustice has not been remedied, and

(c) the Ombudsman is satisfied that there are reasonable grounds for that complaint.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 5, as amended, agreed to.

Schedule 6 (Amendments consequent upon Ombudsman being Northern Ireland Judicial Appointments Ombudsman)

Amendment No 112 made:

In page 39, line 27, at end insert

“9. Omit paragraph 13 (financial provisions and directions).”— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment Nos 113 and 114 are technical amendments to schedule 6. I propose therefore, by leave of the Assembly, to group the amendments for the Question.

Amendment Nos 113 and 114 not moved.

Schedule 6, as amended, agreed to.

Schedule 7 (Amendments to Part 9 of the Local Government Act (Northern Ireland) 2014)

Amendment No 115 made:

In page 40, line 7, leave out paragraph 2.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

4.00 pm

Amendment No 116 made:

In page 40, line 19, at end insert

“3. After section 56 insert—

“Adjudication hearings

Adjudication hearings

56A.—(1) Where the Commissioner proposes to make an adjudication under section 55(5)(c), the Commissioner may first hold an adjudication hearing.

(2) The adjudication hearing must be held in public save to the extent that the Commissioner determines that this would not be in the public interest.

(3) Subject to—

(a) subsection (2), and

(b) the provisions of the 2015 Act which apply to adjudication hearings by virtue of section 63,

the procedure for an adjudication hearing is to be such as the Commissioner considers appropriate in the circumstances of the case.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 117 made:

In page 40, line 19, at end insert

“4. In section 59 (decision following report) after subsection (7) insert—

“(7A) Where the Commissioner censures a person under subsection (4), the Commissioner must give notice to the clerk of the council concerned—

(a) stating that the person has failed to comply with the code of conduct;

(b) specifying the details of that failure; and

(c) stating that the person is censured in the terms the Commissioner has decided.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 118 made:

In page 40, line 19, at end insert

“5. In section 59(10)—

(a) in subsection (a) omit “and”,

(b) in subsection (b), at the end insert

—

“and

(c) may be published elsewhere.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment No 119 has already been debated and is mutually exclusive with amendment No 120.

Amendment No 119 not moved.

Mr Deputy Speaker (Mr Beggs): Amendment No 120 has already been debated and is mutually exclusive with amendment No 119, which was not made.

Amendment No 120 made:

In page 40, leave out line 22 and insert

“63.—(1) The provisions of the 2015 Act set out below have effect in relation to this Part as follows, and as if the references to the Ombudsman in the 2015 Act were references to the Commissioner.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Mr Deputy Speaker (Mr Beggs): Amendment Nos 121 to 123 have already been debated, and all propose changing references from “Ombudsman” to “Commissioner” in schedule 7. I propose, therefore, by leave of the Assembly, to group these amendments for the Question.

Amendment No 121 made:

In page 40, line 34, leave out “Ombudsman” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 122 made:

In page 40, line 40, leave out “Ombudsman” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 123 made:

In page 41, line 4, leave out “Ombudsman” and insert “Commissioner”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 124 made:

In page 41, leave out lines 10 to 12 and insert“(c) applies as if the reference in section 40(2)(e) to section 42 (consultation and co-operation with other ombudspersons) only applied in respect of the persons listed in section 42(4)(i) and (j) (local government auditor and Comptroller and Auditor General),

(d) applies as if the references to section 45 and 46 (court proceedings) were omitted.”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Amendment No 125 made:

In page 41, line 16, leave out “Ombudsperson” and insert “Commissioner”.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 126 made:

In page 41, leave out lines 18 and 19.— *[Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Amendment No 127 made:

In page 41, line 21, at end insert

“(9) The following provisions of the 2015 Act apply in relation to an adjudication hearing under section 56A as they apply in relation to an investigation under the 2015 Act—

- (a) section 30(7)(b) of the 2015 Act (legal representation),*
- (b) section 30(8) of the 2015 Act (payments to persons giving evidence),*
- (c) section 31(3) of the 2015 Act (power to compel witnesses and require production of documents), and*
- (d) section 33 of the 2015 Act (obstruction and contempt) except for subsection (3).”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]*

Mr Deputy Speaker (Mr Beggs): Amendment No 128 is consequential to amendment No 115.

Amendment No 128 made:

In page 41, leave out line 27 and insert

““the Commissioner” means the Ombudsperson (within the meaning of the 2015 Act) who is to be known, for the purposes of exercising functions under this Part, as the Northern Ireland Local Government Commissioner for Standards;”.— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 7, as amended, agreed to.

Schedule 8 agreed to.

Schedule 9 (Repeals)

Amendment No 129 made:

In page 46, line 40, at end insert

“

<i>The Ombudsman and Commissioner for Complaints (Amendment) Act (Northern Ireland) 2015</i>	<i>The whole Act.</i>
--	-----------------------

“— [Mr Nesbitt (The Chairperson of the Committee for the Office of the First Minister and deputy First Minister).]

Schedule 9, as amended, agreed to.

Long Title

Amendment No 130 made:

Leave out first “Ombudsperson” and insert “Ombudsman”.— *[Mr Sheehan (The Deputy Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

Amendment No 131 made:

Leave out second “Ombudsperson” and insert “Ombudsman”.— *[Mr Sheehan (The Deputy Chairperson of the Ad Hoc Committee on the Public Services Ombudsman Bill).]*

Long title, as amended, agreed to.

Mr Deputy Speaker (Mr Beggs): That concludes the Consideration Stage of the Public Services Ombudsman Bill. The Bill stands referred to the Speaker.

I ask Members to take their ease for a few moments.

Private Members' Business

Rates (Relief for Community Amateur Sports Clubs) Bill: Second Stage

Mr Deputy Speaker (Mr Beggs): As a valid petition of concern was presented on Monday 19 October, the vote will be on a cross-community basis.

Mr McKay: I beg to move

That the Second Stage of the Rates (Relief for Community Amateur Sports Clubs) Bill [NIA Bill 59/11-16] be agreed.

Go raibh maith agat, a LeasCheann Comhairle. I start by saying that it is one of the most extraordinary abuses that we have seen in the Assembly for this Bill and this issue to be subjected to a petition of concern and a cross-community vote. The public find extraordinary the levels to which some Members will stoop to torpedo such a proposal. The Bill, in effect, is torpedoed before the debate even starts. Some may ask, "So what is the point?". Members in certain parties should consider how abusive they are of this mechanism and of the Assembly. I hear some Members tutting, but that is exactly what it is.

It is a great shame that the DUP, knowing that many MLAs would support this measure, has decided to kill the Bill. Why? We will probably hear a number of red herrings. We have already heard a number of red herrings about state aid cases in England and the views of the hospitality sector, and I will return to those. However, this question also has to be asked: is it because the Minister, as she has already suggested, wants to bring her own Bill forward? Going by what members of her party have said on social media and on the radio today, that appears to be the case. We are coming rapidly to the end of this term. Legislation is no doubt piling up, and the Minister is bringing forward a Bill that may not even get to the Floor to be passed. It is important that community amateur sports clubs know that. I certainly hope that it is not because certain vested interests or businesses close to the DUP do not see it as being in their interests, although that would not surprise me.

(Mr Speaker in the Chair)

4.15 pm

The party opposite has also said that the consultation was not appropriate and did not go far enough, but the Department and the Minister have said that, in bringing forward their Bill, they want to skip the Committee Stage. We have a Bill in front of us that, if passed today, would go to the Finance and Personnel Committee for proper Committee scrutiny. The party opposite has indicated that it wants to bring forward a Bill that would not be subject to such scrutiny. The appropriate mechanism for moving forward the issue of appropriate support for amateur sports clubs is this Bill. I believe that the party opposite knows that this is the only opportunity that we will get to put in place proper and effective support for our community amateur sports clubs, which are suffering. I believe that most parties in the Assembly recognise that this is a straightforward and simple proposal and one that we should vote for today.

What I find astonishing is the accusation that we are rushing into this: anything but. My constituency colleague

Robin Swann MLA moved a motion in November 2011, which read:

"That this Assembly recognises the benefits which community and amateur sports clubs bring to local communities; notes the vital role which they play in encouraging participation in sporting activities and the contribution they make in promoting healthy lifestyles; and calls on the Minister of Finance and Personnel to raise the rate relief afforded to these clubs from 80% to 100% to ensure parity with equivalent clubs in" —

what he refers to as —

"other parts of the UK." — [Official Report (Hansard), Bound Volume 69, p49, col 2].

The motion was amended by the DUP to call upon the then Minister, Mr Sammy Wilson, to:

"examine the rate relief afforded to these clubs." — [Official Report (Hansard), Bound Volume 69, p70, col 2].

There was no doubt at that time that the general view of Members was that an increase from 80% to 100% was a good thing. That was four years ago. If you go back nine years, there was a view that sports halls should have been included in the Rates Order 2006. I remember well my party colleague Barry McElduff raising that issue at the time on behalf of sports clubs in the locality. This is not a proposal that has been rushed into. Clearly, the opposite is the case.

At the outset, I thank the gentleman from Armoy who first gave me the idea of undertaking this work some three years ago. He shall remain anonymous, but I can assure Members that it is not Mervyn Storey. I also thank the Sports Forum, Ms Katie Nixon, Mr Ciaran Kearney and Mr Ken Armstrong, the manager of Belfast Bowls Club, and Patrice Hardy, who ably assisted me in our first presentation to the Finance Committee in May 2014.

There was huge support for the Bill. We received in excess of 1,000 responses in support — I am taking a sip of water for a reason — including Fermanagh District Council; Ballyclare Golf Club; Culbann Clay Pigeon Club; Lagan Valley Orienteers; St Brigid's Cross Community Amateur Boxing Club; Bernardines Cycling Club; Salto Gymnastics Centre; Glendowan Football Club; Dungannon Rugby Club; Aghalee Taekwondo Club; Saints Amateur Boxing Club; and Abbey Gymnastics. I read out all these names because these groups will not have an opportunity to contribute to the Committee Stage of the Bill by writing or by giving oral evidence. It is important that their contributions are put on the record.

There was also the Ulster Clay Pigeon Shooting Association; Greenisland Ladies Hockey Club; Valley Rangers Football Club; the Ulster Angling Federation; Coleraine Rugby Football and Cricket Club; Oak Athletic Football Club;

British Gymnastics; Slaughtneil GAC; Ballymoney Gymnastics; Twisters Gymnastics; the Asylum Weightlifting Club in Newtownards; Warrenpoint Town Football Club; Flight Gymnastics Academy; Ardmore Cricket and Football Club; Brigade Cricket Club; Banbridge Rugby Football Club; Belfast Shotokan Karate Club; Malone Rugby; Clogher Valley Rugby Football Club; Ulster Gliding Club; Pan-Disability Lisburn Badminton Club; NI Orienteering; Coleraine Yacht

Club; Antrim Hockey Club; the Ulster branch of the Irish Rugby Football Union; the Ulster Seaplane Association; Ballyclare Rugby Football Club; Kazoku Karate; Carrickfergus Rugby Football Club; Sandy Hill Football Club; McQuillan GAC Ballycastle; Belfast Canoe Club; Armagh Rugby Club; Lurgan Institute FC; Beragh Red Knights from west Tyrone; Donaghadee Ladies Netball Club; Ballymena Rugby Club; Loughgiel Shamrocks; Craigavon City Football Club; Duffin Transport Cycling Club; Carrickfergus Ladies Junior Hockey Club; St Joseph's Amateur Boxing Club; University of Ulster Jordanstown Canoe Club; Causeway Coast Kayak Association; Ballymena Road Club; Banbridge District Council; Mossley Hockey Club; North Down Cycling Club; Apollo Cycling Team; Banbridge Hockey Club; Larne Rugby Football Club; Belfast Harlequins; Dunbarton Bowling Club; Randalstown Ladies Hockey Club; Lakeland Cycling Club; Strabane Lifford Cycling Club; Rainey Old Boys Rugby Football Club; City of Derry Rugby Football Club; North Down Cycling Club; Tyrone GAA; Bangor Men's Hockey Club; East Coast Athletic Club; Armagh City FC; Portglenone GAC and Geraldine's Camogie Club; Killyclooney Cricket Club; Strabane Cricket Club; Fivemiletown United; Pegasus Hockey Club; Moyola Park Football Club; Limavady Cricket and Rugby Club; Bready Cricket Club; Holywood Ladies Hockey Club; Coleraine Ladies Hockey Club; Bann Rowing Club; Downpatrick Cricket Club; Riverdale Football Club; Redhog Wrestling Club; Chimney Corner FC; Kaizen Ju-Jitsu Association; Randalstown Rugby Football Club; Falls Bowling Club; St Mary's GAC Rasharkin; Grosvenor Rugby Football Club; Dundrum Cricket Club; Laurel Vale Cricket Club; Carnmoney Ladies Football Club; Portadown Tennis Club; Carniny Amateur and Youth Football Club; Loughgiel Camogie Club; Maghera Cricket Club; GoLift Weightlifting, Newtownabbey; Omagh Thunder Basketball Club; Cuchullains Dunloy; Tandragee Rovers; Splits and Flips Gymnastics; Glentoran Football Club; East Belfast Yacht Club; Lisburn Racquets; Ballynafeigh Tennis and Squash Club; Comber Recreation Football Club; Ballynagross FC; Aquinas FC; Larne Football Club; Sydenham United Football Club; Causeway Netball Club; Ardglass Football Club; the NI Ju-Jitsu Association; Northend United FC; Swim Ulster; The Star Amateur Boxing Club; Carnlough Swifts Football Club; St Mary's GAC, Ahoghill; Ulster GAA; and Ballykelly Cross-community Amateur Boxing Club. They are all in favour of the Bill.

That is to name but a few. I could have put Members through a lot more names of clubs that responded to the consultation.

In total, out of 1,033 replies to the consultation, 1,022 supported the proposal, five were against and six were unsure. It is supported by the NI Sports Forum, the Irish Football Association, the Gaelic Athletic Association and Ulster Rugby. The Sports Forum carried out a survey of members that showed that the move would help to relieve stress on clubs and would result in huge benefits for the entire community. We also had overwhelming support at public consultations, which we held in Enniskillen, Dungannon, Omagh, Strabane and Belfast. What was quite clear from those public consultations is that clubs are suffering. There has been an economic downturn and there is less money for sponsorship. I know of a rugby club in my constituency that had quite a significant sponsor who

fell on hard times, and the club now has to try to fill the gap that has been left.

There is less support in place here for community amateur sports clubs than there is for such clubs in the South or indeed across the water. That is outlined in excellent research by Colin Pidgeon, which was produced in this Building. In the South, the Valuation Act, 2001 outlined the grand design that sport is exempt from rates. That refers to outdoor surfaces, including football pitches, tennis courts, racecourses and golf courses, but not fixed buildings and structures. However, a further rates exemption in the same Act concerns properties that are used as community halls. They are not used primarily for profit or gain, but involve the participation of local inhabitants for recreational or other social purposes. It excludes halls that sell alcohol but, all in all, there is a much better deal in the South for clubs than there is in the North.

Under the community amateur sports club (CASC) scheme in Britain, clubs can avail of an 80% relief from non-domestic rates, and there is discretion for the remaining 20% to be relieved by local authorities. Again, we do not have such an option in the North.

Amateur clubs and their volunteers save us millions of pounds. They save money for central government, here at the Assembly, and local government. If those clubs were not there, and if they did not fundraise and put in place pitches and halls for sporting activities, then local councils would have to provide the facilities instead. So, local councils have saved millions of pounds over the years through the activities, voluntary work and fundraising in the community that clubs have carried out.

Such clubs have also saved us significant money in physical and mental health costs. Clubs clearly prevent health problems, such as obesity, from developing. This is not appreciated enough. Recent figures showed that, in 2006-07, spending on sport contributed £452 million per annum to the economy, or 2% of GDP. The 2010 DCAL and Sport NI publication, 'Economic Importance of Sport in NI', found that sport-related activity adds £638.6 million to the economy, which is 2.3% of total gross value added (GVA).

For me, the real benefit is public health. This Bill will help to deliver better health outcomes, because sport tackles obesity, sport tackles diabetes and sport improves our mental health and well-being. What is the cost of obesity? In 2012, an estimate put the cost of treating obesity at £3 million per annum. It put the cost of lost earnings due to premature death at £22 million, and the cost of lost earnings due to illness at £47 million. The total economic cost between 2007 and 2008 — and it would have risen significantly since then — was estimated at £350 million. The indirect costs of being overweight and obese are estimated at £7.4 million.

4.30 pm

A 2012 all-Ireland study concluded:

"The findings on the cost of overweight and obesity highlight the need for significant investment in research to examine the influence of fiscal and other Government policies on consumer purchasing and their impact on overweight and obesity, including, for example, risk-benefits assessment of taxation that supports healthy eating and active living."

At a recent knowledge exchange seminar in the Assembly, Hassan and Hughes stated:

“For all the underlying scepticism and caution, however, in the main there appears to be an emerging, credible body of literature reporting an association between organised youth sports and positive health-related, educational and social outcomes. This is specifically the case in relation to youth with lower capabilities for participation due to economic, cultural or social features, as sports are viewed as an opportunity to engage such vulnerable young people in a leisure context, not only in terms of participation in sports but also across a range of related activities. For example, in a recent British cohort study, it was found that for vulnerable groups, sport club attendance at the age of 16 years reduced the chances of social exclusion outcomes at the age of 30 years.”

The evidence is overwhelming. Sports clubs provide a public service, yet they get little in return. I urge Members to use their foresight to see the benefits. A lot of clubs are holding back on capital build and investment because of the additional rates burden. With a full rates exemption and extra finance, the Bill would give the green light for new changing rooms, new stands, new pitches and new facilities for communities in rural and urban areas alike.

I hope that the Assembly will support the Bill today. It is quite clear that the Bill will not apply to bars. There has been a bit of confusion out there, and it has been deliberately put about that the Bill will cover bars, but it will not. Existing legislation is in place, but I have taken into account the views of those in the hospitality sector. I have spoken to bar owners who are supporters of amateur sports clubs and amateur sport, and they have no issue with the Bill. They believe that it is fair and balanced. The fact that 100% relief will not apply to licensed premises on clubs is the common-sense way forward. I do not understand — maybe I do understand — some approaches that have been taken, but they certainly do not stand up to scrutiny.

It has been said that this was bad consultation. We had over 1,000 replies. How many consultations by the Department of Finance and Personnel get over 100 replies never mind 1,000? The consultation has been comprehensive. Over the summer, the Committee put out a call for witnesses to come forward. There were no responses to that, but no concerns were raised. The impression is given that there is huge concern out there about the Bill. There is not huge concern, and the public overwhelmingly support it. The reaction on social media and Twitter last night backs that up.

I tried to get figures from the Department on costs. The latest DFP figure for the cost of community amateur sports clubs — I need to attach caution to this — is £420,000 per annum. I recognise that, with the introduction of rates relief and the number of clubs applying to join CASC schemes, that figure would certainly rise. All in all, if the cost is £1 million, £2 million or £3 million, you are getting more back in return than you are losing in revenue.

This is a public service that delivers health and well-being. I represent a rural constituency, and I know that a number of clubs in rural areas have diversified more and more in recent years to offer more health and well-being activities. Events such as the biggest loser — a competition

to lose weight — involve a lot of physical activity, including running. Competition in a community helps to bring it together and increase social cohesion. Community and amateur sports clubs organise marathons, half-marathons, cycling events and health awareness days. They increase suicide awareness, which is a big issue in rural areas. They offer critical support to young people at a very vulnerable time in their life. They teach young people leadership and provide life skills. That, taken as a whole, is a significant public service that needs to be recognised.

The Bill would amend the Rates (NI) Order 1977. At present, amateur sports clubs can avail themselves of rates relief of 80%. To qualify for the relief, an amateur sports club must comply with the requirements of article 31 and, in particular, fall within the definition of a prescribed recreation, as outlined in legislation. My amendments to the 1977 order would exempt community amateur sports clubs from the payment of rates.

CASC schemes were introduced in 2002 to support grass-roots sport and encourage local amateur sports clubs to register with HMRC as a sports club, rather than a business, for rates and tax purposes. Clubs that are not community amateur sports clubs would continue to be able to avail themselves of the 80% rates relief, and clubs registered as CASCs would get 100% rates relief. The 100% rate would not apply to any part of a club that sold alcohol, other than by way of occasional licence, but would apply to the rest of the club premises — halls, gym facilities, playing fields etc.

The Bill has four clauses. Clause 1 would amend article 31 of the 1977 order. Clause 1(2) to clause 1(6) would amend article 31 to outline two categories of hereditament: one that includes CASCs; and one that applies to other clubs that currently benefit from relief.

Clause 1(7) inserts a new paragraph that would effect 100% relief for CASCs. Clause 1(8) would apply the apportionment provisions for CASCs. In other words, where part of the hereditament was shown on the net annual value list as not being used for qualifying purposes, it would be valued at the normal rate.

Clause 1(9) and 1(10) would add new definitions of licensed premises, qualifying purposes and registered CASCs and make clear that licensed premises cannot be considered for qualifying purposes.

Clause 2 would amend article 44 of the 1977 order and allow for apportionment of net annual value between parts used for qualifying purposes and other parts. It simply states that such apportionment should be shown on the list.

Clause 3 states that the Bill would come into operation the day after it completes the legislative process.

Clause 4 provides the short title, and that is all there is to it.

The Bill would not cost the earth. It would, on the basis of the CASC list, cost £420,000, as I said. If you were to take into consideration community amateur sports clubs and amateur sports clubs not covered by the CASC definition, the cost, going by the latest figures, would be somewhere in the region of £1.4 million. At the public meetings that we held, a lot of clubs said that they wanted to expand their services and build new stands and new club rooms. They are factoring in the additional rates costs that they would have year-on-year.

It is preventing them from doing those things. Although they would gladly meet the upfront capital cost for such expansions, they are wary of having the additional rates cost year on year, and they believe that that is putting those projects beyond their reach.

One respondent to the consultation referred to the epidemic of obesity, especially among the youth. They said that it is the promotion of:

“amateur sports participation that will prove the most cost effective method of preventing soaring health costs that will cripple our economy. The small loss of revenue from rates exempting amateur clubs is more than compensated by it being a significant investment in proactive health care.”

I think there is no better way of putting it. Amateur sports clubs give proactive healthcare to our communities.

To cite another example, Ken Armstrong of Belfast Indoor Bowls Club outlined to the Finance Committee that it has a rates bill of some £13,000 per annum, even with the existing rates relief. That does not include increases in utility costs, such as lighting and electricity, that they are also struggling with. They want to invest, but the rates overheads are blocking that.

To conclude, this is a progressive Bill. It is a potential good news story for the Assembly and the Administration. It is a minimal cost for significant health and social impact. In terms of the process, this is the Bill's Second Stage. We have a Committee Stage, where all of the parties in the Chamber, if they have issues with the Bill, can tease them out. We have Consideration Stage, where the Department or any party in the House can put forward amendments to the Bill. We have Further Consideration Stage, where any party in the House or the Department can put forward amendments to the Bill, and we have Final Stage, so if some parties are not happy, they can vote against it at that stage.

I believe that it is a great shame that the DUP has not allowed us to have that debate. They have abused the process, the Assembly and the Chamber. Once again today, they give this place a bad name, because amateur sports clubs across the North will be disappointed that we could not even have the conversation and debate applying that much-needed relief to our grass-roots communities. I look forward to what the Minister says. I do not believe that she can provide any reasonable excuse for the petition of concern, but, at the end of the day, the Bill is on the table and should have been given consideration like any other Bill. Had Members wanted to vote the Bill down today, I would have been happy enough to accept that, but it is not a Bill that should ever have been subject to a petition of concern.

I look forward to the debate among Members this afternoon.

Mr D Bradley (The Deputy Chairperson of the Committee for Finance and Personnel): Go raibh míle maith agat, a LeasCheann Comhairle. Éirím le labhairt ar son an Choiste Airgeadais agus Pearsanra ar an Dara Céim den Bhille faoiseamh rátaí do chlubanna spóirt amaitéaracha. I dtús báire, beidh mé ag labhairt ar son an Choiste agus, ina dhiaidh sin, ar son mo pháirtí féin.

I rise to speak, initially, on behalf of the Committee for Finance and Personnel on the Rates (Relief for Community

Amateur Sports Clubs) Bill and, subsequently, on behalf of my own party.

I want to begin by thanking the Member for outlining the general principles of his Bill and his rationale for bringing forward the proposed legislation. I also welcome the opportunity to debate the Bill on behalf of the Committee for Finance and Personnel, which, unfortunately, it seems, will now not have the opportunity to scrutinise it because of the laying of a petition of concern.

4.45 pm

Rather than rehearse the main principles of the Bill, as the sponsor has already outlined them, I shall briefly refer to the main points that arose from the Committee's preliminary consideration of the policy proposals in the Bill. In undertaking its preliminary scrutiny of the proposals, the Committee found itself in the unusual, if not unique, position of the Committee's Chairperson also being the Bill's sponsor. Procedural advice was received on good practice for handling such a scenario, and that resulted in the Chairperson stepping aside from the Chair and declaring the necessary interest during the discussions on the proposed Bill. I take the opportunity to declare an interest as a member of St Patrick's Gaelic Football Club, Carrickcruppen. I expect that that approach would be continued by the Chair were the Bill to be referred to Committee Stage, but, as I said earlier, it appears that that will not be the case.

The Committee received an initial oral briefing from the Bill's sponsor on 7 May 2014. Mr McKay was accompanied by Mr Ken Armstrong, who represented the Belfast Indoor Bowls Club, and Miss Katie Nixon, who represented the Northern Ireland Sports Forum. During that session, the witness highlighted a number of points, including the important contribution that is made to local communities by amateur sports clubs, including the value of volunteering. He also mentioned the public, physical and mental health benefits of sport, including preventive spending on conditions such as obesity and diabetes. The other social benefits included better community relations, a stronger community spirit and activities for young people that lead to a reduction in antisocial behaviour.

The Bill's sponsor referred to the comparatively more generous arrangements in other places. He also referred to the increased financial pressures on amateur sport clubs, with increased utility costs and other overheads, and reduced opportunities for commercial sponsorship. The witnesses also pointed to the diversity of sports clubs that responded to the policy consultation and the overwhelmingly positive response in that regard. Finally, the point was made that the cost of increasing the rates relief from 80% to 100% would be modest in comparison with the potential benefits.

Another issue that was identified during the evidence session on 7 May 2014 was the potential for sports clubs that are registered as community amateur sports clubs — CASCs — to be disadvantaged in comparison with those that are registered charities, with the latter being able to avail themselves of 100% rates relief. A further issue was raised about circumstances in which professionals and amateurs share premises.

In pursuing those and the other issues that were discussed, the Committee commissioned the Assembly's

Research and Information Service to examine the position in Britain and the Republic of Ireland. The research found that, on the additional discretionary 20% relief that is offered by authorities in Britain, the criteria varied considerably from authority to authority. While the most frequently used criterion relates to a club's provision of licensed bar facilities, such a provision does not necessarily prevent the club from receiving relief.

Also, clubs do not necessarily have to own the facilities they use to qualify for CASC status. Amateur clubs that share facilities with professional clubs are not automatically prevented from receiving CASC status. In that regard, CASCs are allowed to pay professional members up to a limit of £10,000 per year to coach, work in the club and play.

Following the introduction of the Bill before the summer recess and with a view to maximising the use of the time available, the Committee issued a call for evidence, which ran from 8 July to 2 September 2015. While that included public notices being placed in provincial papers and on digital media, only one submission was received. That was from Hospitality Ulster, formerly known as Pubs of Ulster. In its submission, which was circulated to Committee members ahead of today's debate, Hospitality Ulster raised concerns that many of the clubs that will benefit under the Bill are licensed premises and that many of them operate as commercial businesses in direct competition with pubs, hotels and restaurants.

Hospitality Ulster further argued:

"Any revised rating model for sports clubs should take account of the hospitality industry's circumstances and its role as a key economic driver by not introducing any rate relief scheme that will result in additional unfair competition. This could be done by limiting the relief to unlicensed sports clubs."

Given that concern, I note that the explanatory and financial memorandum to the Bill states:

"The 100% rate relief will not apply to the part of the club which sells alcohol (other than by way of occasional licence) but will apply to the rest of the club premises (i.e. gyms, playing fields etc.)."

In more recent correspondence circulated to Committee members yesterday, Hospitality Ulster acknowledges that point but calls for the Assembly to delay the Bill and to include this matter in the review of business rates, which is to be undertaken by DFP. I expect, therefore, that Members will want to consider this issue further during today's debate. No doubt, if the Bill were to move to Committee Stage, there would be a further opportunity for all stakeholders, including the business community, to provide their views on the proposals and to put forward suggestions for any necessary amendments.

Finally, the Committee is aware that DFP raised concerns about the Bill that were outlined in correspondence from the Minister of Finance and during oral evidence from departmental officials on 15 September 2015. Indeed, the Department indicated that it would oppose the Bill as drafted. I expect that the Minister will explain that in more detail today, but from the briefing received on 15 September, the opposition appears to be on the basis of DFP seeing a need for further consultation and policy development to take account of the views of the business

community and some other Departments. The Department has argued that a more suitable vehicle would be its proposed Rates (Amendment) Bill, which would include an enabling power to allow provision to be made for enhanced relief through subordinate legislation at a later date and following consultation with the business community.

In closing, I look forward to further contributions from other Members, and I am sure that, if the Bill were to progress to Committee Stage, the Committee would ensure that it would receive robust scrutiny and that the views of all the stakeholders, including the sports bodies, as well as the business groups, would be heard.

That finishes my contribution on behalf of the Committee for Finance and Personnel.

I move now to my comments on behalf of the SDLP. The SDLP supports the general principles behind the Bill and will be voting in favour of it at this its Second Stage. The reasons for that are clear: we believe that the general principles behind the Bill are worthwhile, positive and beneficial to the whole community in Northern Ireland. The health benefits — physical and mental — have been outlined by the sponsor of the Bill. He referred to the beneficial effects that the provisions of the Bill could have on such illnesses as diabetes and obesity, in general, so one could say that the Bill could be categorised as an invest-to-save measure.

It is clear that community sports clubs contribute hugely to community cohesion. We all know that sport brings people together, not only in a single-identity community but on a cross-community basis. Sport improves community spirits and lifts communities, and the health benefits from sport range across all age groups, from the young to older people.

The voluntary effort that is put into the work of community sports clubs is huge; it is difficult to quantify in monetary terms, but it is huge. It is only but right that government should repay that effort in the small way that the Bill proposes. As I said earlier, the investment is miniscule compared with the huge advantages that could ensue from the Bill. The provisions of the Bill would enable community sports clubs to provide greater investment in better facilities and equipment for their members.

We heard from the sponsor the wide and diverse support that there is from sports clubs across Northern Ireland and the community. Indeed, he said that the list that he read out, which took some time, was not exhaustive. So there is a huge groundswell of support for this measure among sports clubs and sportspeople, and I think that the Department and the House should take cognisance of that.

I regret that it looks as if the Bill will not benefit from robust Committee Stage scrutiny. I am sure that the Committee Stage would have enabled members of the Committee to iron out any anomalies and to fine-tune the Bill. Indeed, amendments could have been brought forward at Consideration Stage and at Further Consideration Stage. The laying of a petition of concern is highly inappropriate. I believe that it is anti-democratic in so far as it denies the democratic institutions here the opportunity to examine, improve and scrutinise an important piece of legislation that would benefit the whole community.

5.00 pm

Last night, I watched a programme on BBC Two. It was called 'Taobh Thiar den Gheansaí' or 'Behind the Jersey'. A young man from Belfast, Ainle Ó Cairealláin, looked at the problem of suicide among young sportspeople in the GAA. He also examined the measures that were taken by the organisation to improve the mental health of its young members. The message that constantly came from the various sections in that programme was that it is OK to talk. That is an example of the type of work that community sports clubs do for the mental health of young people. I believe that this measure would give them even more facility to do even more work and to improve even more the mental health of the young people who use their facilities and who are their members.

It is the cause of some regret that the petition of concern that has been laid will not allow us to progress this Bill. That having been said, the SDLP agrees with its general principles. We commend the Member for bringing it forward, and we urge all Members of the House to support it.

A LeasCheann Comhairle, críochnóidh mé ar an phointe sin. Go raibh céad maith agat.

Mr Somerville: The Bill deals with a subject that has previously been before the House. In November 2011, an Ulster Unionist motion called:

"That this Assembly recognises the benefits which community and amateur sports clubs bring to local communities; notes the vital role which they play in encouraging participation in sporting activities and the contribution they make in promoting healthy lifestyles; and calls on the Minister of Finance and Personnel to raise the rate relief afforded to these clubs from 80% to 100% to ensure parity with equivalent clubs in other parts of the UK." — [Official Report (Hansard), Bound Volume 69, p49]

The arguments advanced in favour of this measure in 2011 still hold true today. The Bill that is currently before us has the same intent, and therefore I am happy to say at the outset that it will receive support from the Ulster Unionist Party.

However, it is a matter of deep disappointment that the DUP has chosen to table a petition of concern against this Bill. As a result, it is doomed to failure. This is nothing less than an abuse of the process. Petitions of concern were designed to protect minorities from being discriminated against. They were never intended to be used as a mechanism to thwart what one might term "run-of-the-mill" legislation. It is precisely this type of action that helps to bring the Assembly into disrepute. In recent weeks, we have witnessed the unedifying spectacle of DUP Ministers signing in and resigning. We have had empty Benches as the Assembly debated waiting lists and autism, yet the DUP managed to turn up to protect the pay and conditions of its highly paid special advisers. By the end of the day, the public will draw their own conclusion on who and what the DUP exists to serve.

Had the DUP not taken the action to table a petition of concern, we would have been here today debating a Bill that would make a real, positive difference to the lives of many citizens. Sadly, the actions of the DUP have rendered the debate academic. A rates reduction would have been a great boost to dozens of sports clubs throughout Northern Ireland. Currently, amateur sports

clubs in Northern Ireland can, under article 31 of the Rates (Northern Ireland) Order 1977, qualify for a rate relief of 80%. This Bill would amend the 1977 Order to make them exempt from rates; a measure which would have been of great financial benefit to them. It is undoubtedly the case that, in recent years, many sports clubs have been struggling to make ends meet.

The community amateur sports clubs scheme was introduced in April 2002 to support grass-roots sport. It enables local amateur sports clubs to register with Revenue and Customs as a sports club rather than as a business so that they can benefit from a range of tax reliefs, including gift aid. The conditions for becoming a community amateur sports club are as follows: a club must be open to the whole community; be organised on an amateur basis; have as its main purpose providing facilities for and promoting participation in one or more eligible sports; meet the location requirement; and meet the management conditions.

There is no question that such clubs play a positive role in their communities. They help to improve public health by encouraging participation in healthy sporting activities. They promote individual self-discipline, build the concept of teamwork, help to reduce antisocial behaviour, promote local pride and draw in young people. There are obvious benefits in terms of physical and mental health and in the prevention of obesity and illnesses such as diabetes.

There are an estimated 37,000 volunteers in community sports in Northern Ireland, and a wide variety of sports are affected, ranging from football, rugby and Gaelic games right through to badminton, athletics, tennis, squash and sailing, to name but a few. As Mr McKay has already noted, my party colleague Robin Swann has been working closely with the Northern Ireland pigeon association to bring forward an amendment that would have seen homing pigeon club halls across Northern Ireland being exempt from rates.

The DUP will have to explain its reasoning to that association and every other sports club in the country whose hopes of a major economic boost have been dashed. Figures from 2010-11 indicated that the figure for the cost of this measure was £1.4 million. This is not a massive figure in terms of the overall Northern Ireland Budget, and, bearing in mind the existing and projected costs to the health budget of diabetes and obesity, it would be money very well spent on prevention.

No doubt, the DUP will try to explain why it has chosen to vote this measure down. One excuse that is not open to it is the notion that the Department of Finance and Personnel is planning to bring its own Bill forward. The Department has had almost four years, since 22 November 2011, to do that. How much time does it need?

Mr McElduff: Go raibh maith agat, a LeasCheann Comhairle. I want to commend Daithí McKay for moving the Second Stage of the Rates (Relief for Community Amateur Sports Clubs) Bill. At the outset of my contribution, I want to note that the objective of the Bill is to exempt community amateur sports clubs from the payment of rates.

I am very heartened by the comments of Neil Somerville and Dominic Bradley in the debate. There is a consensus, one would suggest, on the importance of this issue. The tabling of a petition of concern by the DUP, to effectively

guillotine it from this point onwards, has been criticised in this discussion of the Bill. The sponsor of the Bill said that that amounted to an extraordinary abuse. Other Members have suggested that robust scrutiny lay ahead at different stages of consideration, not least the Committee Stage of the Bill. "Truly astonishing" is another phrase that has been used to describe the blocking of the Bill.

I want to amplify that there is huge support for the Bill in the community. That is why the question that has already been presented for those bringing the petition of concern is this: who do you exist to serve, when such a blatant abuse of the petition of concern mechanism has taken place?

As Daithí explained, well over a thousand responses came in. I attended an event at the Strule Arts Centre in Omagh, which was very well attended and participated in by clubs in our community across numerous sporting codes. I distinctly remember the enthusiasm of Omagh Lawn Tennis Club for this Bill, and also that of Omagh Bowling Club and Drumragh Sarsfields GAC. Those are three of the clubs that I remember being particularly enthusiastic at the Omagh consultation event. I thought that it was appropriate that Daithí should read from the list because it is clear from the geography and the sporting codes that he referred to that this is absolutely cross-community in its character.

Other Members have talked about the important contribution to local communities made by sports clubs, and it is not too great an exaggeration to say that, in many communities, the sports club is the community — the very essence of the community. That sports club takes on many more functions than merely providing sport and recreation. In my community, GAA clubs in particular are increasingly becoming the health promotion agency in our communities. They are synonymous with the fight against obesity, the fight against diabetes and increasing people's participation in sport in a very targeted way. Football for mums and all of these types of initiatives are emanating from community-rooted sports clubs. I believe that this society in the North and all over the island of Ireland could go forward as an exemplar for the rest of Europe and, indeed, the world, in community rootedness in sport.

I also welcome the fact that the sponsor of the Bill was very clear in his assertion that this does not refer to public bar aspects of club rooms, for example, and that that would be dealt with separately. Indeed, certainly in my community, very few clubs actually have bars. In fact, the ones that are most successful on the field of play tend not to have bars. I could be entering into stormy waters there if there is a tight scrutiny on that in Tyrone. For example, Trillick St Macartan's won the county title this year, and that club does not have a bar. The entire community got behind the Trillick club in its quest for glory this year. On the day of the county final, you would have needed somebody left behind in the community to act as a caretaker because there would not have been a sinner in Trillick that day. The McCanns and the Donnellys and the Gormleys were all in Omagh; every single one of them. This is proper community-rooted stuff, and I have to say that I cannot understand the rationale for opposing it. That is why I was heartened by Neil Somerville's contribution, which reinforced my notion that the idea that this would be blocked defies any rationale. It was a very good process that Daithí McKay undertook. It was a very robust consultation exercise, with strong public interest.

I also agree with the argument that has been made that increasing or retaining the rates burden on amateur sports clubs prevents their capacity for capital development. That is a very strong point. During the debate on the Bill, I noticed some people from my community who I believe are here this evening for a local government event. Some of them are involved in the hospitality industry, and I signalled to one or two of them that I would like to have a chat with them outside. I conducted my own vox pop with those hospitality providers in our community about their views on this Bill. They were universally supportive of it.

5.15 pm

I have to ask this question: how representative is Hospitality Ulster, with its grand title? I do not think that it can presume to speak for the hospitality industry in the Province of Ulster. I think that it is out of touch and is way off beam here. It ignores the good working relations between publicans and sporting clubs. I would just —

Mr D Bradley: Will the Member give way?

Mr McElduff: Certainly.

Mr D Bradley: Does the Member agree that many sports clubs hold their annual awards ceremonies in the local hotel, restaurant, lounge or whatever? So, many sports clubs increase, rather take away, trade to the hospitality industry.

Mr McElduff: Absolutely. There are countless examples of that. Gala dinners are taken to hotels, by and large. Take a small community like Beragh: it is my understanding that 800 people attended the Beragh Red Knights' gala dinner. The Member for Newry and Armagh will be glad to hear that some Tyrone people even go to Armagh for those dinners. On occasion, we go to the Armagh City Hotel and such places to have these big gala dinners. Sometimes — and I ask DUP Members to close their ears — we go South to the Hillgrove in Monaghan, to Ballybofey or to Bundoran. Sports clubs are massive contributors to the hospitality industry. For me, I seriously question the bona fides of this outfit that describes itself as Hospitality Ulster, because it is misrepresenting the communities that I come from. It is a stranger to my experience.

Mr Deputy Speaker (Mr Dallat): Order, please. Lest I get a complaint later on, I must remind the Member that that particular organisation is not present.

Mr McElduff: That is fine. Nonetheless, I am happy to stand over my general sense here that Hospitality Ulster does not deserve that title. I call on it to abandon that title because it does not represent anybody I know; it is a stranger to my experience. Thank you.

Mr Deputy Speaker (Mr Dallat): I take it, Mr McElduff, that you are finished.

Mr McElduff: Yes.

Ms McGahan: A Cheann Comhairle, I thank you for the opportunity to speak in support of full rates relief for amateur sports clubs. As a former Gaelic footballer and member of Gaelic4Mothers, which belongs to the Oonagh Celts club in Tyrone, and as a keen cyclist involved with my local club, I have a deep personal interest in the issue.

Amateur sporting groups are part of the fabric of our communities and are essential to the future welfare of our

young people, in particular. For many of our citizens, the maxim "Club is Life" rings very true. As we know only too well, amateur sports clubs, rural and urban, are currently under pressure financially, and we know that one of the main reasons for that is the economic downturn, as well as the opportunistic and deliberate British Government policy of austerity, which is having a negative effect on fundraising in the communities in which amateur clubs are organised.

The drying up of sponsorship from local construction firms with deep ties to their local communities has, in particular, affected rugby and GAA clubs. My party colleague Daithí McKay referred to a number of submissions to the consultation from clubs in my constituency such as Fivemiletown United, Clogher Valley Rugby Football Club, Dungannon Rugby Club and, of course, Tyrone GAA. I also attended a very interesting and important consultation event in Dungannon with Daithí.

I know the pressures of fundraising to be true, as I spend a lot of time in my constituency signposting local clubs to new sources of money by way of grants when funding opportunities are opening up at local government and European Union levels.

That funding is open for a club's plans for sports provision offered, which enhances youth development, healthy living, community cohesion and other important goals, including peace building and tackling racism. It is my belief that the money saved by not paying any rates would be better spent on offering the range of measures that try to achieve the goals that I mentioned, especially on offering healthy alternatives for our young people to pursue as well as enhancing well-being in our society generally for young and old.

As was mentioned, there is a public health aspect to the issue, and I believe that, by providing full rates relief for clubs, we are investing in public health. In particular, we are investing in young people who are supported by the clubs, and we will receive a societal return in many ways by ensuring that those clubs are supported. Our clubs not only encourage participation in sport and promote healthy lifestyles but make a positive contribution to the reduction of crime and antisocial behaviour and promote community relations, acting as a driver for positive community activity in our villages, towns and parishes.

Today's debate allows us to promote a progressive agenda that seeks to advance public knowledge by exploring the challenges and opportunities for sport to act as a driver for change in our society. We know the importance of sport and of our leading sportspeople in opening up awareness of important issues such as the need for promoting good mental health among all our citizens. Let there be no doubt that the introduction of full rates relief for our sports clubs will help to enhance public health further and promote well-being.

Mr Rogers: It is important to speak on the Rates (Relief for Community Amateur Sports Clubs) Bill. As legislators, we have a responsibility to everyone out there and a particular responsibility to our young people. I come from an educational background, and we always talked about developing the whole person. Sport is very much part of that. Young people spend only a small part of their day in school, but the opportunities that they have in sport develop a lot of skills, whether teamwork or, as other people referred to, health and fitness, getting involved

in volunteering and so on. All those things are very important. As others said, amateur sports clubs make a huge contribution to our society. Amateur sports are about participating without getting paid. Currently, all amateur sports clubs can avail themselves of 80% rates relief, which is legislated for under the Rates Order 1977 and was introduced to support grass-roots sports.

Mr McElduff talked about sports clubs promoting health in the community. I will go further than that and say that, in many of our rural communities, it is the glue of those communities. If you travel through north Antrim, you will see young people out with their hurls. If you are in south Down, you will find them playing football. In other parts, they will be there with a rugby ball, a soccer ball or whatever. Some sports organisations provide fantastic opportunities for the disabled. I can think of a group in my area that does sailing for the disabled. As I go through Newcastle tonight, Newcastle Athletics Club will be out running the roads. I can think of the volunteerism and work that has brought people along, including people of the calibre of a past pupil of mine, Kerry O'Flaherty, who represented Ireland recently in athletics.

Mr McElduff: Will the Member give way?

Mr Rogers: I will surely.

Mr McElduff: I do not want to be too facetious, but, when I mentioned the distinguished Trillick families, I forgot to mention the Kellys and the Brennans. You know those type of people from County Down.

Mr Rogers: Yes, I do. One thing that I learned from Mr McElduff's contribution is who will not be sponsoring the Tyrone GAA team next year.

Under schedule 4 to the Valuation Act, 2001, the rest of Ireland is exempt from paying commercial rates if the land is developed for sport. Like us, Scotland, England and Wales receive 80% rates relief, but local authorities have the discretion to increase the relief up to 100%. Community amateur sports clubs relief was introduced by HMRC in 2002, enabling many local sports clubs to register with HMRC and benefit from a range of tax reliefs, including gift aid. We all have people calling at our door, collecting £1 for their lotto and so on, but one sports club in my area, even with rates relief, has to pay £1,000 a year in rates. There are a lot of £1 coins in that £1,000. There is a lot of collecting, and that is down to a lot of volunteers.

Community amateur sports clubs must be open to the whole community, organised on an amateur basis and have as their main purpose providing facilities for, and promoting participation in, one or more eligible sports, while meeting the location requirements and management conditions.

Amateur sports clubs have had their income severely reduced in recent years. That is for many reasons, including the economic downturn that has led to less support from local businesses and the emigration of members.

In 2011, the Assembly debated a motion calling for rates relief for amateur sports clubs to be extended from 80% to 100%. The Assembly agreed to call on the Finance Minister to examine the rates relief afforded to those clubs. Others have spoken about the Bill, and, in the interests of brevity, I will leave that part of my speech out.

Let us go to some of the health-related benefits. The legislation is about much more than saving money. Sport and physical exercise improve people's lives in so many ways. As other Members said, sports clubs do not facilitate just young people; our clubs look after all ages. I should have declared my lifelong interest in and support of the GAA, but, irrespective of the sport, whether you are eight or 80, there is a place for you and something meaningful that you can do. Others referred to mental health issues, particularly among the older generation who have retired, and they mentioned the "man shed" and other ideas that keep people gainfully occupied. If it were not for sports clubs, and the volunteers keeping them open by collecting that £1 or using Gift Aid to keep the electricity and heating on, this would not happen in our communities.

Physical activity contributes generally to health and well-being. It saves society millions of pounds annually, and it saves hundreds of lives. On the other hand, physical inactivity costs us millions year-on-year.

Sports and physical activity improve people's mental health and create social capital, which is the cement that binds society together and creates a more cohesive society. Those who participate in sporting activities provided by sports clubs not only benefit from the physical activity but learn other important skills. Those include teamwork, loyalty, selflessness and volunteering, which can be transferred to others in the family, school, workplace and community.

It is impossible to place a monetary value on the benefits that we can gain from sports clubs. I think of the great work of the volunteers right across my South Down constituency who run the soccer, athletics, rugby and the GAA. Who could do it without the volunteers?

The Bill calls for the rates relief afforded to CASCs to rise from 80% to 100% to ensure parity with equivalent clubs in other parts of the UK. We all recognise that the provision of 100% rates relief in the UK is discretionary and that it is up to the local authority to decide whether it should be awarded.

I, too, regret the petition of concern. The Chamber is the place to debate and argue out this issue so that we can get a Bill, even though it may need a few amendments. Let us debate it here to ensure that we have something meaningful for our community that we can pass on to future generations.

I fully support the Bill and believe that rates relief should be introduced in full and not be discretionary. I commend Daithí McKay for introducing it. Like my colleague Dominic, I support the Bill moving to Committee Stage for further scrutiny.

Mrs Cochrane: I welcome the opportunity to speak on the Rates (Relief for Community Amateur Sports Clubs) Bill. I commend the Member for his hard work thus far. I am taking a private Member's Bill through, and I know that, when you do not have the power of the Department behind you, it takes a lot of effort.

There is no doubt that our community amateur sports clubs play an important role in Northern Ireland. Having been a member of a women's hockey club for many years — some would say well past when my playing career should have ended — I know the positive impact that being involved in sports can have on physical and mental health.

These clubs also provide activities for young people, and many are involved in positive community relations work. It is important, therefore, that we, as an Assembly, do all that we can to support these clubs in their growth and sustainability.

5.30 pm

Like many businesses, organisations and households, our amateur sports clubs have faced greater overheads in recent years through, for example, the rise in utility costs. Furthermore, many of these clubs have been hit by the loss of sponsorship due to the general downturn in the economy and, as a result, are struggling to balance their books.

As has already been stated, under article 31 of the Rates (Northern Ireland) Order 1977, amateur sports clubs in Northern Ireland can qualify for a reduction in rates of 80%. To qualify for it, amateur sports clubs must comply with the requirement in article 31 and meet the required definition in the legislation. This Bill would seek to exempt the registered community amateur sports clubs from the payment of rates. Those clubs that are not registered as such would still be able to continue to avail themselves of the 80% rate relief. Furthermore, as has been discussed by the Member, the proposal would ensure that the 100% rate relief would not apply to the part of the club that sells alcohol other than by way of an occasional licence, but will apply to the rest of the club premises; for example, the gyms and changing rooms and stuff.

While I support the Bill in principle, a number of issues would require further input. However, given the tabling of the petition of concern, it is unclear whether we are going to have the opportunity to do that. Should the Bill pass Second Stage, I would question whether the proposal to exempt the bar area from receiving 100% relief actually goes far enough. Perhaps it would be necessary to further explore the mechanism by which rates are assessed to determine whether the 80% relief is excessive in clubs that benefit from extensive social facilities. I know — and it has already been discussed — that there is a view in the hospitality trade that clubs with successful social components are already getting a good deal.

Various Departments have raised a number of other issues in relation to the Bill. The Department of Justice, for instance, expressed concern that the 100% rate relief could, in certain circumstances, act as a passport for different treatment under criminal damage legislation. The Department of the Environment suggested that enhanced relief could have a potential impact on the de-rating grant. The Department of Enterprise, Trade and Investment raised the matter of potential non-compliance with state aid rules. I appreciate that the proposer of the Bill has said that these are red herrings, however I feel that more work would need to be done to iron out some of those issues.

I believe that the Bill comes forward with a proposal that could be refined at later stages. In the absence of any legislation coming forward from the Department of Finance and Personnel, I would support its passage today in order to scrutinise it further.

Mr McCallister: I congratulate Mr McKay in bringing the Bill to this stage. Most of the legislation that has been debated in recent days has come from Back-Benchers. There was also a Committee Bill earlier today. Yet, I

suppose that the main reason for blocking the Bill is the hope that our Executive will somehow bring an enhanced policy option to the table. I have a concern about that when I look at all the intentions of the Bill. I fully accept Mrs Cochrane's points that any Bill aims to take advantage of the processes of the Assembly, including a Committee Stage. Yet, we are effectively being told, "We need more time to consult, but we are going to do it by accelerated passage." The very point of having a Committee Stage is that it allows the Committee to consult. That is one of the key points.

The driving policy objective that Mr McKay has outlined from the start of this process is to help amateur sports clubs. Over recent weeks, we have had huge reason to have sporting pride in Northern Ireland and, indeed, across Ireland, with our rugby and football teams doing so well. Every one of those people will have started the early days of their career playing in an amateur sports club. One club that I know very well is, of course, Banbridge Rugby Football Club. You may have heard of a player who started his career there: Rory Best. That is the contribution that amateur sports clubs make to Northern Ireland.

Points have been made about the knock-on effect, the drive and the volunteerism that amateur sports clubs create. People give so much to clubs— their time and their talents — to raise money and coach youngsters. That, I believe, is the driving policy, and that is why I have supported the policy objectives that Mr McKay set out.

In response to Mr Bradley, Mr McElduff mentioned the knock-on effect of sports clubs holding events and functions in various hotels. Of course, I disapprove strongly of people going over the border to take advantage of the weak euro, but that is a debate for another day. We must not underestimate the huge knock-on effect or the sheer number of people involved in sporting clubs. Virtually all of them give freely of their time to help to create a significant — a mammoth — benefit to society by keeping young people occupied in improving their health and fitness, and the link between good physical health and good mental health is long established.

Mr Hazzard: I thank the Member for giving way. At various local sports clubs in south Down, the Member has, along with Mr Rogers, other MLAs and MPs and me, attended events on suicide awareness, mental health awareness and even road safety. Gaps that should be filled by Departments and the Government are being filled by clubs holding these extracurricular events. However, in light of emigration and the tight economic times, clubs are having to turn away from such events because they need to look after their own sporting events. This really needs to be addressed. No doubt, the Member will agree that we should do everything that we can to alleviate these hard times for our amateur sports clubs.

Mr McCallister: I agree completely. They are the point of contact, whether it is for first-aid training or giving community police officers a way in to speak and engage with communities. All that work is vital.

I am hugely disappointed, but I hope that, even at this late stage, the Minister and her party will reconsider the application of a petition of concern. The difficulty with that is that, on 9 September, when DFP officials attended the Committee, they were in broad agreement with some of the policy aims but wanted to extend and improve the Bill.

Look at other examples: the first private Member's Bill that Mr McKay introduced was on the plastic bags tax. The Department engaged with him and changed his Bill but used it to bring in the legislation and make it work.

The Minister responded to Mr Agnew's Children's Services Co-operation Bill by engaging with Departments and changing the Bill significantly. That is why I urge the Department to use Mr McKay's Bill so that it can go through its Assembly processes. There is broad agreement around the Chamber from all other parties that this is a good policy direction. There is broad agreement that we should do this, so use the Bill as a vehicle. My only doubt is that we have now been told by departmental officials, "We will introduce our own Bill. That gives us more time to consult, but, then, we will ask the Committee and the House to agree to accelerated passage".

I am not a huge fan of accelerated passage because I think it bypasses and short-circuits the good processes and the type of scrutiny that a Committee can bring to a Bill — any Bill. Even departmental Bills, with all the machinery of government and a Bill team behind them, need technical amendments, changes and answers to questions about policy direction. There was ample time for that. Mr McKay did not exactly pull this Bill out of thin air a few weeks ago; it has been consulted on and has been through processes. He has had meetings with people and meetings about meetings on dealing with this Bill and these issues. Yet we are now faced with a choice — if only we had a bit more of a choice — of letting the Bill go through today, getting nothing or possibly getting a Bill from the Department and then ending up with nothing. We might get a Bill; we might not. I know that Mr Nesbitt was to bring a Bill about defamation. That was conveniently killed off by DFP, which promised that it would take a look at the issue, but no such Bill has come before the House.

My huge concern is this: we are about to kill this Bill at Second Stage with no idea of an exact timeline or what all is going to be in the Department's Bill to address this. That is a major problem for us. We could very well end up at the end of the mandate with nothing and no help for the amateur sports clubs that Mr McKay wants to help. We might end up with nothing.

We have an Executive that are not meeting, and there are very few Ministers in office. We do not know when that is going to end or when the Executive will start to meet. We do not know when the Minister can get her Bill fully drafted, out and approved by the Executive. All those things give us a major difficulty in dealing with this.

I plead with the Minister to support the Second Stage of the Bill and to use it as a vehicle to deliver on some of the changes that I know the Department would like to see. If necessary, the Minister should bring a Bill to make the changes to the shopping centre issues that I know the Department wants to make. If those changes cannot be fitted into this Bill, she should bring a separate Bill to do that. However, it makes absolutely no sense to kill a Bill that is before the Chamber and that has support from all the other political parties because it does not fit in with a process that the Department wants and to then consult and ask the House and Committee for accelerated passage. It makes no sense to do that.

I support the broad principles of the Bill, and I certainly hope that the Minister has a rethink on it.

Mrs Foster (The Minister of Finance and Personnel):

There is a wide range of issues that I need to cover, so I hope that Members will bear with me just as I have borne with them. I have listened to some points that are factually not correct, but I stopped myself from intervening because I knew that I was going to be able to address them in my speech.

I am certainly not going to take lectures from Sinn Féin on the misuse of the petition of concern. We had a petition of concern to stop the House from sanctioning Gerry Kelly when he was on top of a Land Rover — a police Land Rover at that. We have had Sinn Féin using a petition of concern to exclude us when we wanted to change the definition of a victim. And, indeed, Sinn Féin joined with the SDLP in a petition of concern on welfare reform. So, "Physician, heal thyself" is what I say about the petition of concern on these matters. People need to think of that —

Mr McElduff: On a point of order, Mr Deputy Speaker. I just want to check that the Minister is indeed speaking as Minister, or perhaps she could make it clear if she is speaking in a party political capacity.

Mr Deputy Speaker (Mr Dallat): I understand that the Minister is speaking as the Minister.

Mrs Foster: The Minister is addressing issues that have been raised, and I thought that I was going to answer them, because, Mr Deputy Speaker, I was asked direct questions about the petition of concern, and therefore I am answering them.

5.45 pm

Before I forget, I also want to apologise to those Members who may have noticed that I had to pop out of the Chamber for a little while, but there is a very important function in the Long Gallery on mid-Ulster's economic development plan. They were very upset that I had to leave when Mr McElduff was speaking, but I assured them that I had someone here to take copious notes of his speech and that I would address it when I returned.

The Bill presents a number of issues, and I am afraid that I will not be supporting it. I have two main issues and a number of ancillary issues. One is to do with due process. It is important to highlight first of all that in presenting the Bill to the Assembly there has been a distinct lack of meaningful consultation. We had a long, long list of amateur sports clubs. I cannot say that I was incredibly surprised that they wanted to see a reduction in their rates. I did not hear whether any of the hospitality associations, the Federation of Small Businesses, the Northern Ireland Independent Retail Trade Association (NIRTA) or the Hotels Federation had a view on the Bill. To my mind, asking a number of sports associations if they would like to pay lower rates does not really fall within the definition of meaningful consultation. I will give way, even though I said that I would not.

Mr Flanagan: I thank the Minister for her generosity on this occasion. Perhaps she can clarify to the House whether the DUP, which she represents, received a copy of the consultation document and whether the party submitted a response to the consultation.

Mrs Foster: I am going to talk about the consultation document, because I think that people need to understand what it consisted of. Just so that Members are aware,

the consultation document, which was described by Mr McElduff as "a very good process", has the following specific content: less than one page on the existing framework; less than one page on the proposal; and then three pages of questions. I want to read out some of the incisive questions put to those who wanted to respond. The first is:

"Do you support the proposal to make amateur sports clubs exempt from rates?"

That question was asked of amateur sports clubs. It is followed by:

"Do you agree that this legislation is the best way to address this issue?"

"Do you think that the Rates (NI) Order 1977 should be amended to ensure that all community and amateur sports clubs are fully exempt from rates?"

"How do you think the proposed legislation will impact on human rights?",

and:

"How do you think the proposed legislation will impact on equality of opportunity?"

Those questions about impact are really incisive and to the point. It is a side issue, Mr Deputy Speaker, but can you imagine the reception that my Department would get in presenting such shallow proposals for change to the Finance Committee, of which Mr McKay is Chairman? Some analysis of cost would have been helpful, I have to say. There may be only about 200 registered community and amateur sports clubs in Northern Ireland, but if they are all to get 100% relief through the Bill we can expect a surge in additional registrations.

If we are not careful, every well-meaning group will seek a willing MLA to promote a Bill giving more rates relief. We have already heard from Mr Somerville, who, unintentionally amusing as usual, talked about empty Benches. He was sitting on one. He then went on to tell us that his colleague wanted homing pigeons and their associations involved in rates relief as well. You can see that we are entering into this realm without a proper assessment of need and affordability.

The ratings system is an intrinsic part of the public expenditure system. It is not something that should deliver support under the counter and outside the priorities of the Executive, which, of course, set the Programme for Government. If we do not exercise caution, we will soon be playing "spot the ratepayer" in Northern Ireland. We give so many reliefs right across the piece, and we have to act responsibly. This is not the first time that you have heard me talking about acting responsibly, but, obviously, people think that they can give everyone rates relief and we will not notice it in our public finances.

Mr McKay's party wants extra money for welfare reform, and, at the same time, he comes knocking on the door of the rating system to increase already generous support for sports clubs. Listening to some of the Members today, you would think that sports clubs do not get any assistance or any help at all. Of course, that is not the case. They get 80% relief in relation to their rating bill.

Does the Member realise that people are practically queued up every week at the Department of Finance and Personnel for rate relief on one issue or another? You only have to listen to my questions during Question Time to hear, "What are we doing about rates relief for x, y or z?" It may be worth remembering that rates are a devolved tax and that central and local government need a stable tax base in order to plan and to be able to pay money out for our public services.

I heard that there has been some commentary — not in the House tonight, I have to say — in relation to whether this was an orange and green issue earlier, which was absolute rubbish, of course, but some particular broadcasters and newspapers love it when you mention orange and green. Let us put the matter straight, and I want to put it on the record. What the Member is proposing is a completely different beast to what people are calling "Orange hall exemptions". First, the exemptions are not just for Orange halls. They are for community halls, and that includes Orange halls and Hibernian halls. Secondly, they are conditional on them being able to use it for the wider community. Thirdly, and most importantly, they do not have a liquor licence and are not being occupied by a registered club. Any club with a liquor licence will have a regular stream of income and can afford to pay some rates, and they also have membership fees. I am amenable to looking at a model like that for CASCs, but only after the necessary due diligence, which is absolutely lacking from the work that Mr McKay claims to have carried out.

Then we come to the state aid issue, which apparently is a red herring. Apparently, state aid is now a red herring. Clearly, the Member has not given any thought to the issue at all, by the fact that he calls it a red herring. Rate relief for community amateur sports clubs was the subject of a recent state aid case in Great Britain taken against Her Majesty's Government, and the decision was not reported until the end of April. I listened to Mr Somerville ask, "Why has she not done anything for four years in relation to this issue?" I actually take state aid as quite an important issue in relation to legislation. It remains an issue for us, and an assessment needs to be made so that we do not fall foul of the state aid rules.

It is a finely balanced judgement —

Mr McKay: Will the Minister give way?

Mrs Foster: No, I will not.

It is a finely balanced judgement, although I am sure that Mr McKay would stand shoulder to shoulder with me if my Department had to claw back rate relief from ratepayers if we did fall foul of state aid rules, because that would happen, and we would have to go out and get that money from the ratepayers.

It is an issue that was raised by the Minister of Enterprise, Trade and Investment, and I am only too aware of it, given my eight years in that role. However, other Ministers and their Departments also have further concerns. The Minister of Enterprise, Trade and Investment had the concern over state aid. The Department of the Environment, of course, will have consequential costs in relation to its derating grant. I notice that the Minister of the Environment is happy with the Bill, but then the Minister of the Environment also wants me to find the increased costs to facilitate him to make exactly the same grant. So it is "Give the money

away, but give me the same money, because I want to give the same amount of money to the DOE."

What about the issues in relation to the DOJ and the policy on criminal damage compensation? Have those been addressed? No, they have not been addressed.

Finally, what has been done to address the issues raised by his party colleague, the Minister of Culture, Arts and Leisure, in her Department's letter to the Finance Committee in May last year, which raised vital issues around social clauses, maximum relief assessment, bar facilities — similar to the concerns raised by the hospitality sector? Again, surprise, surprise, the Minister of Culture, Arts and Leisure said that there should be no impact on DCAL's budget baseline. So, everybody wants relief, but nobody wants to pay for it. That is the fundamental issue. It does not surprise me, but again we come up against that with Sinn Féin.

Another party colleague of his, Máirtín Ó Muilleoir, stated at the Committee in September:

"all around this table ... no one wants to give 100% rates relief to amateur sports clubs that also run successful bars, catering operations and function rooms."

That was his colleague Máirtín Ó Muilleoir. Mr McKay's response to that is to apportion out the bars, lounges, restaurants and function rooms so that only sporting facilities get 100% relief. That sounds attractive, but when you look into it properly, you will find that the rates levied on club rooms are based on cost, which already leads to a hidden subsidy when you compare that to rates paid per square foot by licensed premises and hotels, because they pay their rates based on receipts and expenditures.

It is hard enough. I completely reject — it does not surprise me — the sort of nonsense that is thrown out from Sinn Féin that we are beholden to the business community and that it must be some hidden interest. I completely reject that. This is anti-competitive, and it is hard enough for some —

Mr Flanagan: — *[Interruption.]*

Mrs Foster: I beg your pardon.

Mr Flanagan: I am laughing.

Mr Deputy Speaker (Mr Dallat): Order. The Minister will resume her seat. I ask Members please not to make any remarks from a sedentary position. When Members were addressing the Assembly, the Minister did not do that, so I would expect others to do the same.

Mrs Foster: I would expect nothing less, Mr Deputy Speaker.

It is hard enough for pubs and restaurants to compete as matters stand. It is not just for food and drink. It is the whole function trade in some areas. It is not just the licensed trade either. I have had numerous representations in relation to privately owned golf clubs, for example. In fact, one of them in the Member's constituency is very exercised by the fact that amateur sports clubs get relief on their rates, yet they have to compete while paying full rates. Those are people who have diversified out of farming and have ploughed their money into a new enterprise, yet the Bill would further disadvantage them.

We simply cannot make an uneven playing field more uneven. Asking clubs with successful social facilities to pay just 20% rates on the sporting facilities strikes me as a not-unreasonable balance. That is the question we should be asking ourselves today.

What I would support is a model along the lines that applies to community halls, which would allow community amateur sports clubs to get 100% relief if they do not have a permanent licence. However, I put that to the sponsor when I met him earlier this month, and he refused to consider it. To Mr McCallister's point, perhaps the Assembly would take a different view of it if it knew that I asked the Member whether the Department could take over his legislation and deal with those issues, and he refused.

As things stand, I cannot support the Bill. It would set a precedent for well-meaning but ill-conceived proposals being thrown together in private Member's Bills in order to introduce new rate relief. I will be here every week making changes to rating legislation unless we insist on some standards in relation to policy development.

That is in relation to due process. There is also the separate issue relating to the drafting of the private Member's Bill. With your indulgence, Mr Deputy Speaker, allow me to move on to that.

Mr McKay's Bill requires the community and amateur sports club designation to be shown in the non-domestic valuation list. You may ask what the problem is with that. It will not work, because that is a statutory public document and contains no such designation. Again, that underlines the lack of care in bringing forward the Bill.

I have outlined the fundamental problems that I have with the Bill. They are problems that I brought to the attention of the sponsor of the Bill many months ago and that have been ignored. The issue now needs to come back to the Department. It is nothing to do with taking credit for legislation, but the Assembly cannot pass legislation that does not take full account of consequences and risks — consequences for the business community and risks to my Department that the legislation will be challenged. It is my assessment that there will need to be a further consultation, targeted and over eight weeks, to allow the Department to assess and bottom out those issues.

Out of necessity, the Department's approach will be run on a parallel process, with one process associated with the progression of the primary enabling power and another to complete the due process work on the consultation. Of course, that all depends on how the Committee for Finance and Personnel is going to react. They may well decide, "No. We don't want to play ball. We're going to huff because you wouldn't allow the Bill to proceed." I urge them to look at the bigger prize, which is having legislation that is properly thought out and that properly deals with the risks and assessments. We will be able to do that if they allow us to deal with them in a proactive way.

6.00 pm

Mr McCallister: I am grateful to the Minister for giving way. Does she have a definite timeline for when she thinks she could produce that draft Bill?

Mrs Foster: We have drafting already completed. We are keen to move on this as quickly as possible but, of course, there is very little point in us moving ahead if

the Committee decides that they will block accelerated passage and do not allow us to move forward.

The window dressing rates relief issue that was brought to us by the manager of the Buttercrane Shopping Centre has been consulted on and is ready to go; we do not need to consult on that point. Of course, the Bill that we are proposing is an enabling piece of legislation. It is not detailed legislation, so we would be able to move on it quickly. However, that is a matter for the Committee. I am happy to work with them on that matter but, as things stand, we will be voting against this Bill. I will be voting against this Bill as Minister of Finance and Personnel.

Mr McKay: Go raibh maith agat, a LeasCheann Comhairle. I rise to respond to the debate. I will come back later to some of the inaccurate comments that have been made; they were certainly misleading to this House.

The first Member who spoke was the Deputy Chair of the Committee. I take this opportunity to thank the Committee for its work and, indeed, the Deputy Chair for his work. I understand that he is moving on to pastures green and is escaping this place. I wish him well for the future in that regard. Unfortunately, as Dominic outlined, it looks like the Bill will not go to the Committee. He also touched on the issue of preventative spending. An issue for the Finance and Personnel Committee has been the concept of investing to save and MLAs and, indeed, the Executive taking a more long-term strategic view about how we spend public money and how we can reap dividends in terms of social impact and value for money in the longer term. In the areas of obesity and diabetes, this certainly would be preventative spending.

He also referred to the cross-community benefits of community and amateur sports clubs. I know of one example in my community where a local GAA club and a rugby club have worked together to build bridges in a community where there had been cross-community issues. That has reaped dividends, developed friendships and built links. Sport clubs play a vital role in bringing the entire community together. He also referred to the issue of clubs that are registered as charities. Of course, those that are registered as charities get 100% relief, so more clubs may decide to go down that road if 100% relief is not open to them.

He also referred to the call for the evidence that the Committee — not me; the Committee — put out over the summer period, in which no concerns were raised. Some concerns have been raised by those on the other side of the House, but no concerns were raised by any organisations over the summer period. It was only yesterday that a response was received from Hospitality Ulster to express some of its concerns at a very late stage. There has been quite a significant reaction to that not only from sports clubs but from some businesses, including some bars and restaurants.

As the Deputy Chair rightly said, Committee Stage would give businesses another opportunity to reply. It would also give organisations that represent the business community an opportunity to respond. That is what Committee Stage is for. We are only at Second Stage, and there have been many times in the past when Members from all parties have agreed to the principles of the Bill — the very broad principles of the Bill — and agreed that we need to look at amendments elsewhere. The more reasoned position that the party opposite should have taken was that outlined

by Mrs Cochrane. Yes, she has concerns around the Bill, some of them similar to what the Minister has outlined; but the place to deal with them is at Committee Stage, Consideration Stage and Further Consideration Stage.

The Deputy Chair indicated that the SDLP agrees with the general principles of the Bill and said the deployment of this petition of concern is anti-democratic. I think that that will prove to be the case, because it is quite clear that the majority of MLAs in the House, and the majority of parties bar one, support this proposal moving forward in the House.

I will also say that the programme last night about suicide in the GAA was a great example. It is a big issue not just for the GAA but for all sporting organisations and for rural communities such as I come from. All sporting codes and organisations do fantastic work in the area of suicide prevention.

Neil Somerville responded on behalf of the Ulster Unionist Party. I take the opportunity to welcome Mr Somerville to the Assembly. Our paths have not crossed since he took up his post. He also outlined the fact that this is an abuse of the petition of concern. He rightly said that the petition of concern was never intended to thwart run-of-the mill legislation. Some of the issues outlined about Mr Kelly, a Member of the House, are more controversial. However, community and amateur sports clubs, and the work they do, are not controversial in any way. He also said that there would not be a massive cost, and of course, the DUP have had four years to introduce a Bill and nothing happened until this Bill came to the House.

Mr McElduff indicated that there is huge support for the Bill in the community and referred to the public engagement in Strule Arts Centre in Omagh. I remember well the variety of sporting clubs that attended that evening, including tennis, bowling and the GAC. He rightly said that we should be an exemplar for Europe and the rest of the world in supporting community sports. So, there is an opportunity here to show that we can do something different and something good, without it being shot down here today. He also took the opportunity to speak to hospitality providers, who are universally supportive of it, and he was strongly critical of Hospitality Ulster for being out of touch and not representative.

In his intervention, the Deputy Chair, rightly, said that, in terms of amateur and community sports clubs — I have lost count of the amount of dinners I have been at for amateur sports clubs in Ballymena, Ballycastle and Portlone, sometimes on quite a regular basis. That goes on in our communities all the time, and it makes those hotels, restaurants and bars a lot of profit. So, this goes both ways. The bars in clubs are staffed mainly voluntarily. They are not people who are going out to make a profit. They are people who are volunteering their time to better their club and ensure that money can be raised for good purposes, for supporting their young people, for sports equipment, and so on and so forth. It is a very worthwhile cause.

Bronwyn McGahan opened by stating that she is a former Gaelic footballer and a cyclist. She did say that she is a very good cyclist and is often seen going up and down the hills of Tyrone on a Sunday afternoon. She rightly talked about the effects that austerity and the Tory Government policy are having throughout the entire community; and

that should not be forgotten either. She also referred to the various grant schemes that clubs apply to. They repeatedly go back to different organisations to get a couple of hundred pounds here and there. The Sports Forum did some work and research regarding this, and most sports clubs would like something simple and direct. If they were to have a rates exemption of 100%, that would be a lot better than filling out 20- or 30-page forms every year to try and scrape by year in and year out.

The Bill is designed to be simple, which is why it would be so effective.

Seán Rogers rightly said that sports clubs are the glue of our communities. I can assure him that there are many young people with a hurl running up and down the streets of north Antrim — and parts of County Down, I hasten to add.

There is a variety of sports in other communities. Running and cycling have taken off in recent years, and there is football, rugby and boxing, which is a big sport where I am from. That should not be forgotten, especially in view of the success that we have generated in areas such as rugby, as Mr McCallister mentioned, and boxing. We have produced some world-class athletes. Pardon me for saying this, but they started off in some of the dirtiest, most run-down facilities you could imagine. I can think of boxing clubs in my constituency that are covered in damp. They cannot get facilities and find it hard to scrape by and get support. They deserve extra money so that they can improve the environment in which they are delivering this service for our young people and communities. Some are hard-to-reach young people and some come from disadvantaged backgrounds, so this is a big opportunity for many of them. Sport gives them the opportunity to move on in life and to develop skills. Many young people whom I know of credit the sporting code that they are involved in with turning their life around. We should not forget that or the impact that these clubs truly have on our communities.

Judith Cochrane informed us that she is a former hockey player. I do not know how good she was; she might tell us later. She outlined the importance for youth and community relations. She also spoke of the loss of sponsorship for clubs. She supports the Bill in principle but would go further on bars and social clubs. She also rightly said that there are concerns from Departments. She would welcome further scrutiny — as would I — because there are concerns that I want to be addressed. I am not running away from them in any way, so they should be responded to in the way that our legislative process was designed to do by way of Committee Stage, Consideration Stage and Further Consideration Stage. If the DUP had wanted to torpedo the Bill at Final Stage, it could have done that. It is a bit disingenuous to outline concerns and not even to take the opportunity to address them through the stages of the Bill.

John McCallister referred to the fact that the purpose of Committee Stage is to allow the Committee to consult. He rightly referred to the sporting pride that we have seen in recent weeks not only in the North but across the island through rugby and soccer alike. We have produced some fine, fine rugby and soccer players. He is right that they all started in amateur clubs. Rory Best started at Banbridge Rugby Football Club, which, of course, responded to the consultation in support of the Bill. That club deserves the support to produce more Rory Bests. That is what we want to see: more success on the international stage.

Being stingy is not the way to do that. This is a drop in the ocean compared with the overall Budget, and these clubs deserve our support.

Chris Hazzard referred to the extracurricular activities that clubs hold such as road safety events. I know of a number of clubs that engage with the PSNI in holding road safety events on their grounds as well as events on suicide awareness and mental health. It is not sport exclusively that happens in these clubs; it is more holistic. If councils or health trusts were doing that, it would cost hundreds — even thousands — of pounds in employees' time and all the rest of it. These are volunteers who do it for nothing. They give up their time, open up facilities and staff them at no cost, yet we are complaining about a few hundred pounds to a club here or a few thousand pounds to a club there.

We need to look at the costs in the round, not just rates but the cost that we would have to pay through central government and local government if these clubs were not there.

6.15 pm

Rightly, Mr McCallister flagged the example of the plastic bag levy Bill, which, by the end, had morphed into the Carrier Bags Act 2014. That Bill was totally transformed, and that is the art of making legislation, which has been compared with making sausages: you do not necessarily want to see the ins and outs of it. That, in itself, outlines the ridiculousness of the position outlined from the other side of the Floor. If they were serious about making the changes that they outlined, they could have simply tabled amendments. Taking their ball and running home in the way that they are doing today is totally disingenuous.

Mr McCallister outlined his concern, rightly, that the Department might or might not get a Bill through and that we could end up with nothing for community and amateur sports clubs at the end of the mandate. I share that concern.

Mrs Foster, the Minister, outlined two main issues, and my consultation drew a lot of criticism. I quickly googled consultations by DUP Members who have had a private Member's Bill. I am not picking on Mr McIlveen just because he is sitting there, but his consultation was pretty similar to the structure that I used. Mr Givan's consultation had seven questions. That is the nature of a private Members' Bill: we do not have a Department behind us to give us a 200-page document. The Department has produced 100- and 200-page consultation documents that did not even get five responses. I produced a short, sharp consultation document that got over 1,000 responses. That, I think, speaks for itself. Members can nitpick over the quality, but it was designed to be simple. We are talking about a Bill with four clauses. We are not talking about something complex; we are talking about a simple change to the 1977 order.

As far as a cost analysis is concerned, we had very little from the Department to work on. We were told that there were no up-to-date figures and that certain things cannot be calculated, so I find it highly ironic that the Minister is criticising me for that when her Department could not produce one. The Department could have been more helpful. My understanding was that, because of the way in which LPS is designed and statistics are gathered, there was genuine difficulty in getting these statistics. I certainly gave the Department the benefit of the doubt. If Minister

Foster is saying that I should have been able to get a better analysis, maybe her officials should have been able to do the same. That is another red herring from the Minister.

The Minister referred to orange and green issues. That is not an avenue that I have gone down. The provisions for halls were in the 2006 order. That is in the past and an issue for others to debate. We want to deal with community and amateur sports clubs because they deliver for all communities: orange, green, black, yellow, purple or whatever. We want all GAA clubs, rugby clubs and boxing clubs, and clubs in unionist, nationalist and other communities to receive support — across the board. I do not think that anybody should oppose that.

Mr Flanagan: I thank the Member for giving way. It is probably best to declare an interest as a member of an amateur sports club that pays rates of £1,700 a year. I was at a meeting of that organisation last night, and people were aghast at the proposed petition of concern from the DUP. I have fielded a number of calls in the past 24 hours from amateur sporting clubs in my constituency. They had been delighted to hear that the Bill was going through and are now furious that it will not happen.

The Member is talking about red herrings and issues of that nature that the Minister raised. One of the issues that she kept falling back on was the issue of competition between hotels and amateur sports clubs, as if they were competing on a level playing field. Does the Member think that hotels, which are there to generate a profit for their owners or shareholders, are comparable to amateur sports clubs, which reinvest any kind of surplus at all that they get into playing facilities and service for their local communities, or does he think that hotels compete with amateur sports clubs for trade in a local community?

Mr McKay: The Member is right; you are comparing apples and pears, really. The amateur sports clubs are staffed by volunteers, and the hospitality industry operates in a completely different environment. What was most concerning in the debate today, yesterday and earlier in the week is that there is an assumption that those who run hotels, bars and restaurants are automatically against the Bill. Since last night, I have been inundated with messages from bar managers — people I know who are involved in sport — saying that what was being said does not represent them. That needs to be taken into consideration in the Minister's consultation if she wants to bring something similar forward. It is unfortunate that that is how things have developed over the past couple of days, but all voices need to be listened to.

The Committee Stage, as it has been for most Bills in the Assembly, is when people, groups and organisations, such as Hospitality Ulster, can come and give evidence. The Committee can listen to what they are saying, and it can propose amendments. That is the way this process works. I say again that it is disingenuous for the Minister to come here and make her point and then not even have the courtesy to stay to hear my response to her comments. That she has not stayed for the duration of the debate ahead of the vote shows you how seriously she takes community amateur sports clubs.

Of course, she raised other issues to do with the Bill and said that it is anti-competitive. Well, I think that for the DUP to vote this down and torpedo the Bill is anti-community. As Mr Rogers outlined earlier, the community amateur sports

clubs are the glue that holds many of our communities together. They deserve this recognition and support, and if Members want to tweak around the edges of the support that is put in place, they can table amendments to the Bill. What the Minister outlined that she wants could have been done through amendments to this Bill, which is already at Second Stage. I do not understand — well, I do understand — why she could not have done that.

She also referred to the proposal to get a permanent exemption from rates for CASCs if they do not have a bar. That is the first I have heard of it. She said that that was discussed with me in a private meeting; that is wrong. That is the first I have heard of it. At the meeting with the Minister last week, I said that I would be happy to work with the Department if it or the Minister wanted to introduce amendments and we could consider that and the House can make a decision in that regard. That is new to me. I would like to see more detail on that, and perhaps the Finance Committee would like to see more detail on what the Minister has in mind.

At the moment — Mr McCallister referred to this earlier — we have had no indication of a timeline for the Minister's Bill. We were told that the Department's Bill could not be brought forward because my Bill was already in the House, but that was wrong as well. That Bill could have come forward anyway. We have had no indication of a timeline, and the commitment from the Minister is a bit unwieldy. Of course, she wants to bring a Bill to the House without it going through Committee Stage. That is bad legislation; that is a Bill that has not had proper consultation if it does not go through the Committees of this House.

Mr McCallister: I am grateful to the Member for giving way. She not only wants accelerated passage, bypassing the procedures of the House, but she wants to bring in enabling legislation, in which case we would not have the same oversight over the regulations or what we are being asked to do further down the track.

By taking the legislative approach that you propose, we would at least have oversight and control in the proper democratic place — in this Chamber.

Mr McKay: I thank the Member for his intervention. He is spot on. With this Bill, what you see is what you get. With enabling legislation, the Minister could give the impression that she is going to give support to community and amateur sports clubs but leave that for regulations to deal with somewhere down the line, at a date to be confirmed. The devil is in the detail, and the detail is not there. I would have considered withdrawing the Bill today if I had had that detail, but the Minister did not give me it. It was quite disingenuous for her to come here and outline a proposal that was put to me that was not put to me. She should stop playing silly buggers and stop trying to mislead the public. I challenge the Minister to outline to the public and outline to the rugby clubs, the soccer clubs, the boxing clubs — all amateur sports clubs — what exactly she is proposing to do. If it is enabling legislation, she should give us a date on which she is going to give us something of substance. We have not got that here today. I was going to say that the Minister has taken her ball and gone home, and she clearly has.

I think that this is immature. I knew that the Department had a Bill in the offing. My Bill was already ahead of it. I knew that the Minister wanted to include in her Bill an

amendment on window dressing in shops. I think that that is what it comes down to: she did not want to support the Bill because she wants to put forward her own Bill with window dressing on it. That is what it comes down to. It is immature and bad politics, and it is a bad abuse of the petition of concern. At the end of today's debate, community and amateur sports clubs will be left in the dark about what support they may or may not get from the Department of Finance and Personnel. The challenge is there.

I will conclude on this point. The Minister —

Mr Flanagan: Will the Member give way before he concludes?

Mr McKay: Yes.

Mr Flanagan: I thank the Member for giving way. Having listened to the Member's speech and, indeed, having read the Hansard report of the recent presentation by departmental officials to the Finance and Personnel Committee, I find what the Minister said to be confusing and contradictory. On the one hand, she said that this is not the right way to go about it, that the consultation document and the consultation process were allegedly flawed and that there is a better way in which to introduce an extension of rate relief for clubs. On the other hand, she said that we cannot afford it.

Mr Deputy Speaker (Mr Dallat): Order, please. I am expecting the Member at some stage to ask Mr McKay a question. Otherwise, I will be put in the very difficult position of the debate having opened up again. I am trying to avoid that at this late hour.

Mr Flanagan: I hear what you are saying, Mr Deputy Speaker, and far be it from me to put a man of your stature into a difficult position at this hour of the night.

My question concerns whether the Member has any understanding of whether the party opposite is opposed to the proposal to offer 100% rate relief to community and amateur sports clubs or whether its opposition stems from the fact that it is Mr McKay who brought forward the proposal.

Mr McKay: I think that it is the latter. The Minister had an opportunity here today to outline her proposal in detail, yet we are left with a proposal that is bereft of detail. That may change, and I hope that it does change, because what I want is full support for community and amateur sports clubs.

At the end of the day, the challenge to the Minister is this: if she is serious about providing support for community and amateur sports clubs, outline what that support is, instead of bringing forward some silly piece of enabling legislation, with no date for when clubs will get the support. Those community and amateur sports clubs did not come up the Lagan in a bubble. They know when they are being played. If the Minister is serious, she needs to bring forward legislation, outline what the support is and outline when the clubs will get it. That is the challenge for the Minister. She has, along with her party, abused the processes of the House, and she is also proposing to abuse the democratic process by bypassing Committee Stage, as Mr McCallister said. I hope that she reflects on the very strong views that are out there among community and amateur sports clubs and comes back with a proper, detailed proposal that is subject to proper consultation, not a process that is bereft of consultation in the House, as she proposed.

So she needs to come back with that, go out to the community, have a proper consultation on it like I have done and like I proposed through a consultation stage on the Bill and ensure that that is done by the time the elections are held next year.

6.30 pm

At the end of the day, communities are struggling out there. Clubs from across the community that represent people of different religions, genders and sporting codes are struggling, and they need that support and deserve it. The party and the Minister opposite really need to reflect on how they have abused not only the House but the clubs that are the heart and the glue of our communities.

Mr Deputy Speaker (Mr Dallat): Before we proceed to the Question, I remind Members that a valid petition of concern has been presented. The vote on the Second Stage of the Bill, therefore, requires cross-community support.

Question put.

Some Members: Aye.

Some Members: No.

Some Members: The Ayes have it. The Ayes have it.

Mr Deputy Speaker (Mr Dallat): I do not think so. *[Laughter.]*

Question put a second time.

The Assembly divided:

Ayes 41; Noes 31.

AYES

Nationalist

Mr Attwood, Ms Boyle, Mr D Bradley, Mr Eastwood, Mr Flanagan, Ms Hanna, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist

Mr Allen, Mrs Dobson, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr Nesbitt, Mr Somerville, Ms Sugden.

Other

Mr Agnew, Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.

Tellers for the Ayes: Mr McKay and Mr Ó hOisín.

NOES

Unionist

Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Mr Moutray, Mr Newton, Mrs Pengelly, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr D McIlveen and Mr G Robinson.

<i>Total Votes</i>	<i>72</i>	<i>Total Ayes</i>	<i>41</i>	<i>[56.9%]</i>
<i>Nationalist Votes</i>	<i>28</i>	<i>Nationalist Ayes</i>	<i>28</i>	<i>[100.0%]</i>
<i>Unionist Votes</i>	<i>39</i>	<i>Unionist Ayes</i>	<i>8</i>	<i>[20.5%]</i>
<i>Other Votes</i>	<i>5</i>	<i>Other Ayes</i>	<i>5</i>	<i>[100.0%]</i>

Question accordingly negatived (cross-community vote).

Mr Deputy Speaker (Mr Dallat): Bear with us for a moment while we change the top Table.

(Mr Speaker in the Chair)

Assembly Business

Mr Speaker: Before we proceed with any further business, I have some announcements.

First Minister: Resumption of Duties

Mr Speaker: I wish to inform the Assembly that I have received a letter from the First Minister, dated today, revoking with immediate effect his letter of 10 September 2015 in which he designated the Minister of Finance and Personnel to exercise the functions of the office of First Minister.

Ministerial Appointments: Mr Bell, Mr Hamilton, Miss M McIlveen, Mr Storey

Mr Speaker: I can also advise the House that the Rt Hon Peter Robinson, as nominating officer for the DUP, nominated Mr Jonathan Bell MLA as Minister of Enterprise, Trade and Investment; Mr Simon Hamilton MLA as Minister of Health, Social Services and Public Safety; Miss Michelle McIlveen MLA as Minister for Regional Development; and Mr Mervyn Storey MLA as Minister for Social Development.

Mr Bell, Mr Hamilton, Miss McIlveen and Mr Storey each accepted the nomination and affirmed the Pledge of Office in the presence of the Principal Deputy Speaker and the Clerk/Chief Executive at 4.30 pm today. I am satisfied that the requirements of Standing Orders have been met. Let us move on.

6.45 pm

Mr Kennedy: On a point of order, Mr Speaker. Will the Speaker, in conjunction with the Business Committee, give consideration to arranging the Question Time sequences so that those Departments that have not been subject to Question Time in recent weeks can now be?

Mr Speaker: I will take note of your point of order. It is not for me to respond directly. As you will understand, it is a matter for the Business Committee. We will refer your point of order to the Business Committee, and it can decide its course of action. I think that, at its meeting today, it agreed provisional agendas for the period after the recess.

Ms Ruane: On a point of order, Mr Speaker. It might be a good idea to start with DRD.

Mr Speaker: That is not a point of order, as I am sure you are aware.

Motion made:

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

Adjournment

Environmental Health of South Down Beaches

Mr Speaker: Before the debate commences, I would like to inform the House that the Minister wrote to me this afternoon to indicate that he is unavailable to respond to the Adjournment debate as he is unable to accommodate the later start. I have responded to the Minister reminding him of my expectation that Ministers should endeavour to attend the House whenever possible and to inform the Business Committee at the earliest opportunity should they find themselves unavailable.

Returning to the debate, the proposer of the topic will have 15 minutes and all other Members who speak will have approximately seven minutes.

Mr Hazzard: Go raibh maith agat, a Cheann Comhairle. I thank the Business Committee for allowing this debate. On these dark autumn nights, beaches are a long way from most of our minds. However, what we are going to discuss is very important, not just for the tourism and leisure facilities of the south Down area but for the environment, wildlife and economic growth and prosperity. I thank those MLAs, constituency colleagues and others who have stayed behind.

I want to place on record special thanks to local campaigners who, for a number of months, have been quite vociferous in their call that government is not doing enough. We have an empty chair tonight where a Minister should have been sitting. Local people will be disappointed that the Department of the Environment and the Minister of the Environment are not here to listen to some of these points and to respond. They will be doubly disappointed given that, with the Minister of the Environment not here, we could perhaps have had the Minister for Regional Development here, as a lot of the issues that we are going to talk about relate to DRD, but, of course, political games mean that we are left with no Minister for Regional Development. It is local people and local communities who are coming to the fore to tackle long-standing neglect. It is disappointing, and I just want to place that disappointment on record.

When walking around this Building, Members will have seen various references to the Great War of 1914-18 and, of course, the Second World War. Many people may not be aware that the British military dumped vast quantities of armaments and munitions into the Irish Sea following these wars. In 1945 alone, more than one million tons of munitions were dumped into Beaufort's Dyke, a long trough in the seabed of the Irish Sea. Included in this dump were mortars, grenades, rockets, cluster bombs, anti-aircraft shells, mustard gas, sarin gas and more than 15,000 phosgene chemical warheads. In the 1950s and 1960s, radioactive munitions were dumped again as each Cold War modification of weaponry deemed various types of bombs obsolete. Stormont's Environment Ministers and Department at the time simply turned their back on the potential impact of such actions. It was a case of out of sight, out of mind. We have had more than 50 incidents of these dangerous munitions washing ashore in south

Down in the last five years alone. It is quite simple, and the local community is saying that it is quite simple: we can no longer tolerate the laissez-faire approach of the Department of the Environment to those incidents. They cannot be out of sight, out of mind. Munitions is just one issue relating to the beaches, but it needs to be brought to the fore.

Another issue is litter. A recent marine litter survey indicated that it is still a real and severe issue in South Down. Look at the case of Ballyhornan — a beach owned by the Department of the Environment. The NIEA controls Ballyhornan beach. There is twice as much litter on Ballyhornan beach than on all the beaches on the north Antrim coast combined. For a beach that is controlled by the Department of the Environment, it is absolutely unacceptable that that is the case. Various strategies have been put in place by the Department in recent years. Some of them, such as Fishing for Litter, have had limited success. We know that there are issues with the fishing industry, and some of the beaches adjacent to some of our harbours have the highest amount of litter, but we need to see more being done. We have had only limited success.

Tyrella, Cranfield, Murlough and Newcastle seem to feature in the good beach summits. I will focus mostly on Lecale tonight, and my colleague Caitriona Ruane will talk about some of the other areas. There are 13 beaches along Lecale, and those are the ones that we need to concentrate on. The potential for growth and tourism on those beaches and the protection of our environment is huge, but that is simply not getting the attention that it deserves from government. There is a phrase that best sums up the approach, which is simply “a poverty of aspiration”. Nowhere is that more keenly felt than in the lack of EU bathing status for a number of those beaches. That is severely disappointing.

The people of Lecale and the wider South Down constituency believe that they are being treated as second-class citizens, and I agree with them. It is intolerable that every single beach in north Down and north Antrim was simply gifted EU bathing status. They did not have to apply — the Department did that for them — and they did not have to reach any sort of standard of bathing water; they were simply gifted that status. As I will come on to later, none of those beaches have bathing management plans in place, yet the local community in Lecale, and in places like Ballyhornan, Killough, Ardglass and Kilclief, have to jump through hoops to gain that sort of recognition. Again, I think that is a direct result of decades of neglect and mismanagement.

Directly feeding into that is a long tradition of NI Water pumping grade two sewage into the water at Audley's Castle. Coney Island is very popular with local surfers, yet we pump sewage into the water. Ballyhornan is an area of scientific interest with special flora and fauna, yet we pump sewage into the water. Dundrum Bay has potential and there are various business interests in developing oysters and mussels, yet we pump sewage into the water. If we look at Ardglass, we see a very active fishing harbour. There is great potential for tourism, but the amount of pollution and industrial waste that is washed onto east Ardglass beach is just not acceptable, and we need to do something about it. Minerstown is a very significant beach that has ecological value. We have a seal colony that comes ashore to give birth, but the council has been

looking at the water and it is not coming up to scratch. We have to ask why that is allowed to be the case.

For various reasons, EU bathing status will be the catalyst for growth in all of this. If we can get EU bathing status, NI Water simply will not be allowed to pump the sewage into the water. That means that we will see an upgrade in the sewerage infrastructure. For areas such as Dunsford, Killough and Ballyhornan, which have not been able to get housing developments passed or any sort of industrial growth because of the poor sewerage infrastructure, this could be a real catalyst. So, it is not just for the beach; it is for the wider area.

The neglect from central government means that the community has had to take the lead. The community has been brilliant and I pay great tribute to it. Over the last couple of years, it has organised mass swims on the beaches to highlight that the beaches are being used in Ballyhornan, Kilclief and Killough. Hundreds of people have participated, and the positive media coverage has gone all around the world. That is tied into another local Lecale campaign about saving the heritage of our lighthouse.

Again, there is a very vibrant community that wants to step into the area that government is neglecting and take control. I think that, in an era of co-design and wanting to work with various agencies, this has great potential to let local communities, which have a real interest in conservation and environmental protections for local areas, play a key role.

The infrastructure is largely there. There are no serious resource implications for EU bathing status. It is a matter of providing new signage about bathing water. Obligations are fairly light touch. Unlike our blue flag beaches, there is no demand that you have to have lifeguards etc. For those who are not aware of EU bathing-water designation, it simply acknowledges that waters where people bathe require more monitoring and clear reporting to the public. The marine policy division of the DOE manages the whole process in the North. The designation, as I said earlier, first appeared in 2011, when 23 beaches were identified by NIEA and automatically designated. All the north Down and north Antrim coast beaches were designated. The bathing waters, once designated, have undergone a rigorous water-monitoring regime ever since. The regime was tightened up in 2015. The people of Lecale and the wider south Down area deserve something similar.

Designations, though, for EU status — and this highlights the urgency of the situation — happen only every six years. Given that the last designation was at the end of 2011, the next designation process will be at the end of the 2017 bathing season. It takes two full years to undergo the monitoring process as a candidate beach. Therefore, the application must be submitted by the end of 2015 to meet the deadline for the next process. This highlights the urgency about this matter. We have to see action from the Department. In partnership with the local council, the Department will be the people who facilitate this. I am delighted to see that the Chair of the Environment Committee is here; perhaps this is a vehicle that the local community may be able to use to ensure that something as important as this gets the attention it deserves. The north Down and Ards beaches were put forward by designation, as I said. The council did not have to be proactive at all. No management plans were created and, in most cases, there remain no active management plans whatsoever.

Not a single beach that was designated in 2011 has a comprehensive management plan, yet these are the sort of challenges that local communities in Killough and Ballyhornan are putting forward.

As I have said, it is the local community that has come forward, and I am delighted that my Sinn Féin colleagues in Newry, Mourne and Down Council took some of these demands on board and were successful in a motion creating a local beaches forum that can be a real driver, not only in securing the EU bathing status but — and this is one of the links, I suppose — we have the potential for a Mourne coastal path. This aspect taps into tourism. There is now no better body to drive forward, in tandem with the local community, than this beaches forum when it comes to the coastal path. Litter has very often been left to the local community, which does a massive number of litter picks on all those beaches. Now we have the statutory footing, whereby the beaches forum can perhaps take this on.

Another exciting venture, I think, is the EU's Coastwatch, whereby the local community gets involved and looks after its own particular stretch or few hundred metres of the coast. When you think of the potential for local schools and organisations, and the need for healthy and active local communities, this is a no-brainer. For me, the beaches forum has potential, in that fourfold way, to drive this forward. As I have said, EU bathing status is the catalyst for all the improvements.

Look at the issue of sewage. It is an issue not just for industry and big housing developments, but for local, small housing developments. We all know the sewage issues that arise at Ballyhornan, the former military camp. Yesterday, we were with a number of schoolchildren from south Down and we were talking about the debate we would be having tonight. They wanted to know what it was about, so we explained about the pumping of sewage into the sea. The kids asked the obvious question, as kids do at times: why not just stop? It is a very simplified approach, but it is right. It simply should not be allowed.

Look at a beach like Ballyhornan: it just beggars belief that at a beach, controlled by the Department, in a designated area of special scientific interest (ASSI) for flora and fauna and everything else, we tolerate sewage being pumped into the sea. I think that the Department simply slaps a fine on NI Water for that. I see that the previous Minister is here and he can let us know whether it is any different; but, as far as I am aware, the Department simply slaps a fine onto NI Water and thinks that that will do. It is simply unacceptable and has to change.

7.00 pm

I mentioned active communities, which often do not have the best sports facilities and are looking for improved ones. These are fantastic beaches and local ventures to get involved in.

Tourism is a big thing, and it will be the real driver of change for the south Down and Lecale area. However, if we do not give tourism the building blocks, we are simply operating with our hands tied behind our backs. How will we attract tourists to absolutely stunning places? Ballyhornan is stunning, and there is such potential in Kilclief and Killough, yet we are saying to tourists to come along, but, when you get into the water, you might have to watch out for sanitary towels. It is simply not acceptable,

and we should not be doing that. If it is not good enough for people in north Down, it should not be good enough for people in south Down. For local businesses and everybody else, the importance of this cannot be overstated. For far too long, it has been a case of out of sight, out of mind when it comes to the beaches in south Down, particularly in Lecale.

It is great that the council was able to vote through a beaches forum. What we now need from the Department and the Minister is the dedication to make sure that the process of applying for EU bathing status for the three beaches — Killough, Kilclief and Ballyhornan — begins by the end of this year. If we have to wait for another six years, I do not think that local people will forgive us.

I thank all of you for coming here tonight and participating in the debate. I pay tribute to the local people who tirelessly campaign on the issue, and I am very proud to play a part in that.

Mr Speaker: I call Ms Anna Lo, the Chairperson of the Committee for the Environment.

Ms Lo: Mr Speaker, I am not speaking as Chairperson of the Environment Committee. May I go ahead?

Mr Speaker: No. I have to give preference to constituency MLAs. I call Mr Seán Rogers.

Mr Rogers: I welcome the opportunity to speak on the topic and thank the Member for securing the Adjournment debate. South Down is widely known for some of the best beaches in Ireland. The outstanding beauty and excellence of our beaches is internationally recognised. The blue flag award, for example, is a voluntary eco-label awarded to over 4,000 beaches and marinas in 49 countries, and it seeks to promote sustainable development. In 2015, blue flags were awarded to 12 beaches in Northern Ireland, four of which are in County Down: Crawfordsburn, Tyrella, Murlough and Cranfield. The success for Down beaches was replicated in the Northern Ireland seaside awards, in which three of the six resort beaches were in County Down: Crawfordsburn, Tyrella and Cranfield. Murlough was awarded as a rural beach.

Last month, the Department of the Environment released its report on better beaches, revealing that all 23 of Northern Ireland's bathing beaches have passed new stricter European standards. Of the 23 beaches, 14 were classed as excellent, seven as good and two as sufficient, which means that none of the bathing beaches in Northern Ireland was classed as poor. Northern Ireland is now home to some of the best bathing beaches in Europe, a fact that is clearly reflected in Down, as four of the excellent beaches are at Crawfordsburn, Tyrella, Murlough and Cranfield. Beaches represent a vital part of Down's tourism economy, and all these beaches are high on the lists of top places to visit in Northern Ireland.

The maintenance of high standards at Down's beaches is crucial to maintaining and expanding our water-based tourism and leisure industry. Unfortunately, the Minister of the Environment cannot be here tonight because of a prior engagement, but he has indicated that he remains fully committed to the ongoing development of our beaches, and I believe that Down's record of excellence will continue. As Mr Hazzard said, we have such potential in our tourism, but the question is how we develop that potential.

I have highlighted the positives, but we also have to think of the negatives. We have to raise the bar. I concur with the Member's sentiments that all beaches in Down should strive for better levels of cleanliness, as should all beaches in Northern Ireland, but I do not agree that nothing has been done. Clear progress has been made on the poor beaches, and it would appear that, through the better beach framework, we can get even better. I acknowledge the work of Northern Ireland Water, particularly at Ballymartin, where the new treatment works has improved water quality. We have a problem in Annalong, along the lines that Mr Hazzard mentioned, with all kinds of things going into the sea and people not being able to swim.

I do not want to dismiss concerns about the state of our beaches or the impact of littering, but it is worth noting that Northern Ireland beaches have met stricter standards for water quality.

In places such as Cranfield, we have to look after the tourists, but, in the management of our beaches, car parking and so on, we also have to look after residents.

Mr Hazzard referred to littering, and it is a blight on the natural beauty of any environment. The key aim for all beaches should be cleanliness. The Keep Northern Ireland Beautiful marine litter survey is alarming for certain parts of our coastline. Ballyhornan, as he mentioned, is a clear cause for concern, as are the litter and waste on beaches near fishing harbours such as Ardglass and Kilkeel. The survey also noted litter dumps near some of our leading beaches, which demonstrates the clear threat of waste to our beach health and industries. It is vital that programmes such as Litter Less, Bag it and Bin it, and Live Here, Love Here are supported so that we can reclaim those areas.

The extent of rubbish can be alarming, but the Keep Northern Ireland Beautiful survey noted that the winter storms were partially to blame for dumping large quantities of litter on our shores. In a recent survey, a French road sign was found along the beach, indicating that a significant amount of the litter comes from the seas around Britain and further afield. It is vital that litter deposits in the marine environment are extracted and reduced. It is unfortunate that such rubbish deposits exist, and a new emphasis on joint approaches to rubbish disposal across these islands and Europe may be required.

The good thing about today's debate is that it brings the matter to the attention of the public. Certainly, more needs to be done, but I believe that, for real change to occur, we must reiterate the importance of our collective responsibility to look after our beaches. Community engagement and greater education are crucial in raising awareness of the damage that litter can cause. I commend the many schools and community groups that get involved in beach clean-ups. Locals and businesses alike have a duty to respect our beaches and dispose of rubbish in a responsible and ethical manner. I commend the progress that the Environment Minister has made so far, but I believe that community and environmental organisations, such as Beach NI and Keep Northern Ireland Beautiful, remain vital in helping to guide the population to accept and champion that approach. Above all, improving our beaches is everyone's responsibility.

Mr McCallister: I congratulate Mr Hazzard on securing this evening's debate. One of several issues flagged is that we need to do significantly better as a collective, not only on the

big waste and sewage problems for which Northern Ireland Water is the lead agency but in educating people that, when they access beaches and other beauty spots, they must take their waste home with them. That is a huge issue.

Colleagues across the Chamber and Ms Lo will probably know that, overall in Northern Ireland, we spend something like £30 million a year dealing with litter and clearing up other people's waste. That is a huge cost to the taxpayer and the public purse. As Mr Rogers rightly pointed out, this is everybody's responsibility.

In opening the debate, Mr Hazzard mentioned almost every beach in South Down. We are blessed in the constituency of South Down. Having been born and bred there and lived there all my life, I can certainly say, with a completely unbiased view, that it is the most beautiful constituency in the United Kingdom. We have everything — as well as the mountains, we have a coastline that stretches from Carlingford lough to Strangford lough, with many superb beaches in between. It is an absolute tragedy that so many are not in the condition that we want them to be in. We have to remind ourselves that many of them are in an area of outstanding natural beauty, and, given that some are even in an area of special scientific interest, we have to ask ourselves this: what is being done?

It is a great shame that the Minister is not here to respond to the debate.

We have to look at what has been done if we are serious about developing a tourism product and caring for our environment in the way that we want it to be cared for and the way it deserves to be cared for. If we are serious about all of those aspirations, we have to really up our game in developing a tourism product where we have the mountains and where we have made huge and significant investments in developing mountain-bike trails and creating a product to bring people in.

Northern Ireland, across the board, lags way behind other parts of the UK and Ireland in the number of overnight stays of visitors outside Belfast and tourist spend outside Belfast, yet tourism is hailed as one of the key drivers of our economy and of revitalising it.

From the environmental perspective, the last thing anyone wants is our environment being constantly damaged and potential public health risks when we access beaches. We want our beaches to be very accessible. We want them to be places where people can go at all times of the year to get out and enjoy the great outdoors, and we want to make sure that they are safe. It is about keeping pressure on the Department, on agencies and on Northern Ireland Water to make sure that a collective approach is taken and that agencies that are directly responsible for improving water quality are held to account and made to live up to the standards that we expect and want to see set for our beaches.

It is positive that it is at least being debated. I hope that we do not have to keep returning to this in an effort to make sure that something is done about it, because it is not only the people who live in south Down who want to see that improved, so do the people — the tourists — who we want to come and visit to enjoy the scenery and what we have to offer. We want it in a fit state for all people to enjoy, with no public health issues and no environmental damage.

I join Mr Rogers and pay tribute to the probably thousands of people who volunteer every year. I, like my colleagues, have been out on various beach cleans in various parts of the constituency. I want to pay tribute to those people. Many of them sometimes travel to do it. I know of one school in Belfast that does an annual trip to south Down for a beach clean as part of its Duke of Edinburgh award, giving something back when they have been to the constituency and enjoyed outdoor pursuits and other activities there. I want to pay tribute to the thousands of volunteers who give up time to go out and lift rubbish of everyday things. The one thing that has always struck me any time I have been on a beach clean is how much stuff there is to be lifted. It never fails to surprise me how quickly a bag can be filled.

This is an important issue to bring to the House. Regrettably, the Minister is unable to respond, but I hope that he reads the Hansard report and that his officials go through it and provide some reassurance to Members that the Department is taking the issue with the seriousness with which it needs and deserves to be taken.

Ms Ruane: Go raibh maith agat, a Cheann Comhairle. Gabhaim buíochas le mo chomhghleacaí, Chris Hazzard, as an rún seo a chur faoi bhráid an Tí anocht. I welcome this Adjournment debate and would like to thank my colleague Chris Hazzard for bringing it to the House. I have to say that I agree with John. South Down is a very beautiful area. Where I disagree with him is that he thinks it is in the United Kingdom and I think it is in Ireland, but we will not fall out over that.

Mr McCallister: We may both be right.

7.15 pm

Ms Ruane: Maybe we are both right, John. Notwithstanding that, wherever you consider it to be, it is an area of outstanding natural beauty, and our beaches are a major part of that.

I look not just at south Down but at Carlingford lough and Louth and at the building of tourism in both counties. They are different sides of the same coin.

We want to see EU bathing water status there. We want to see NI Water, the Department of the Environment and the various agencies working together. Although some work has been done, it is not enough. It simply is not good enough that sewage is pouring out into the sea. NI Water has a job to do, and I look forward to hearing from the ex-Minister about the work that his former Department maybe could or should have done in the past and about where improvements can be made. We want a place where we have safe bathing environments for us and our children. It does not make sense that the gold coast beaches in north Down have the highest level of protection by NI Water yet the beaches in south Down have some of the least protection.

I welcome Newry, Mourne and Down District Council's cross-party motion for it to help in having our beaches nominated for EU bathing water status. Six of the beaches, including those at Coney Island, Ballyhornan, Killough and Kilclief, took part in the Lecale Big Swim and Paddle in August to highlight their campaigns.

We need just look at how Ballyhornan has been treated by the authorities. It has been treated disgracefully by the British Ministry of Defence, with former military housing

sold off willy-nilly, without any protection. That shows what the authorities thought of the people of south Down. We need just look at what happened at Sellafeld, or Windscale as they called it — change the name if there is an accident — and what happened to the waters of south Down and Louth. Again, that shows the disdain with which local people have been treated.

The villages that I mentioned — Kilclief, Coney Island, Killough and Ballyhornan — have now gained funding through the Strangford Lough and Lecale Partnership to pursue applications for the Green Coast Award and EU bathing water status. At Carlingford lough, we have a Love Your Lough campaign that has been ongoing for months, with clean-ups taking place in Killowen, Rostrevor, Warrenpoint, Omeath and Carlingford. I have been on some of those clean-ups on both sides of the lough, at Greenore and Omeath. I have been on various beaches, such as Templetown and those on the northern side of the lough. That is people power. Like John, I was amazed at what we picked up on the beach — the amount of rubbish. I felt like a beachcomber, because you did not know what you would find. One of our councillors, Sinéad Ennis, and I have met representatives of Love Your Lough on a number of occasions to discuss its work and what can be done to help our coastlines.

As my colleague Chris Hazzard said, Sinn Féin brought a motion to council this month that proposed a task force to tackle the recommendations of the recent report on the state of the coastline. Love Your Lough is documenting every single piece of waste that it has picked up on the beaches. It has found industrial waste, netting that is dangerous to animals, lobster pots and corrosive materials. We need to take the improvement of our beaches very seriously, because it will benefit tourism across south Down and north Louth. Investing in our beaches is good for people, the environment, tourism and the welfare of animals.

I share everyone in the House's disappointment that the Minister is not here. I look forward to hearing what he will do about the debate. We had been informed that he would be available, and now, unfortunately, he is not. He owes us an explanation as to why he is not in the House. I am sure that he has a very good reason, but it would be good for him to share that with us, because he is the Minister of the Environment and has a job of work to do on our beaches.

Mr Kennedy: This is an important debate. Although I do not represent South Down, I spend quite a lot of leisure and holiday time in the south Down coastal area, including at some of the very beautiful beaches there. It is undeniable that the beaches do not belong just to the people of south Down, they belong to all of us. The value of these magnificent areas of natural beauty is that they are a vital resource, not only for people who live in the immediate area but for all the people of Northern Ireland and tourism generally.

The beaches from Warrenpoint to Ballyhornan offer a space of relaxation and enjoyment for everyone; thankfully, all free of charge. I was gravely concerned to read about the worrying levels of litter on those and other beaches in the marine litter survey published by Keep Northern Ireland Beautiful. It is worrying and of concern that places such as Ballyhornan have been allowed to fall into the state that they are in now. It is unbelievable that more than 20,000 items of litter were found per square kilometre

in that area, and over 9,000 per square kilometre on the beach at Tyrella is equally concerning. I am pleased to read that there are much better figures for other beaches, including Rostrevor, but, even then, over 2,000 items per square kilometre is hardly a record to be overly proud of.

Previous Members to speak have referred to the contribution that is expected from NI Water. There was a suggestion that I should speak on behalf of NI Water, which I am no longer qualified to do, but I have some insight. There are great infrastructural needs across the water industry throughout Northern Ireland, not least in coastal areas. However, that needs proper funding, and my experience, particularly in recent years, has been that that funding has been denied and not provided by the Executive and, indeed, by the Assembly. So there are questions for all the political parties when they begin to apportion blame for the lack of money spent.

The importance of the issue should not be underestimated. The litter and damage to the environment is very serious. Tourism is discouraged, as a dirty beach is unlikely to bring people even from close by, never mind from other places, including other parts of the United Kingdom or the Republic of Ireland and beyond. Therefore, it is depriving the local economy of its fair share of revenue from that source. Equally importantly, the waste is damaging Northern Ireland sea life. Plastic bags, bottles and other waste cause the death of fish, seabirds and other animal life that are vital to the environmental health of Northern Ireland generally. We should not stand idly by and watch our bountiful sea life be degraded in such a manner.

South Down's beaches are important and historical. Therefore, action must be taken to ensure that they are not allowed to degenerate further. I want to take a moment to commend the hard-working volunteers who are seeking to improve the situation; for instance, the Ardglass Festival Association, the Kilbroney Residents Association, McDonalds in Downpatrick and St Patrick's Primary School near Tyrella. They have done excellent work in removing tons of rubbish from those beaches. It is impressive that, for example, in places such as Rostrevor, volunteers have given more than 140 hours and collected over 100 bags of litter. The excellent work of schoolchildren in particular is an inspiration. It clearly shows a commitment from local people and children to simply not allow their local beaches to be polluted. More support and guidance should be given to groups such as those, and I commend their actions wholeheartedly.

However, we should not have to rely on the goodwill of volunteers to keep our beaches clean. It is vital that cooperation is fostered between all relevant organisations and agencies. The quickest way to address this issue is by bringing together all the relevant stakeholders and ensuring that every effort is focused on cleaning beaches. I therefore encourage the Northern Ireland Environment Agency, Newry, Mourne and Down District Council, and other agencies and volunteers to work together. By working as one team, with the goodwill and shared goal of keeping south Down's beaches clean and inviting, I am certain that the situation can be improved. Therefore, I hope that all relevant bodies make efforts to reach out to one another and leverage the wide range of skills and capabilities that they can collectively offer. I am sure that I am not alone in offering my best wishes for that endeavour. Of course, I am happy to help in any reasonable manner.

I bring my remarks to a close by saying that I am immensely proud of our beaches in Northern Ireland; I believe them still to be world-class, and I believe that people travel from around the world to experience them. Our coasts are a vital legacy that we must hold dear, and I hope that the south Down coastline is kept free of rubbish and remains a beautiful shared resource for everyone. Thank you.

Mr Speaker: Finally, Ms Anna Lo.

Ms Lo: Thank you, Mr Speaker.

Mr Speaker: Thank you for having the patience to wait to join us.

Ms Lo: I am very sorry to have confused you earlier, but I assure you that the Committee is very conscious of the importance of keeping our environment clean and healthy for all of us to enjoy. I am not a South Down MLA, but I spent many happy years with my young family in a rented cottage near the Silent Valley. We loved the mountains and the beaches in south Down.

Marine littering poses a growing threat to the marine and coastal environment. Since most marine litter takes such a long time to degrade, if it degrades at all, constant littering results in a gradual build-up in the marine and coastal environment. Studies clearly indicate that marine littering is getting worse. Having read the 2014 marine survey, I can understand why Mr Hazzard has brought this debate to the House, and I thank him for doing so. The survey shows that some beaches are particularly heavily burdened with litter. The 14 litter types shown include materials like plastic and glass, and Ballyhornan had the highest levels of seven of those during 2014. There are also some very concerning results a few miles south at Ardglass.

If you continue even further south to Tyrella beach — my children's favourite beach for many years until they got sick of following their parents to beaches when they got to their early teens and refused to come with us — you will find that areas of it are in the top three most littered beaches for 10 of the litter types. The report mentions that the stretch of Tyrella beach surveyed was several hundred metres from the designated swimming area. That shows the significant resources needed to maintain its blue flag status.

The survey, which was highlighted during Question Time last week, makes reference to the continual pumping of raw sewage into the sea at Ballyhornan. Mr Kennedy mentioned NI Water. The Environment Committee is aware of the number of instances of NI Water polluting our rivers, and the Committee is looking into that. This is clearly an issue for the council, the DOE and the Department for Regional Development. I will be asking what plans they have for a joined-up, coordinated approach to safeguard our beaches and waters. It is certainly something that needs to be looked at urgently.

7.30 pm

Like others, I would like to pay tribute to the many volunteers who come out tirelessly to lift litter from our beaches; the schoolchildren and families who come out to collect bags and bags of litter. Shame on those people who leave litter on our beautiful beaches.

Last week, I presented an award from the NGO Keep Northern Ireland Beautiful to the Mill Strand Integrated Primary School in Coleraine — I confess that it is not in

south Down; it is in Coleraine — for their dedication in removing litter from the beaches. Every Friday, those pupils go to the beach to pick up litter, come rain or shine. If it is wet, they put on their macs and they still go out. It is a wonderful example from which we can all learn.

One of Northern Ireland's greatest assets is its environment. We need to protect it. The increase in marine litter is yet another example of why we really do need an independent environmental protection agency.

Mr Speaker: I thank all the contributors. It was a very interesting discussion.

Adjourned at 7.31 pm.

Committee Stages

Northern Ireland Assembly

Committee for Education

14 October 2015

Special Educational Needs and Disability Bill [NIA 46/11-16]

Members present for all or part of the proceedings:

Mr Peter Weir (Chairperson)
Mrs Sandra Overend (Deputy Chairperson)
Mr Jonathan Craig
Mr Chris Hazzard
Mr Danny Kennedy
Mr Trevor Lunn
Mr Nelson McCausland
Mr Robin Newton
Mr Seán Rogers

Witnesses:

Mrs Caroline Gillan
Ms Jan Matthews

Department of Education

The Chairperson (Mr Weir): We will formally determine and set out our position on the proposed amendments in each clause and schedule. All decisions today will be final, although there may be certain things, in light of other events, that we may want to put forward in amendments, which may or may not be pressed ultimately. It is anticipated that the Committee will conclude all formal deliberations on the Special Educational Needs and Disability (SEND) Bill today, and the Committee is aiming to agree its report by 4 November.

I welcome Caroline and Jan back to the Committee. Caroline has been with us from the start, and Jan has come off the bench following Irene's retirement. We have looked at amendments, but there is always the option that, on a particular clause or schedule, the Committee can register formal opposition to the Question that the clause or schedule stand part. That would ensure that the clause or schedule is debated at Consideration Stage.

Let us make a start at clause 1.

Clause 1 (Duty of Authority to have regard to the views of the child)

The Chairperson (Mr Weir): The Committee informally agreed that it may table an amendment to clause 1. The Bill Office has given us the list of draft amendments in hard copy. The Committee had informally agreed to consider an amendment that would require stated principles to underpin subordinate legislation. That is amendment 9 on our list. Towards the end of the informal session, we spent a little time on it, and the issue is high principles. To ensure

that we are referring to the same thing, do you have a copy of the Bill Office list of draft amendments?

Mrs Caroline Gillan (Department of Education): Yes.

The Chairperson (Mr Weir): It is amendment 9. Does the Department have any final remarks on that amendment?

Mrs Gillan: The principles in the proposed amendment are the exact principles that are behind the whole future special educational needs (SEN) framework as a package in the Bill, the code and the regulations. We remain to be convinced of the benefits and impact of the amendment in how it may be interpreted or delivered in its entirety, how it may be exercised in conformity with the functions, and how that may be interpreted by the courts. That would be open to debate or interpretation. We completely respect the principles, and that is exactly the basis of the Minister's policy in delivering all this. However, whether it needs to be included in a duty of this nature —

The Chairperson (Mr Weir): You mentioned interpretation and used the very nice term "remain to be convinced" of its merits. Do you have direct concerns about the amendment?

Mrs Gillan: The Minister said that he absolutely abides by and supports those principles. However, he is not able to take a position in saying that he would support the amendment. It is a question of whether it is necessary and, indeed, would be beneficial overall in the operation of the framework. As I said, the provisions in the framework, and what we are building into the code and the regulations, fulfil those principles.

The Chairperson (Mr Weir): Without prejudice to the position of the Committee — I will open it up to members — if by way of the amendment not being there or being there in the context of being moved or not moved, would the Minister be willing to give assurances on those principles on the Floor?

Mrs Gillan: As we develop the remainder of the framework, I am sure that he would be — absolutely.

Mr Lunn: Caroline, you say that you have reservations about the need for the amendment. If you take the individual items under the amendment, are you satisfied that each one is already catered for in the Bill? I am looking at proposed new article A3(d) on building capacity in schools.

Mrs Gillan: The Bill will not build capacity. It puts enhanced duties on boards of governors in the supports that need to be put in place. It is up to the Department and the Education Authority to take forward capacity building and for schools and teachers to embrace that.

I suppose that is one example of whether the functions in the Bill would necessarily be able to deliver that per se. We have given you evidence about a lot of the capacity-building measures that have already gone on for early years and special educational needs coordinator (SENCO) training, and we gave you details of the boards of governors and the further roll-out of training on the SEN framework.

The duties on the boards of governors and on the EA to provide its plan, which will include training, are the building blocks. However, will every function in the Bill necessarily build capacity in schools? Is the Committee envisaging that every function must be exercised in conformity with all those principles, or would it be dependent on —

The Chairperson (Mr Weir): They are general principles.

Mrs Gillan: Those are the questions that may give rise to uncertainty about the benefits. I am absolutely sure that the Minister would be willing in his statement to the Assembly to assure the House that, as we progress, that is central to his policy.

Mr Lunn: Another thing that jumps off the page is minimising bureaucracy, which has been a bugbear for years. Is there a case for leaving some of the principles in there, if not listing all eight of them?

Ms Jan Matthews (Department of Education): When the review was introduced, a key thing was minimising bureaucracy. That is a key principle of the Bill's proposals, continuing through regulations and the code of practice.

Mrs Gillan: It is about reducing the number of stages and looking again at how the statement is drafted. The problem is that the total new framework has to be seen as a package and not just in the context of the Bill. On minimising bureaucracy, in some circumstances, there may be a justification for some bureaucracy, whereas in others it is needless.

The Chairperson (Mr Weir): I am tempted to say slightly facetiously that there are only seven subsections, so we have already reduced bureaucracy by one subsection in the draft amendment.

Mr Lunn: He is so sharp. I am not really convinced that we should not have a purpose clause here.

The Chairperson (Mr Weir): Do members have any questions for the Department before we take general comments? If not, is the amendment necessary and worthwhile? What do members feel?

Mr Rogers: I tend to agree with Trevor. Let us have the guiding principles.

Mr Lunn: I have changed my mind once already.

The Chairperson (Mr Weir): Which statement of Trevor's are you agreeing with?

Mr Rogers: The guiding principles should be there.

The Chairperson (Mr Weir): In the legislation.

Mrs Overend: I have changed my mind. If the Minister puts them very clearly on the Floor, we can hold him to account.

Mr Hazzard: I feel the same as Sandra. This is judicial review (JR) heaven, or it will be if we are not sensible. I understand the situation that we want to get these in the Bill, but I think that it creates more trouble than good.

The Chairperson (Mr Weir): Any other comments?

Mr Lunn: If we are saying that the inclusion of those principles introduces JR heaven but that the principles are already enshrined in the Bill, you still have JR heaven. I do not see the argument that we do not need these principles, because people might apply for judicial review.

Mr Hazzard: I think that they are thematic. I do not think that they are specific enough for legislation.

The Chairperson (Mr Weir): We will put it to the Committee one way or another whether to accept the amendment or whether we feel it to be necessary. I put the Department on notice that, if we feel that the amendment is not necessary, we would at least require the Minister, at Consideration Stage, to commit to those principles very explicitly. Strictly speaking, we will put the Question to members, unless anyone else has a comment.

Mr Newton: I am OK, Chair.

Mrs Overend: We talked about tweaking it.

The Chairperson (Mr Weir): I think that, if the amendment was to be accepted, it would be on the basis that it would be tweaked somewhat. In general terms, could we have an indication by show of hands from those in favour of the amendment?

The Committee Clerk: Before we go to a vote, I remind members that, since a vote has been called, you have four options: "Aye", "No", abstain or not vote. I ask members to indicate very clearly which option they are choosing, other than the last, obviously.

Question put.

The Committee divided: Ayes 2; Noes 5.

AYES

Mr Lunn, Mr Rogers.

NOES

Mr Craig, Mr Hazzard, Mr McCausland, Mr Newton, Mr Weir.

The Committee Clerk: Two members voted in favour; five members voted against; and Mrs Overend did not vote. There were no abstentions.

Question accordingly negated.

The Chairperson (Mr Weir): On the basis of that, has the Department any final remarks on clause 1?

Mrs Gillan: No.

Question, That the Committee is content with the clause, put and agreed to.

Clause 2 (Duty of Authority to publish plans relating to its arrangements for special educational provision)

The Chairperson (Mr Weir): The Committee informally agreed to consider revising the wording of the regulation-making powers, specifically at new article 6A(7), replacing "may" with "shall". Does the Department have any final remarks or comments on the amendment.

Mrs Gillan: We provided the Committee with confirmation that we are content to change “may” to “shall”. That is towards the end of paragraph (7).

The Chairperson (Mr Weir): Are members happy with the Department’s amendment as the route to go?

Members indicated assent.

The Chairperson (Mr Weir): There are no further remarks from the Department on clause 2.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 3 (Duties of Boards of Governors in relation to pupils with special educational needs)

The Chairperson (Mr Weir): There are a number of proposed amendments, The Committee informally agreed to amend clause 3(2) to replace:

“take reasonable steps to identify and provide”

with

“take all reasonable steps to identify and provide”

in respect of SEN support for children. Has the Department any final comments on that amendment?

Mrs Gillan: The Minister is content to make the change. We have provided amendments drafted by the Office of the Legislative Counsel (OLC).

The Chairperson (Mr Weir): Are members content with the proposed amendment from the Department?

Members indicated assent.

The Chairperson (Mr Weir): I remind members that the Committee informally agreed to consider an amendment in respect of the transfer of personal learning plans (PLPs) with parental consent. I will bring in the Department in a moment. Amendments 3 and 4 have been provided by the Department in hard copy, and it has drafted them along the lines that we suggested. Are members content with that change?

Members indicated assent.

The Chairperson (Mr Weir): Members, we had informally agreed to consider revised wording of the regulation-making powers in clause 3, specifically at subsections (3) and (4) to replace “may” with “shall”.

Mrs Gillan: In both instances, the Department would prefer to retain flexibility and the word “may”. As we discussed, these regulations require engagement with stakeholders on the qualifications and general role of learning support coordinators (LSCs). In this instance, our position is to retain the word “may”.

The Chairperson (Mr Weir): Are there any questions for the Department? Do you want “may” or “shall”?

Mr Lunn: I am getting a bit lost here.

The Committee Clerk: I remind members that we are at clause 3(3), where it says:

“Regulations may—

(a) require the Board of Governors of an ordinary school to notify the Authority”.

We are also talking about further down the page, where it says that, under new article 8ZA(2), “Regulations may”. The proposal is that, in both instances, “may” becomes “shall”. The Department has indicated that it does not want to do that, needs flexibility and wants the word “may” to remain. Does the Committee want “may” or “shall”?

The Chairperson (Mr Weir): Does anybody have any thoughts?

Mr Newton: I have to say, Chair, that I am very much in favour of “shall” in that context.

The Chairperson (Mr Weir): Is there consensus on that?

Mr Lunn: I hear the Department’s opinion. I have not quite picked up its reasoning.

Mrs Gillan: We provided an annex to the Committee of our analysis in breaking down where we felt that “shall” would be appropriate and where we would prefer “may” to remain. You are happy with certainty when you feel that there will be one way of doing it and one way only of doing it now and moving forward. Certainly, some clauses, such as the general one on conferring other functions relating to learning support coordinators, are, by their nature, flexible, and we may or may not want to confer functions now, and we may confer other functions in the future. However, after we talk to schools and stakeholders about appropriate qualifications, particularly qualifications and experience for learning support coordinators, do we want to be very prescriptive? We might be prescriptive initially, but, in a couple of years’ time, as the framework develops and there are new qualifications, we may decide to take a much less prescriptive approach.

Tying us in at this point will tie our hands too much. Without our knowing or having engaged with stakeholders as to what the qualifications would be, do we want to prescribe qualifications? Do we want to do both? On both those regulation-making powers on conferring such other functions, we “shall” confer such other related functions. What are those other functions that we must then confer? By their nature, to tie us at this stage without our having the certainty of knowing what we put into the regulations — at the closed session last week, we gave you an indication of the flavour of where we are going — we really want to engage with school principals, the Education Authority and other stakeholders as to what they see as appropriate.

Ms Matthews: The views of those stakeholders are very important in developing the regulations.

The Chairperson (Mr Weir): With the drafting — I will bring Trevor in in a moment — how is the requirement that you simply have regulations that require it tying it in specifically by not allowed that?

Mrs Gillan: If it says “shall”, it shall have a prescribed qualification or experience, but it might be that, as Jan said, further down the line, we may not want to have prescribed qualifications. After our engagement with stakeholders, we may not want prescribed qualifications or prescribed experience right now. We might not want to do that at this stage. It is that proposed change in particular that we are most concerned about.

The Chairperson (Mr Weir): Is it the qualifications?

Mrs Gillan: It is about developing the role of the LSC. It refers to line 10 and line 25 on that page and the one below it about conferring such other functions. That, by its

nature, cannot be “shall” because it is a general catch-all provision.

Mr Lunn: OK. I am convinced about “may”. May I ask you about new paragraph (2A)(a) on an ordinary school? Are you talking about ordinary schools?

Mrs Gillan: That is the legal definition of a school that is not a special school.

Mr Lunn: Is it?

Mrs Gillan: Yes.

Mrs Overend: I can understand where you are coming from on that. If you leave it as “may”, is there a possibility that some areas will do it and other areas will not, so it would lead to an inconsistency?

Mrs Gillan: The key is that we will put what we want in the regulations after we have had that engagement. Whatever we put in the regulations has to be applied consistently across the board. Obviously, the Committee will later discuss changing the process from negative to affirmative resolution. As we have firmer drafts, and after we have spoken to the key stakeholders, we will come to the Committee to ensure that you are content with the exact content in all areas. They need to be applied consistently.

The Chairperson (Mr Weir): Does anybody else want to come back on “may” or “shall”? Is the Committee content with “may”, given what has been said?

Members indicated assent.

The Chairperson (Mr Weir): If that is the case, we will not need to move that amendment. That is the last reference to that amendment to clause 3. We earlier accepted that there are already a couple of amendments to clause 3.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 4 (Duty of Authority to request help from health and social care bodies)

The Chairperson (Mr Weir): In terms of asking the Department if it can provide in terms of sight of the new protocols that are going to be there, that is something that you would be in a position to —

Mrs Gillan: We wrote yesterday to provide the information that is available on the allied health professional review, and we have given a link to the documents that have been published. That review is at phase 3; it is due to finish next year. The proposed new framework for allied health professionals supporting pupils with SEN, plus some operating principles between health and education authorities, is being finalised and will be subject to ministerial consideration, and the review will then want further engagement. We are not just able to provide those details at this stage, but there are some useful documents to show you the stages of the review and a report from phase 1, which I hope gives you a flavour —

The Chairperson (Mr Weir): I appreciate that discussions with the Department of Health are ongoing. Maybe I will just refer you, then, to the potential amendment, which in terms of the Bill Office paper is amendment No 2, which is the duty on the health authority:

“to provide therapeutic or other provision”.

What is the Department’s response to that?

Mrs Gillan: The Minister is absolutely supportive of all amendments that touch on the Department of Health and its design to enhance cooperation; he has no objection, in principle, to cooperation. All these amendments are cross-cutting. The Minister has written to the Department of Health to ask for its views, and that is where we are.

In relation to the second element of the amendments, on the integrated planning, sharing of information and pooling of budgets —

The Chairperson (Mr Weir): We will maybe just deal with each one of these in turn. That will be the next item that we will come to, but we will deal with these one at a time in relation to that.

The Committee Clerk: Does the Minister support the therapeutic provision, which was suggested by the Department?

The Chairperson (Mr Weir): In terms of that particular one, will the Minister support that amendment?

Mrs Gillan: The Minister has written to the Department of Health for its views. Obviously, the Minister is not in a position —

The Chairperson (Mr Weir): OK. Would it be fair comment to summarise that the Minister is not expressing hostility to it at this stage, to put it that way if I can?

Mrs Gillan: He is unable to — it obviously touches on another Department —

The Chairperson (Mr Weir): I understand that. Members, I know this is something that we discussed a little bit in the private session. I presume — at least I think — that one of the issues I suppose with this may well be something that gets some level of potential support in relation to that, but, at the very least, I think that earlier, when we were putting this on a formal basis on it, members were happy enough at least to press ahead with this as an amendment, I suppose, subject to if there was then something that came back by way of agreement in relation to that.

Mr Lunn: I have no doubt that the Minister of Education is in favour of full cooperation between his Department and the Department of Health. Our problem is that we need the same obligation on the Department of Health. I do not know whether that is forthcoming or not. When we discussed this earlier, it seemed to me that we were placing quite onerous obligations on the Department of Education to look after a child’s education first and to do all the necessary things to make sure that children with a special need are fully catered for. However, that includes actions that are required by the Department of Health. So why not have the same obligation placed on that Department? That is the problem. The current legislation does not push it that far. It seems to me that it can get out of accepting its obligation on the grounds of lack of resource, for instance. That is not satisfactory.

The Chairperson (Mr Weir): Are you just checking —

The Committee Clerk: Chair, just to confirm with members that we are at number 2 on the white paper, so it is the duty on the health authority to provide therapeutic or other provisions. This is the very specific one, not the general duty, about something specific having to be provided on the statement.

Mrs Gillan: I take on board what the member says. The Minister has always said that he, as Education Minister, cannot in his Bill impose duties on other Departments.

The Chairperson (Mr Weir): OK. From earlier discussions, are members content that we move ahead with that amendment?

Mr Newton: I want to know specifically what the Minister is writing to the Department about.

Mrs Gillan: For his views on the various elements of the amendments that touch on the Department of Health, and, obviously, as a cross-cutting issue, any position would have to come to the Executive —

The Chairperson (Mr Weir): Sort of the range of amendments that are there and the corporate issue, OK.

Mr Lunn: Sorry, Chair, I am getting confused again about whether we can insert items in our Bill that place an obligation on other Departments.

The Chairperson (Mr Weir): Yes, we can, because we are essentially acting on behalf of the Assembly. The issue on it is that the Minister cannot bring forward an amendment that imposes a duty on Health. The Assembly can, and, therefore, this Committee can propose an amendment.

Mrs Gillan: The Minister could with Executive agreement.

The Chairperson (Mr Weir): He can get agreement from the Minister of Health to make a particular form of wording.

Are members content with amendment No 2 as is?

Members indicated assent.

The Chairperson (Mr Weir): I suspect that, in terms of precise attitude, eventually if something were to come back by way of an agreement from the Department of Health, Education would want to look at that.

We move to the third amendment, which I think Caroline was touching on. It is on the general duty of the Education Authority and the health and social care authorities to cooperate. What are your views in terms of this particular aspect?

Mrs Gillan: As I said, the Minister supports the principle of cooperation. In relation to some of the amendments, especially on the pooling of budgets, for example, there may be a concern about the workability of that in the current departmental structures and, indeed, our financial processes and how that could be achieved —

The Chairperson (Mr Weir): The only point I would make, Caroline, I think the wording at present is permissive rather than obligatory: it talks about “may” pool the budgets. I do not know whether that would be probably sort of problematic.

Mr Hazzard: That was the point that I was going to make: it is enabling rather than mandatory.

The Chairperson (Mr Weir): Folks, there may be some interference with mobile phones. Make sure that they are not sitting directly in front of microphones. We do not want any of this lost to posterity in that regard. Future researchers and people doing PhDs may be poring over this as we speak in connection with that. In relation to that, the point has been made in terms of the pooling side of it, which is permissive in that regard on it. Are members content to agree amendment No 3?

Members indicated assent.

The Chairperson (Mr Weir): We turn then to amendment No 4, which is the issue of if there will be regulation in terms of oversight on cooperation. I appreciate that this touches into areas directly outside the Department. Does the Department have any comments on that?

Mrs Gillan: It is really about whether there is a necessity for the additional oversight body in the current climate —

The Chairperson (Mr Weir): The only thing, sorry, I would point out, I suppose that there is an issue about trying to make sure that it is the right one; it is not creating a new body but is giving the power to the RQIA.

Mrs Gillan: The Minister would highlight that there is already a role for the Health and Education Committees in scrutiny and oversight and also that the Children's Commissioner has an oversight and challenge role in this arena through article 7 of the Commissioner for Children and Young People Order 2003. One might question whether this provision would reduce bureaucracy if there are existing mechanisms that would permit oversight to be carried out.

The Chairperson (Mr Weir): Do members have any questions or queries?

Mr Lunn: If the Health Committee or this Committee or the Children's Commissioner were charged with conducting a review, which might be unusual for Committees like ours for a start, surely they would want to go to the regulator to find out what the performance has been. In that case, the RQIA would seem to be the obvious destination.

Mrs Gillan: They would probably go to RQIA reports and ETI reports to gather evidence, and the Department, if we were asked for a report on how we had been cooperating, would point to various independent evidence. This is an additional mechanism, I guess, to conduct a report every two years. This is something where we touch on Health, and, obviously, we would look for the views of the Minister of Health and of the Department of Health. Moreover, the Minister is minded that if the Children's Services Co-operation Bill goes through, a lot of the amendments to this clause would be overtake —

The Chairperson (Mr Weir): I think from that point of view, Caroline, again, clearly we are in a position that the Children's Services Co-operation Bill is at a relatively advanced stage, but as yet it is not legislation, so I suppose we have to always work on the assumption that nothing is out there in that regard. That might mean that certain things might apply to some of the other areas of cooperation; for example, also in amendment No 3 I think a lot of it might apply as well. We have a situation if and when that becomes concrete legislation that might well mean — which is likely to be a situation where final decisions are taken before this reaches Consideration Stage of the House — that certain things are not necessarily pushed in as amendments because they then become unnecessary and redundant in that regard.

I suppose the other thing, Committee, which was also indicated was we had made reference to the RQIA. It seems probably at first guess to be the most appropriate body, I think as Trevor has indicated. It was one of the things we were also trying to find out to get even the views of the RQIA itself. Clearly if it was felt that it was the inappropriate body or they were suggesting that, for

example, the Children's Commissioner is the best person or whoever, obviously we would seek to further amend on that side of things

Members have heard what the Department said in relation to that. Are members still content to move ahead with an amendment just on that?

Members indicated assent.

The Chairperson (Mr Weir): I think the amendment that we have drafted there on that is an addendum, I suppose, to the previous amendment, which would be allowing for the RQIA.

Mr Hazzard: Are we aware that the RQIA are the best people to do this?

The Chairperson (Mr Weir): No.

The Committee Clerk: The Committee could agree to write to the RQIA to seek its views and agree on a "without prejudice" basis; if its answer was that it could do it, that would be fine. However, if it said that, for the following brilliant legal reasons, it was an inappropriate body, perhaps the Committee might, on that basis, revisit the decision.

The Chairperson (Mr Weir): It would sort of make it effectively — I know this is really supposed to be the final sign-off, but I suppose it is slightly provisional/final.

Mr Hazzard: What about the time frame? One of the principles that we discussed was a lack of bureaucracy. How did we come to decide on two years? Is two years better than four years or 12 months?

The Committee Clerk: If the Committee decided to support the amendment, I have heard of situations of an amendment being made at Consideration Stage and being amended at Further Consideration Stage —

The Chairperson (Mr Weir): I think one of the things if we are checking first with the RQIA whether, if an amendment of this nature was to go through, they were the appropriate people, I do not know whether they could also give advice from a professional opinion saying well, actually, for example, two years is wrong and it should be three years, four years, 18 months or whatever type of thing is the appropriate time frame in that regard. It does strike me because I know that — Eillis can correct me if I am wrong — particularly in terms of an amendments point of view, one of the areas at Further Consideration Stage I suppose ideally really should be the tweaking of what is there. If, for example, one of the things was to change the time frame to say that instead of two years it should be four years, for example, that is something that could very easily be done at Further Consideration Stage if the Assembly was minded to accept it and we got assurances on that.

Is the Committee content on that basis then?

Mr Hazzard: I am sorry; I just have one final point to make.

The Chairperson (Mr Weir): Are you playing the role of Columbo here?

Mr Hazzard: Who picks up the cost of reviewing this, and what is it likely to be? I do not know whether we can include that.

The Chairperson (Mr Weir): I think we can include that in the information. I think, to be honest on it, whether we take a provisional position on this, it may well then be guided by

the responses that we get from particularly the RQIA on that side of it.

The Committee Clerk: I would be surprised if the RQIA would be able to indicate a cost basis. The Committee has asked previously about the costs of cooperation and mapping etc, and those do not —

The Chairperson (Mr Weir): I think monitoring the level of cooperation probably should not be something that should be exorbitant in terms of cost. At the end of the day, if you think about it at one level, I suppose the only issue is where the oversight comes from. If it is part of the overall purpose, whether it is through the Children's Services Co-operation Bill or in the legislation here or whether it is simply good practice, we will want to be in a position that in terms of observing what is the level of cooperation between Education and Health, particularly on the ground in that, that is going to have to be monitored in some shape or form anyway in that regard. That cannot be got round.

There is no point in saying that we want to see cooperation and then we are just going to disregard it and do not particularly take a look at what is happening in that. It is going to have to be monitored anyway. It is a question of somebody drawing that together. Whoever's hat that falls under, shall we say, it probably will not make a great deal of difference to the overall gloss on it, particularly if it is, in one shape or form, a body that already exists. I think that the argument would have less merit if we were looking to set up a specific monitoring body that was then going to have a secretariat and a panel sort of looking after things on the sort of permanent basis that was going to be doing that for oversight; we would be adding to bureaucracy and you would be adding to cost. If, essentially, you are looking at, "Here is something that is going to have to be done that existing bodies fall under", then it becomes probably less of an issue, I think.

Mr Hazzard: I have just one final question. According to what we are saying, it is about publishing a report on how they have cooperated. Do we need to go further and say that we want recommendations on how we strengthen cooperation? Will that be taken as a given?

The Chairperson (Mr Weir): I think, under those circumstances, if somebody is monitoring how people cooperate, I think it is kind of implicit to be honest on it if they are saying that there is a problem. If they are saying that everything is fine, if they are saying a problem is there, and here is where the problem exists type of thing, I would be surprised if anybody was highlighting that and then not pointing some degree of direction as, "Here is something that we could at least look at, or here is a plan of action to improve it".

Finally, are members content with that amendment, subject obviously to getting that information back?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 5 (Assessment of needs: reduction in time limits)

The Chairperson (Mr Weir): Specifically then in relation to that there is a suggested amendment No 10 in the Bill Office, which adds both suggestions by the Children's Law Centre. What is actually suggested is, I suppose, the additional five words to deal with quantification:

"after 'specify' insert 'the nature and extent of.'"

Again I would seek maybe the views of the Department in relation to that.

Mrs Gillan: Our position is that we do not view this amendment as necessary, as article 16 of the 1996 Order already requires the statement to specify the educational provision, and the detail is fleshed out in the code of practice. That terminology is already being ruled on by the tribunal —

The Chairperson (Mr Weir): I understand that. We are aware of the fact that obviously article 16 includes that, and so therefore from that point of view we are not looking to move away from it or entirely redraft it, but potentially to add in the words “the nature and extent of”.

Mrs Gillan: The question is this: what does “the nature and extent of” mean? It is obviously something that would be very heavily scrutinised at tribunal. We have discussed previously instances where, in some circumstances, statements will be extremely specific about hours of particular assistance, whereas in other circumstances they may not be so specific, and the benefits of having flexibility in some circumstances. It would all turn on the phrase “the nature and extent of” which is, to some degree, unknown in its interpretation.

Mr Rogers: When you say that it is fleshed out in the code of practice, do you mean the existing code of practice or the revised one?

Ms Matthews: It is in the existing code of practice, but it would be fleshed out further in the revised one that will be developed through engagement with stakeholders.

Mrs Gillan: So there is a further elaboration already —

The Chairperson (Mr Weir): Of that.

Mrs Gillan: We will take that forward.

The Chairperson (Mr Weir): OK, members, in terms of the amendment, are you content with what the Department has said, or do you want to press ahead with the amendment? Have you any suggestions in connection with that? Do not all rush at once. Are you sufficiently reassured in terms of that?

People, if you either say yes or no, it would be vaguely helpful to guide me. Are you sufficiently reassured, or do you want to press ahead with the amendment?

Mr Lunn: I do not know.

The Chairperson (Mr Weir): Trevor is the voice of reason here. Are you here to abstain in person?

Mr Lunn: I hear what the Department says. On the basis of our previous discussion, I thought that we had convinced ourselves that it was useful to put in “the nature and extent of”. I do not know. I would, frankly, leave it in and accept the amendment.

The Chairperson (Mr Weir): Are members then prepared to accept the amendment?

Members indicated assent.

The Chairperson (Mr Weir): Are members content with clause 5, as drafted, with the proposed amendment?

The Committee Clerk: It is just “as drafted”. This inserts a new clause.

The Chairperson (Mr Weir): Sorry, this inserts a new clause, so it would be “as drafted”.

Question, That the Committee is content with clause 6, put and agreed to.

Clause 7 (Child under 2: appeals against contents of statement or failure to make statement)

The Chairperson (Mr Weir): An amendment has been suggested to clause 7, which relates to children under the age of two. I understand that the Department is again replacing “may” with “shall”. On this occasion, you are content to agree that.

Mrs Gillan: Yes.

The Chairperson (Mr Weir): Are members content with the departmental amendment to replace “may” with “shall”?

The Committee Clerk: We are at clause 7(2)(10), on page 5, where it says:

“Regulations may provide that where the Authority is under a duty”.

The “may” will become “shall”.

Question, That the Committee is content with the clause, subject to the proposed amendment, put and agreed to.

Clause 8 (Mediation in connection with appeals)

The Chairperson (Mr Weir): Clause 8, on page 121, deals with a child’s right to speak at tribunal. Amendment No 5 is again on page 5 of our papers, and I ask for the Department’s views on that.

Mrs Gillan: Again, the Minister is supportive of the hearing of and the right of the child to express their views. In fact, many of the provisions in the Bill support that. In relation to this particular right and the tribunal element, that obviously is a matter for the Department of Justice now, and the Minister has written to the Minister of Justice for his views on that.

The Chairperson (Mr Weir): OK. Again, we had a bit of discussion about this beforehand. Are members content? Danny, do you want in there?

Mr Kennedy: No.

The Chairperson (Mr Weir): Are members content with that amendment?

Members indicated assent.

The Chairperson (Mr Weir): We then move to clause 8(7) and the amendment to replace “may” with “shall”. I ask for the Department’s views on that.

Mrs Gillan: In this circumstance, we have indicated that we would prefer to retain flexibility in the development of the regulations. Hopefully, the site of the illustrative content assures the Committee of our desire to be comprehensive in how we provide for mediation. At the same time, this is an emerging area on which we want to take into account emerging best practice. This is one instance where we would like to retain flexibility.

The Chairperson (Mr Weir): Are members content with the reassurance that we have got?

Mrs Overend: Can you point out where that is again?

The Chairperson (Mr Weir): We are at clause 8(7), which starts off “Regulations may make provision”. If the amendment were accepted, clause 8(7) read: “Regulations shall make provision”.

Mrs Overend: Oh right. OK.

The Chairperson (Mr Weir): Are members content with the assurance that they have been given on that area?

Members indicated assent.

The Chairperson (Mr Weir): I think that that is the only other amendment to clause 8.

The Committee Clerk: It is clause 8 as drafted. That is a new clause.

Question, That the Committee is content with the clause, put and agreed to.

Clause 9 (Rights of child over compulsory school age in relation to special educational provision)

The Chairperson (Mr Weir): Clause 9 deals with the rights of SEN children over compulsory school age. Amendment No 6 would amend clause 9(4)(b) by making provision for parents to exercise the rights of a child where a child lacks capacity. I ask for the Department’s views on that.

Mrs Gillan: Again, we do not see a need for that amendment. Obviously, the illustrative content of the regulations that we have offered sets out that ability: where the child lacks capacity, the parent shall be entitled to exercise those rights. So, that assures you that we are dealing with the issues on parental rights and a child’s capacity. However, I wonder whether the effect of the amendment, by saying that that absolutely must happen, would lead to a situation whereby you would be content that, where a child lacks capacity, it shall fall to the parent. Do we want to retain that flexibility? It may not be appropriate in every circumstance. I think that the effect of the amendment is to tie it down too tightly. However, hopefully the illustrative content that the Committee saw last week, particularly regulation (h), shows that we have included this provision in the draft for the time being. We will go out and consult. We may fine tune it further depending on the views of the stakeholders, particularly the Children’s Commissioner and other bodies.

Mr Newton: I am content with that, Chair.

The Chairperson (Mr Weir): OK. Are members content with the reassurance that they have got?

Members indicated assent.

The Chairperson (Mr Weir): Amendment No 7 refers to capacity determination to include consideration of age, maturity etc. Are there any comments from the Department?

Mrs Gillan: Again, this is in the illustrative content of the regulations around age and maturity, but we would prefer to keep it in the regulations with that flexibility to develop and fine tune it as we move forward. We do not see the need for this particular amendment and, hopefully, the Committee is assured, having seen the illustrative content.

The Chairperson (Mr Weir): Members, are you content with that reassurance?

Members indicated assent.

The Chairperson (Mr Weir): We will move on to some of the issues in relation to regulatory making powers at clauses 9(2), (3) and (4), where we have already discussed making “may” into “shall”. The Department has suggested that it can accept at clause 9(2) and (3) —

Mrs Gillan: Yes, that is right.

The Chairperson (Mr Weir): So, from that point of view, members, are you happy enough to accept two out of the three in connection with the position of the Department on that? If so —

Mr Newton: Does that mean that we have won two out of three, Chair?

The Chairperson (Mr Weir): Yes; we go through to the next round on the away goals rule. Are Members content with (2) and (3)?

Members indicated assent.

Question, That the Committee is content with the clause, subject to the proposed amendments, put and agreed to.

Clause 10 (Rights of child over compulsory school age in relation to disability discrimination claims)

The Chairperson (Mr Weir): Clause 10 is about compulsory school age. Specifically, the suggested amendment at clause 10(2) again refers to the issue of “may” and “shall”. What are the Department’s views on that?

Mrs Gillan: Again, that is a similar argument to the previous one about the regulations, how we hope to develop the capacity and how we do that. That is one for flexibility as we see it, because that is a new-ish area that we are entering.

The Chairperson (Mr Weir): OK, Members, are you happy to accept the reassurance on the regulations?

Members indicated assent.

Question, That the Committee is content with the clause, put and agreed to.

Clause 11 (Appeals and claims by children: pilot scheme)

The Chairperson (Mr Weir): Clause 11 is about the pilot scheme. Will the Department comment on clause 11(3) (a), which sets an age limit on the applicability of the pilot scheme? There seems to be UN Convention on the Rights of the Child (UNCRC) guidance to the contrary. Obviously, there is no contradiction to that, but can you speak to that, please?

Mrs Gillan: Apologies for not having articulated this in the past as clearly as we could have done, but that particular clause, 11(3)(a), about the age from which a child may make an appeal or claim came from the Children and Families Act in England. The approach there — which might be the approach that we want to adopt here, but we just do not know at this stage — is not about restricting the rights of appeal to only certain age groups or for a certain age. A number of pilots are being run, and different approaches to different age bands are being tested. A different approach might be taken for children who are P1 or P2 age from those who are aged maybe 11,12 or 13. That is what gave them the flexibility to do that.

We absolutely accept and the UNCRC accepts that we want to run this pilot for all children. Although we will do

a single pilot, depending on how England and Wales are getting on with theirs — and that has not started yet but it is shaping up — we may, in our single pilot, trial different approaches to the supports and mechanisms for allowing those children to make an appeal. I am sorry that we have not articulated that.

The Chairperson (Mr Weir): I understand that. Are there any comments from members on that?

Mr Lunn: I fear I have missed a couple of meetings and may not be up to date. Has this business about the duration of two years and repeal at the end of 10 years been dealt with to our satisfaction?

The Chairperson (Mr Weir): Yes, I think that it has largely. It has been talked about anyway.

I refer you to clause 11(1) and (3) on the issue of “may” or “shall”.

Mrs Gillan: This pilot is one where we really feel that we would like flexibility precisely because we want to draw on what is happening in Wales, albeit that they have small numbers. We have sent their report to you. We also want to draw on England. We would rather have this menu of flexibility to develop the pilot moving forward.

The Chairperson (Mr Weir): Are there any comments from members?

Mr Newton: Sorry to go back a step. Is there one pilot, or are there a number of pilots?

Mrs Gillan: Ours will be one pilot, but, within that, we might take different approaches. Interestingly, in England and Wales —

The Chairperson (Mr Weir): The plane may be landing in different places.

Mrs Gillan: There are different approaches for different ages. What they appear to be doing in England and Wales is running different pilots in different local education authority areas and trying different approaches in those areas, possibly based on age. We will have one pilot for the whole of Northern Ireland, albeit, as I said before, that we might say, “Let us do it in this way for P1 and P2 children where there is a case friend or a supporter”, whereas that might not be necessary for older children. There will be a single pilot.

Mr Newton: And the 10-year duration that Queen’s was specifically —

Mrs Gillan: Obviously, our initial focus is going to be on rolling out the Bill regulations and code and getting people trained up on that and implementing it. We then need to turn our minds to the pilot. It is helpful to have a bit of a delay before we do that. I do not mean delay in a negative sense but simply because, although the Wales pilot has been running, they have only had one disability claim, and the English pilot is due to start. We want to gather evidence.

I also assured the Committee that, although it says that the pilot should have a duration of at least two years, given that there have been small numbers elsewhere, we envisage it running for longer than two years. It is not that there would simply be a gap and nothing in place for a period.

The Chairperson (Mr Weir): OK. Are members happy to accept the reassurance on “may” or “shall”?

Members indicated assent.

Question, That the Committee is content with the clause, put and agreed to.

Clause 12 agreed to.

Clause 13 agreed to.

Clause 14 (Interpretation of this Act)

The Chairperson (Mr Weir): There is one area where we want clarification rather than an amendment. There is reference to “parent” in the Bill. Will you just clarify the definition of that?

Mrs Gillan: We wrote to the Committee yesterday confirming that the definition of “parent” is contained in the 1986 Order. It makes clear that, for all the education orders, including the 1996 Order that we are amending here, there is a very clear definition of parent and that that is absolutely what applies by drafting convention.

The Chairperson (Mr Weir): Are members content with that, or does anyone want to —

Mr Lunn: Do you have this definition handy?

Mrs Gillan: I do. The letter summarises it slightly because there are lots of different subclauses and it is particular. It provides that a:

“parent”, in relation to a child or young person, includes any person —

(a) who is not a parent of his but who has parental responsibility for him, or

(b) who has care of him”.

It also provides that parental responsibility has the same meaning as under the Children (Northern Ireland) Order 1995. There is quite an intricate web of what the definition of “parent” is across education health and social care legislation. We would not want to do anything different. We would have no reason to do anything different here.

Mr Lunn: No. I am not being facetious, but modern living is developing and people who have care of children are not always in the same situation now as they used to be. I just want to make sure that it takes care of all of that.

Mrs Gillan: Yes, absolutely.

Question, That the Committee is content with the clause, put and agreed to.

The Chairperson (Mr Weir): We previously looked at amendments to the procedure for regulation-making powers at clauses 3(3) and 3(4) from negative to draft affirmation. What are the Department’s views on that amendment?

Mrs Gillan: The Minister is content to support that amendment and has asked OLC. Indeed, we provided you with a draft, which would give effect to that. If you have the draft in front of you, I apologise that there is a slight typo in it. It refers to regulations made under article 8 or 8A, and that should read “8ZA”.

The Chairperson (Mr Weir): I am sure that members have picked that up already.

Mrs Gillan: I am sure that you have.

We are agreeing to convert the regulation-making powers in the Bill to be draft affirmative. As I said before, we are conscious that there are other regulation-making powers in the 1996 Order that remain negative. Because our approach for the new regulations is to develop a single consolidated set of regulations rather than have two or three in tandem, OLC has drafted a provision. It would be the new article 28(4) A and B, which provides that, where you have a mix of negative and affirmative, they will all be affirmative.

The Chairperson (Mr Weir): From that point of view, the Department agrees with our position. Are members content with that amendment from the Department? If so, a new clause will be added to the Bill.

Members indicated assent.

Clause 15 agreed to.

Clause 16 agreed to.

Question, That the Committee is content with the schedule, put and agreed to.

Question, That the Committee is content with the long title, put and agreed to.

The Chairperson (Mr Weir): That concludes the formal clause-by-clause scrutiny of the SEND Bill. Obviously, as I have indicated, a few of the things that we have agreed today may be taken over by events, and we will have to monitor that. The Committee will consider its report on the clause-by-clause scrutiny on 4 November, which will enable us to move ahead.

Caroline and Jan, thank you very much for your assistance. That concludes that item of business.

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.

Northern Ireland Assembly

Friday 2 October 2015

Written Answers to Questions

Department of Agriculture and Rural Development

Mr Easton asked the Minister of Agriculture and Rural Development for an update on the crisis in the dairy farming sector over milk prices.

(AQW 48755/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Price volatility continues to be a significant problem in the dairy sector. I am acutely aware of the very difficult situation dairy farmers find themselves in. I have been working on a regular basis with industry and political representatives at home, in Dublin, Britain and Europe to press the case for immediate support for the local industry.

In particular, I have been pushing for immediate help for the dairy sector including a review of intervention threshold rates. I have taken our case directly to Brussels and led a strong delegation of political and industry representatives including our local MEPs and Chair of the Agriculture and Rural Development Committee, to meet Agriculture Commissioner Phil Hogan on 1 September.

On 7 September I attended the extraordinary EU Agriculture Council meeting in Brussels. There was welcome recognition of the particular difficulties facing our local farmers. However I am concerned that the Commission's response falls short of the immediate meaningful action I have been pushing for. Instead the Commission announced a 500m euro package of proposals aimed at the cash flow difficulties facing farmers; the functioning of the supply chain; and stabilising markets. I have therefore written to Commissioner Hogan seeking urgent clarification on how this package will support our farmers and expressing disappointment at the Commission's continued intransigence on reviewing intervention prices.

Since then, an informal meeting of Agriculture Ministers took place on 15 September, at which further details of the Commission's aid package emerged, including confirmation of Member State allocations of targeted aid. About €36.07m of targeted aid will go to our Member State. I made it clear to Defra Secretary of State, Liz Truss that there is a strong case for differentiated aid for the north within this Member state envelope, given that our farmers are particularly badly affected.

On 24 September I had a discussion with the DEFRA Minister George Eustice where he confirmed that the north's share of this EU funding would be £5.1m. This is around one fifth of the funding allocated to our Member State.

The decision to allocate nearly 20% of the Member State's aid package to the north comes after I highlighted the unique and difficult circumstances facing the industry here, with both Commissioner Hogan and Ms Truss. As a result, I have secured a better deal for our farmers than would otherwise have been the case.

At my recent meetings with Defra, Scottish and Welsh Ministers, and with Commissioner Hogan we also discussed a range of other measures that could help strengthen the industry's foundations and help it manage future global volatility. These include supporting fairness in the supply chain, promoting public procurement, working with the industry to open new markets, and establishing futures markets. I will continue to work with colleagues across the islands of Britain and Ireland and with industry to explore mechanisms to support a sustainable and profitable agri-food industry here in the medium to longer term.

Mr Lunn asked the Minister of Agriculture and Rural Development for an update on safeguarding the bee population and the implementation of the 2011 Strategy for the Sustainability of the Honey Bee.

(AQW 48777/11-16)

Mrs O'Neill: To support the health of local honeybees inspectors have to date undertaken 107 inspections at 83 apiaries belonging to 73 beekeepers. Laboratory analysis of suspect samples from 26 apiaries tested positive for American foulbrood (AFB) with 2 positive for European foulbrood (EFB), one apiary was positive for both diseases. Disease control measures required included colony destruction shook swarm at an EFB outbreak in addition to movement controls at 27 apiaries. Surveillance inspections of apiaries within a radius of 3 miles around the affected colonies continue.

Imports of honeybees for breeding are checked to ensure they comply with legislative requirements, During 2015, DARD carried out one inspection on an import of honeybees and 8 inspections on bumble bee consignments imported to support pollination of horticulture crops.

Following the first EU findings of Small Hive Beetle (SHB) in Italy in September 2014 DARD inspectors have identified 10 locations with local beekeeping organisations to establish sentinel apiaries in support of the early detection of this quarantine pest. To date there have been no findings of this quarantine pest locally.

Implementation of the 2011 Strategy for the Sustainability of the Honey Bee is being taken forward on a partnership basis by an Implementation Group made up of local bee-keeping organisations, DARD and AFBI. The group is focused on delivery of the strategy's key themes: communication; minimising risks from pests and diseases; good standards in bee-keeping; and sound science. Policy responsibility has transferred from September 2015 to DARD Plant Health Policy branch and it is anticipated that the group will meet again in the autumn of 2015.

Mr McKinney asked the Minister of Agriculture and Rural Development what action her Department is taking to support pork farmers following the reduction in pork prices.

(AQW 48784/11-16)

Mrs O'Neill: I am acutely aware of the downward pressure on local pig prices and the resulting difficulties faced by pig farmers here. A similar depression in prices has been experienced across Europe, attributed to an increase in EU and global pork production combined with the displacement effect of the Russian import ban and adverse exchange rate movements. You will appreciate that these factors are outside my Department's control.

However, on 7 September I attended the extraordinary EU Agriculture Council meeting in Brussels, following which the Commission announced a package of measures in response to the ongoing difficulties in a number of European agricultural markets. This package includes the reintroduction of the Private Storage Aid (PSA) scheme for pigmeat. Whilst the specifics of the new scheme are still to be determined, the Commission has announced that storage rates will be increased by 20% and that some lower value cuts of pork will now be included. By reducing oversupply on the EU market, the new PSA scheme is expected to help pig prices to recover.

Meanwhile, my Department is helping to support the pig sector through the provision of education, training and research in order to improve efficiency and sustainability. For example, dedicated College of Agriculture, Food and Rural Enterprise (CAFRE) pig advisors provide advice and guidance to farm businesses on pig production issues, including financial performance monitoring, management, husbandry, nutrition, genetic selection, house design and environmental control. Training courses and benchmarking services are also available.

In addition, the Agri-Food and Biosciences Institute (AFBI) conducts research of benefit to the pig industry and provides diagnosis and advice for producers. Research includes investigations to improve pig production efficiency through management and nutritional practices, as well as to reduce the environmental impact of pig production.

Furthermore, I am keenly aware that it is vital to secure access to a range of third country markets for pork exports from the north in order to help mitigate price fluctuations. The north currently has access to over 60 international export markets for pork and my officials continue to liaise closely with the pork industry to identify key priority new markets.

Accessing the Chinese market for pork exports from the north remains my top priority. My recent visit to Beijing in June afforded me the opportunity to keep up momentum on our approval process following the inward inspections by the Chinese authorities in April this year. I was pleased to note that the Chinese were impressed by our standards of pork production and we hope to shortly receive the inspection report.

Mr Allister asked the Minister of Agriculture and Rural Development, in relation to verification of active farming under the Basic Payment Scheme, how it was practicable to ask farmers for management accounts for 2015 at a stage of the year when they would not be complete.

(AQW 48805/11-16)

Mrs O'Neill: The Basic Payment Scheme is a voluntary scheme to which farmers can choose to apply, with the onus on applicants to demonstrate that they meet the scheme conditions.

One of the conditions for the allocation of payment entitlements under the Basic Payment Scheme (BPS) is that the applicant must be able to demonstrate that they have the decision making power, benefits and financial risks in relation to the agricultural activity on the land which they are claiming under the scheme. This is known as the active farmer requirement.

In July 2015 following an assessment of 2015 single applications my Department issued letters to 2,941 businesses requesting them to provide evidence of the agricultural activity that had taken place or was planned to take place in 2015 on all land declared by them for the establishment and activation of entitlements. The letter included an outline of the types of evidence that should be provided to verify agricultural activity. Management accounts are one of the types of evidence required in relation to Grass/Silage selling and Livestock enterprises.

It is in the interests of each business to provide as much evidence as they can to verify the agricultural activity undertaken by them. However, my Department recognises that not all businesses will be in a position to provide complete evidence within the required timescale. Where this is the case, businesses were advised to provide whatever evidence they could (from the required list) and indicate when the remaining evidence would be made available. In cases where the business carried out the same agricultural activity in 2014, they were advised to provide farm accounts relating to 2014 with an indication of when the 2015 accounts would be made available.

Where an applicant fails to provide the information requested their application for BPS entitlements may be rejected and no entitlements will be allocated to the business in 2015.

Mr Allister asked the Minister of Agriculture and Rural Development, of those claimants under the Basic Payment Scheme who were asked for written evidence to confirm that they met the active farmer requirements, how many supplied the required details; and of these how many her Department has advised of its satisfaction.
(AQW 48807/11-16)

Mrs O'Neill: The Department has received 2,612 responses to the Active Farmer requirement letter. The assessment of evidence provided by farm businesses is underway and notification of decisions will begin to issue to applicants shortly.

Mr Weir asked the Minister of Agriculture and Rural Development to list the areas of deforestation in North Down; and the number of trees cut down.
(AQW 48814/11-16)

Mrs O'Neill: Forest Service has no areas listed for deforestation in North Down.

The recently felled area in the Forest Service managed woodland at Ballysallagh forest is being re-established with a mixture of broadleaved and conifer trees.

In terms of privately owned woodland, three felling licences have been issued to permit thinning and clearfelling operations in North Down. Thinning is being carried out to promote regeneration of woodland and growth of the remaining trees while the clearfell area is subject to a management plan describing how it will be re-established.

Over the same period no projects for deforestation were applied for under the Environmental Impact Assessment (Forestry) Regulations.

Mr Easton asked the Minister of Agriculture and Rural Development what meetings she has had with her European counterparts aimed at resolving the dairy farm sector crisis.
(AQW 48840/11-16)

Mrs O'Neill: So far this year I have had two meetings with EU Agriculture and Rural Development Commissioner, Phil Hogan.

The first of these meetings was on 27 March 2015 at DARD headquarters in Belfast where I met Commissioner Hogan along with his senior officials. This was a very constructive meeting where we discussed a range of issues that matter to the north's agri-food industry and rural communities. I took this opportunity to emphasise the recent difficulties facing the dairy industry, repeated my position that the current intervention price is not realistic in relation to production costs and urged the Commissioner to consider reviewing this as we move forwards into the post-quota era.

I secured a second, unprecedented, meeting with Commissioner Hogan in Brussels on 1 September, when I led a strong delegation of political and industry interests, including our three MEPs and the Chair of the Agriculture and Rural Development Committee to meet him along with his senior officials. At that meeting, I highlighted the unique impact of global market conditions on our dairy industry and reiterated my belief that there is a greater need than ever to examine the intervention system and assess whether it adequately fulfils the role of providing an effective safety net. I also pressed for an aid package to help dairy farmers now and articulated the difficulties that were being faced by other farming sectors at this time.

On 7 September I attended the extraordinary EU Agriculture Council meeting in Brussels. While there was welcome recognition in the Council chamber of the particular difficulties facing our local farmers, the Commission's proposed package of support measures fell short of the immediate meaningful action I have been pressing for, including a review of intervention prices. Instead the Commission announced a 500m euro package of proposals aimed at the cash flow difficulties facing farmers; the functioning of the supply chain; and stabilising markets. I have therefore written to Commissioner Hogan seeking urgent clarification on how this package will support our farmers and expressing disappointment at the Commission's continued intransigence on reviewing intervention prices. In advance of that meeting, I met with Ministers from England Scotland and Wales and with Minister Simon Coveney from the south.

Since then, the Commission has announced its allocations of targeted direct aid to the 28 Member States. About €36.1m of targeted aid will go to our Member State. The detail of how this aid will be distributed here and in Britain has yet to be decided. However, given our unique and specific needs, I will fight for differentiated aid for the north of Ireland within the Member State envelope.

I fully intend to keep up the pressure on the Commission. In addition, I have been engaging regularly with our MEPs and asked them to use their influence and network of contacts in Europe to garner support for a review of intervention prices. I will continue to urge my counterparts in Dublin, England, Scotland and Wales to support me in pressing Europe for timely and effective support for farmers.

Mr Easton asked the Minister of Agriculture and Rural Development what meetings she has had with representatives of the food sector aimed at resolving the dairy farm sector crisis.
(AQW 48841/11-16)

Mrs O'Neill: I have had ongoing engagement with representatives of the food sector in relation to supporting solutions to the crisis in the dairy sector.

On 11 August I led a delegation to London to meet with Defra Secretary of State Liz Truss, Scottish Minister Richard Lochhead and Welsh Minister Rebecca Evans, and called for support in raising the intervention price. North of Ireland Director of Dairy UK, Mike Johnston was part of my delegation. I also outlined the specific difficulties facing the north's dairy industry and asked Liz Truss for her support in lobbying the European Commission for an increase in the intervention price.

On 17 August I met Liz Truss again to discuss the difficult market conditions in the farming industry, especially the dairy sector and medium to longer term solutions, including supporting fairness in the supply chain, promoting public procurement, working with the industry to open new markets, and establishing futures markets. Recently elected Chairman of Dairy UK, David Dobbin, the UFU President and the Scottish and Welsh Ministers also participated in this meeting.

On 1 September, I led a strong delegation, including the recently elected Vice-Chair of Dairy UK, Paul Vernon, to meet EU Commissioner Phil Hogan and his senior officials in Brussels to press for additional EU support for the dairy sector.

I also attended and spoke at an Agri-Food Demonstration attended by food sector representatives at Parliament Buildings on 4 September 2015.

Following the Commission's announcement of the Member State allocations for targeted aid, I met again with David Dobbin and the UFU President on 21 September 2015 to hear their views on the emerging details of the Commission's support package.

In addition to the meetings outlined above, Dairy UK representatives have also participated in meetings I have held with the banks, feed merchants, farming representatives and processors on 18 December 2014, 4 and 27 August 2015. At those meetings, we have discussed and agreed what could be done collectively to deal with the crisis in the sector to ensure there is effective support for dairy farmers at this difficult time. Arrangements are in hand for a further meeting.

I will continue to work closely with a range of senior representatives from across the supply chain on the dairy crisis, the Commission's support package and wider mechanisms to support a sustainable and profitable agri-food sector.

Mr Easton asked the Minister of Agriculture and Rural Development what meetings she has had with the Ulster Farmers' Union aimed at resolving the dairy farm sector crisis.

(AQW 48842/11-16)

Mrs O'Neill: On 11 August I led a delegation to London to meet with Defra Secretary of State Liz Truss, Scottish Minister Richard Lochhead and Welsh Minister Rebecca Evans, and called for support in raising the intervention price. Ian Marshall, President of the Ulster Farmers' Union (UFU) was part of my delegation. I also outlined the specific difficulties facing the north's dairy industry and asked Liz Truss for her support in lobbying the European Commission for an increase in the intervention price.

On 17 August I met Liz Truss again to discuss the difficult market conditions in the farming industry, especially the dairy sector. Farming unions from across Britain and the north of Ireland, including the UFU, and the Scottish and Welsh Ministers also participated in this meeting.

This meeting covered a wide range of medium to longer term issues, including supporting fairness in the supply chain, promoting public procurement, working with the industry to open new markets, and establishing futures markets. Both the industry representatives from the north and I were adamant that immediate action was needed to improve the cashflow situation for farmers and that the intervention price must be raised.

I addressed the UFU Dairy Stakeholder Summit at CAFRE's Greenmount Campus, County Antrim on 27 August. I gave an assurance that I would continue to press Commissioner Phil Hogan for timely and effective support for farmers.

On 1 September, I led a strong delegation, including the UFU President, to meet EU Commissioner Phil Hogan and his senior officials in Brussels to press for additional support for the dairy sector. I highlighted the impact of global market conditions on our dairy industry and reiterated my belief that there is a greater need than ever to examine the intervention system.

I also attended and spoke at an Agri-Food Demonstration coordinated by the UFU on 4 September 2015 at Parliament Buildings and met with representatives from the UFU prior to the Agriculture Council meeting on 7 September. On both occasions, I again stressed the need for swift and effective action from Europe and reassured them that I was doing all I could to support farmers during this difficult time.

Following the Commission's announcement of the Member State allocations for targeted aid, I met again with the UFU President on 21 September 2015 to hear the Union's views on the emerging details of the Commission's support package.

In addition to the meetings outlined above, senior representatives from the UFU have also participated in meetings I have held with the banks, feed merchants and processors on 18 December 2014, 4 and 27 August 2015. At those meetings, we have discussed and agreed what could be done collectively to deal with the crisis in the sector to ensure there is effective support for dairy farmers at this difficult time. Arrangements are in hand for a further meeting.

I will continue to work closely with the UFU and representatives from a range of other organisations across the supply chain on the dairy crisis, the Commission's support package and wider mechanisms to support a sustainable and profitable agri-food sector.

Mr Weir asked the Minister of Agriculture and Rural Development how many trees her Department has (i) felled; and (ii) planted, in each of the last five years.

(AQW 48846/11-16)

Mrs O'Neill: The following approximate number of trees were felled as part of clearfelling and thinning operations in the last five years.

Year	Numbers of Trees Felled (Clearfell)	Numbers of Trees Felled (Thinning)	Number of Trees Planted
2010-11	1,100,000	20,000	2,485,000
2011-12	1,045,000	55,000	2,450,000
2012-13	960,000	35,000	2,500,000
2013-14	930,000	50,000	2,300,000
2014-15	830,000	115,000	2,200,000

The number of trees planted relates to the re-establishment of cleared areas in line with sustainable forest management standards. In addition to planted trees, substantial areas of forest have been regenerated in the last five years through the use of predominantly broadleaved natural seed sources.

Mr Weir asked the Minister of Agriculture and Rural Development what steps her Department is taking to address rural crime in (i) Holywood; and (ii) North Down; and to support the efforts of the PSNI in North Down.

(AQW 48851/11-16)

Mrs O'Neill: Responsibility for tackling rural crime lies primarily with the PSNI, however DARD's Veterinary Service Enforcement Branch assists and advises the PSNI on a regular basis concerning agricultural crime.

DARD continues to work with the PSNI, the Department of Justice and representatives of the farming community on a number of joint initiatives including Farm Watch, the Freeze-branding initiative and the Crimestoppers Campaign.

Veterinary Service represents DARD on the steering group of a dedicated Rural Crime Unit which was set up by the PSNI. The Unit, jointly funded by the Department of Justice and NFU Mutual, is focusing on a range of issues from the identification of trends and patterns to the delivery of targeted initiatives. This multi-agency approach has led to the recovery of stolen animals and successful prosecutions in the north and the south. Veterinary Service Enforcement Branch assists particularly with the detection, tracing, recovery and identification of stolen livestock and has been using sophisticated DNA profiling techniques to verify the ownership of recovered animals.

The PSNI's quarterly updates on agricultural and rural crime show that the number of offences relating to agricultural activity has decreased significantly in recent years. Specific information about the North Down and Ards area, in which Holywood is located, is available in these updates which are published by the NISRA.

Mr Flanagan asked the Minister of Agriculture and Rural Development (i) to list the public appointments processes initiated by her Department for its arm's-length bodies and Non Departmental Public Bodies since May 2011; and for each appointment (ii) whether she chose to be presented with the list of those judged suitable for appointment in a ranked or an unranked order, based on the candidates' scores at interview against an agreed pass mark.

(AQW 48853/11-16)

Mrs O'Neill: Since May 2011 my Department has initiated public appointments processes for the following bodies:

Non Departmental Public Bodies

- The Agri-Food and Biosciences Institute
- The Agricultural Wages Board
- The Drainage Council
- The Livestock and Meat Commission
- The NI Fishery Harbour Authority

Ad-Hoc Advisory Groups

- The Agri-Food Strategy Board (sponsored jointly with DETI)
- The TB Strategy Partnership Group

In each case I chose to be presented with the list of those judged suitable for appointment in unranked order.

Mr McKinney asked the Minister of Agriculture and Rural Development to detail the voluntary and community organisations in South Belfast that receive funding from her Department.

(AQW 48869/11-16)

Mrs O'Neill: I can confirm that no voluntary and community organisations in South Belfast currently receive funding from my Department.

Mr Weir asked the Minister of Agriculture and Rural Development to list the community and voluntary organisations in North Down that receive funding from her Department.

(AQW 48900/11-16)

Mrs O'Neill: I can advise that there are currently five community and voluntary organisations in the North Down area receiving funding from my Department.

Five community and voluntary organisations received funding under Axis 3 of the Rural Development Programme 2007-2013 and they are listed in the table below.

Organisation

- Friends of Grey Point fort
- Helen's Bay and Crawfordsburn Residents Association
- Millisle Youth Forum
- Millisle & District Community Association
- Ards over 50's forum supported by Age Concern North Down (& Ards)

Millisle & District Community Association are also currently in receipt of an award of funding from the TRPSI Rural Micro Capital Grant Programme 2015.

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the internal savings her Department can expect to realise as a result of Northern Ireland receiving Brucellosis free status.

(AQW 48915/11-16)

Mrs O'Neill: Achieving Officially Brucellosis Free (OBF) status is excellent news for the north of Ireland and will bring significant savings to farmers and taxpayers. In recent years the brucellosis Eradication Programme has cost the Department of Agriculture and Rural Development some £8 million per year.

I have already taken steps to reduce brucellosis herd testing and have now abolished pre-movement testing for cattle moves within the north of Ireland. When our OBF status is published in the Official Journal of the EU in coming months, I will be able to announce further progressive reductions to our brucellosis controls.

We are required by EU legislation to maintain a lower level of surveillance testing for 5 years after achieving OBF status.

It is anticipated that the internal savings to my Department could be in the region of some £3.3 million per year in the first 2 years, rising to some £3.7 million per year in the following three years.

Brucellosis remains a compulsorily notifiable disease and farmers must continue to report abortions to their local Divisional Veterinary Office so that appropriate investigations can be carried out.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 48323/11-16, how many of the farms inspected in each year were then subject to follow up inspections.

(AQW 48936/11-16)

Mrs O'Neill: The number of farms inspected in each year that were then subject to follow up inspections is provided in the table below:

Year	Number of businesses subject to follow-up inspections
2012	-
2013	197
2014	247

Ms Sugden asked the Minister of Agriculture and Rural Development what discussions she has had with the Department of Environment and Rural Affairs on Northern Ireland's allocation of the UK's package of measures from the European Commission to help alleviate the crisis in dairy farming.

(AQW 48938/11-16)

Mrs O'Neill: Details of my meetings with DEFRA in relation to the dairy crisis may be found in my responses to AQW 48840/11-16, AQW 48841/11-16 and AQW 48842/11-16.

Following the EU Commission's decision to allocate an aid package worth £26 million to this Member State, on 24 September I had a further discussion with the DEFRA Minister, George Eustice where he confirmed that the north's share of this EU funding would be £5.1m. This is around one fifth of the funding allocated to our Member State.

The decision to allocate nearly 20% of the Member State's aid package to the north comes after I highlighted the unique and difficult circumstances facing the industry here, with both Commissioner Hogan and Ms Truss. As a result, I have secured a better deal for our farmers than would otherwise have been the case.

Mr Lyttle asked the Minister of Agriculture and Rural Development for an update on the introduction and operation of the Flood Re scheme.

(AQW 48952/11-16)

Mrs O'Neill: As you may be aware the introduction of Flood Re is being led by the Department for Environment, Food and Rural Affairs (DEFRA). It will bring into operation a not for profit Scheme to allow flood insurance to remain widely affordable and available. The Flood Reinsurance Scheme Funding and Administration Regulations 2015 to establish the scheme have been laid before Parliament in Westminster. In addition the Flood Re organisation has been formed and property data has been provided to facilitate the categorisation of premium thresholds. It is expected that Flood Re will be ready to accept flood insurance risk from April 2016. In the meantime the ABI are continuing to meet their commitments to existing customers under the Old Statement of Principles on flood insurance.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of Brucellosis were recorded in each of the last four years.

(AQW 48963/11-16)

Mrs O'Neill: The numbers of cases of Brucellosis recorded in each of the last four years are as follows:

- During 2011, there were 4 new Brucellosis breakdown herds confirmed by bacteriological culture. There were 21 cases* of Brucellosis in total.
- During 2012, there was 1 new Brucellosis breakdown herd confirmed by bacteriological culture (February 2012). There were 23 cases* of Brucellosis in total.
- During 2013, there were no new Brucellosis breakdown herds confirmed by bacteriological culture. There were 26 cases* of Brucellosis in total.
- During 2014, there were no new Brucellosis breakdown herds confirmed by bacteriological culture. There were 8 cases* of Brucellosis in total.
- During 2015 (latest official statistics July 2015), there have been no new Brucellosis breakdown herds confirmed by bacteriological culture. There have been no cases* of Brucellosis in this period.

* A case is recorded when blood test results are indicative of a Brucellosis reactor. A low level of such cases, as the figures above illustrate, is to be expected. The actual presence of Brucellosis may be confirmed by further testing using bacteriological culture methods.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of bovine TB were recorded in each of the last four years.

(AQW 48964/11-16)

Mrs O'Neill: The number of cases of Bovine Tuberculosis reported over a period of time comprises both: (a) the number of animals that reacted positively to a TB skin test (TB reactor animals); and (b) those animals which were not TB reactors, but showed suspected visible signs of TB infection at post mortem inspection in abattoirs and were subsequently confirmed TB positive by laboratory testing.

Please see table below.

Calendar Year	Number of cases of bovine TB
2011	8,694
2012	11,495
2013	8,845
2014	9,413

More detailed Tuberculosis Disease Statistics in the north of Ireland are available on the DARD internet and include monthly statistics from 2015. See the link below:

<http://www.dardni.gov.uk/index/statistics/animal-disease-statistics/statistics-tuberculosis.htm>

All these figures are correct at the time of writing.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of avian influenza were recorded in each of the last four years.

(AQW 48965/11-16)

Mrs O'Neill: No cases of Avian Influenza have been recorded in the north of Ireland in the last four years.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of bovine spongiform encephalopathy were recorded in each of the last four years.

(AQW 48967/11-16)

Mrs O'Neill: The last recorded case of bovine spongiform encephalopathy (BSE) in the north of Ireland, and the only recorded case in any of the last four years, was a single case identified in July 2012.

There have been no recorded BSE cases in the years 2013, 2014 or 2015.

Ms Sugden asked the Minister of Agriculture and Rural Development how much of the original funding of £4,800,000 for rural community development has been spent; and for a breakdown of this expenditure.

(AQW 48985/11-16)

Mrs O'Neill: The rural community development support service was subject to a competitive tender procedure with eight contracts for the period 1 April 2012 to 31 March 2015 awarded. These contracts have been extended for one additional year until 31 March 2016. The expenditure to date under this service is detailed in the table below:

1/4/2012 - 31/3/2013	£1,159,113
1/4/2013 - 31/3/2014	£1,199,113
1/4/2014 - 31/3/2015	£1,159,113
1/4/2015 – 30/8/2015	£427,133
Total	£3,944,472

Ms Sugden asked the Minister of Agriculture and Rural Development for her assessment of the Assisted Rural Travel Scheme, including the number of people who have access to this service, and the impact which budgetary pressures within her Department and the Department for Regional Development will have on the scheme.

(AQW 48987/11-16)

Mrs O'Neill: The Assisted Rural Travel Scheme (ARTS) has been funded under the Tackling Rural Poverty and Social Isolation Programme. Through ARTS, rural dwellers, across the north, who are members of their local Rural Community Transport Partnership (RCTP) and who hold a valid SmartPass can travel free or half fare on the Dial-a-Lift services provided by the RCT P's. There are currently 8,301 rural dwellers that can avail of this service.

Funding for ARTS in conjunction with the Department of Regional Development is in place until March 2016. Assessments of both individual project evaluations and the Tackling Rural Poverty and Social Isolation Framework evaluation are currently taking place and a decision regarding funding of various initiatives, post March 2016, will be made in late Autumn.

Mr Swann asked the Minister of Agriculture and Rural Development, in each of the last three years, how many cattle that tested positive for bovine TB tested negative post-slaughter.

(AQW 48998/11-16)

Mrs O'Neill: The number of cattle which were positive reactors at a skin test and in which no lesions typical of bovine TB were found at post-mortem examination and which were negative at subsequent laboratory tests (Histopathology and Bacteriology) for the years 2012 to 2014 is shown in the table below.

Year	Number of TB reactors	Number of TB reactors that were not confirmed to have TB
2012	10,895	6,059
2013	8,262	4,497
2014	8,838	4,492

More detailed Tuberculosis Disease Statistics in the north of Ireland are available on the DARD internet and include monthly statistics from 2015. See the link: (<http://www.dardni.gov.uk/statistics-tuberculosis.htm>).

All these figures are correct at the time of writing.

Note that some animals which were not lesioned at post-mortem will not have had further laboratory tests.

There are several reasons why a reactor is not confirmed to have TB. The most common reasons are that lesions have not had time to develop to the stage when they can be seen with the naked eye and that the post-mortem examination, which is designed to check that meat is fit for human consumption, was not thorough enough to find a small number of lesions. The

specificity of the skin test (its performance in identifying TB clear animals as negative) is very high (in the region of 99.98%) and so False Positive animals are rare.

Mr Easton asked the Minister of Agriculture and Rural Development what forestry grants are available through her Department.

(AQW 49007/11-16)

Mrs O'Neill: The 2014-2020 Rural Development Programme was approved by the European Commission on 25 August and paves the way for up to £17.4 million being made available for a range of forestry measures to support woodland creation and management of existing woodlands.

A Forest Expansion Scheme will encourage larger scale planting of woodland of 5 hectares or more and a Forest Protection Scheme will support owners in restoring their woodlands following tree disease findings. Support for small scale woodland creation projects of up to 5 hectares will be provided through the Environmental Farming Scheme. The Forest Expansion Scheme and Forest Protection Scheme are expected to open in autumn 2015 in readiness for the 2015/16 tree planting season. The Environmental Farming Scheme will open for applications in summer 2016. Opening of schemes will be subject to IT systems being in place and approval of the relevant business cases by the Department of Finance and Personnel.

Mr Easton asked the Minister of Agriculture and Rural Development for her assessment of the general state of local forests.

(AQW 49008/11-16)

Mrs O'Neill: Forest Service's draft Woodland Register identifies the type and extent of 112 thousand hectares of woodland in the north of Ireland comprising 62 thousand hectares of Forest Service managed woodland and 50 thousand hectares of non-Forest Service woodland.

All the Forest Service woodland and approximately 3 thousand hectares of non-Forest Service woodland is independently certified under a Forest Stewardship Council scheme which provides reasonable assurance that these forests are managed in an environmentally appropriate, socially beneficial and economically viable manner. A further 4 thousand hectares of non-Forest Service woodland is managed according to an approved forestry plan, as a condition of support under the Rural Development Programme, which provides assurance that it is compliant with government's approach to sustainable forest management.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of scarpie were recorded in each of the last four years.

(AQW 49010/11-16)

Mrs O'Neill: There have been no recorded cases of Scrapie in the north of Ireland in any of the last four years.

Mrs Dobson asked the Minister of Agriculture and Rural Development, pursuant to AQW 48268/11-16, whether the sharing of herd keepers personal data with Animal Health and Welfare NI without the specific permission of that herdkeeper would be a breach of the Data Protection Act.

(AQW 49019/11-16)

Mrs O'Neill: My Department takes all necessary steps to ensure that any personal data processed complies with the Data Protection Act 1998. The current Bovine Viral Diarrhoea Eradication (BVD) Scheme is a voluntary scheme which relies on the herd keeper agreeing to share their data at the tag order stage; if they do not give permission to do so their data is not shared. However, as I have discussed previously, should a mandatory scheme be introduced, with supporting legislation, then permission of the herd keeper will be a requirement by law.

Ms Sugden asked the Minister of Agriculture and Rural Development what the average age of a farmer is in (i) Northern Ireland; and (ii) East Londonderry.

(AQW 49045/11-16)

Mrs O'Neill: Analysis of data from the European Union Farm Structure Survey 2013 indicates that the average age of farmers in the north of Ireland is 58 years. The way in which the survey is conducted means that an average age for farmers in individual constituencies cannot be accurately calculated.

Mr Easton asked the Minister of Agriculture and Rural Development how many cattle have been imported in each of the last two years.

(AQW 49054/11-16)

Mrs O'Neill: The total number of live cattle imported from Britain, Ireland and the rest of the world during each of the last two calendar years are as follows:-

Year	Number of animals
2013	57,277

Year	Number of animals
2014	60,157

I hope you find this information helpful.

Mr McMullan asked the Minister of Agriculture and Rural Development, pursuant to AQW 48476/11-16, to list the country of origin of the meat and chicken imported in each of the last five years.

(AQW 49104/11-16)

Mrs O'Neill: In 2010 and 2011 lamb from New Zealand, Australia and Argentina, venison from New Zealand and chicken from Brazil and Thailand came through the Border Inspection Posts (BIPs) in the north of Ireland.

In 2012 and 2013 lamb from New Zealand and Australia, venison from New Zealand and chicken from Brazil and Thailand came through the BIPs. In addition, in 2013, beef came from Brazil.

Last year, 2014, lamb came from New Zealand and Australia, venison from New Zealand, chicken from Brazil and beef from Brazil and Botswana.

Mr McMullan asked the Minister of Agriculture and Rural Development to list the local companies who import meat and chicken which has been imported into the EU.

(AQW 49105/11-16)

Mrs O'Neill: My department officials can only identify those companies who import meat and chicken directly through the Border Inspection Posts (BIPs) in the north of Ireland and not those who import through BIPs in Britain or other member states. Release of the information requested would be likely to prejudice the commercial interests of those companies therefore I must decline your request.

Mr Weir asked the Minister of Agriculture and Rural Development what the average age of a farmer is in (i) Northern Ireland; and (ii) North Down.

(AQW 49122/11-16)

Mrs O'Neill: Analysis of data from the European Union Farm Structure Survey 2013 indicates that the average age of farmers in the north of Ireland is 58 years. The way in which the survey is conducted means that an average age for farmers in individual constituencies cannot be accurately calculated.

Department of Culture, Arts and Leisure

Mr McKinney asked the Minister of Culture, Arts and Leisure to list the voluntary and community organisations in South Belfast that receive funding from her Department.

(AQW 48808/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The attached table details the voluntary and community organisations in South Belfast that receive funding from the Department. It does not include Lottery funded programmes.

Funder	Name of Organisation Funded	Period
DCAL	Lagan Valley Regional Park	2015/16
DCAL	Outdoor Recreation NI	2015/16
DCAL	Ulster Historical Foundation	2015/16
DCAL	Presbyterian Historical Society of Ireland	2015/16
Northern Ireland Screen	Cinemagic	2015/16
Northern Ireland Screen	Queens Film Theatre	2015/16
DCAL	South Belfast Partnership Board	2015/16
Foras na Gaeilge	An Droichead	2015/16
Foras na Gaeilge	Irish Pages/Duille Éireann	2015/16
ACNI	Northern Ireland Opera	2015/16
ACNI	The Lyric Theatre (NI)	2015/16
ACNI	Ulster Orchestra Society Ltd	2015/16

Funder	Name of Organisation Funded	Period
ACNI	Crescent Arts Centre	2015/16
ACNI	The Grand Opera House Trust	2015/16

Mr Easton asked the Minister of Culture, Arts and Leisure to outline the departmental funding streams available to community groups.

(AQW 48826/11-16)

Ms Ní Chuilín: The attached table details the departmental funding streams currently available to community groups. It does not include Lottery funded programmes.

Funder	Name of Grant Programme	Period Funded
NI Museums Council	Accredited Museum Grant Programme	2015/16
NI Museums Council	Acquisition Fund	2015/16
Languages and Waterways Branch	Sign Language Partnership Group	2015/16
Sport NI	T:BUC - Cross Community Youth Sport Programme (in collaboration with DCAL)	2016
Arts Council NI	Small Grants Programme	2015/16

Ms Sugden asked the Minister of Culture, Arts and Leisure what departmental grants and funding streams are expected to open for applications for the 2016 calendar year.

(AQW 48833/11-16)

Ms Ní Chuilín: The attached table details grants and funding streams which are expected to open for applications for the 2016 calendar/2016/17 financial year. It does not include Lottery funded programmes.

Funder	Name of Programme / Grant Scheme	Period Funded
DCAL	Sub Regional Stadiums Programme(Soccer)	2016
NI Museums Council	Accredited Museum Grant Programme	2016
NI Museums Council	Acquisition Fund	2016
Languages and Waterways Branch	Sign Language Partnership Group (subject to availability of funding)	2016
Inland Fisheries	Competitive Fund for Angling Outreach Events	2016
Sport Northern Ireland	T:BUC - Cross Community Youth Sport Programme (in collaboration with DCAL)	2016
Sport Northern Ireland	Athlete Development Investment	2016/17
Foras na Gaeilge	Scéim Pobal Gaeilge	2016
Foras na Gaeilge	Scéim Tacaíochta Gnó	2016
Foras na Gaeilge	Tacaíocht do Ghrúpaí le Gaeilge	2016
Foras na Gaeilge	Scéim na bhFéilte	2016
Foras na Gaeilge	Scéim na gComplachtaí Dramaíochta	2016
Foras na Gaeilge	Scéim na nImeachtaí óige	2016
Foras na Gaeilge	Scéim na gCampaí samhraidh	2016
Foras na Gaeilge	Scéim na dTionscadal Litríochta	2016
Foras na Gaeilge	Scéimeanna Dheontas Cholmille	2016
Foras na Gaeilge	Scéim Sparánachta Cholmille	2016
Ulster-Scots	Music and Dance Tuition Programme	2016
Ulster-Scots	Community Impact Grants	2016
Ulster-Scots	Ulster-Scots Summer Schools	2016

Funder	Name of Programme / Grant Scheme	Period Funded
Ulster-Scots	Ulster-Scots Community Festivals Programme	2016
ACNI	Annual Funding Programme	2016
ACNI	Small Grants Programme	2016
ACNI	Intercultural Arts grants Programme	2016
ACNI	Support for the Individual Artist Programme	2016
ACNI	International Programme for Organisations	2016
ACNI	Public Art	2016

Mr Easton asked the Minister of Culture, Arts and Leisure what support her Department could offer a Northern Ireland boxing union.

(AQW 48843/11-16)

Ms Ní Chuilín: I am not aware of an organisation called the NI Boxing Union. Before my Department or Sport NI could consider what support could be offered, more detail would be required around the structure of that organisation ie governing body or sports club.

In the case of Sports Governing Bodies, Sport NI has a Recognition Policy which enables it to recognise one Governing Body per sport. Once recognised, Sport NI can provide support to that Governing Body across a range of areas including governance, leadership, safeguarding, anti-doping and equality. Funding and practical support can also be provided by Sport NI to recognised Governing Bodies to develop high performing athletes within their sport area.

With regard to Sports Clubs, I can confirm that affiliation to an internationally recognised Governing Body is a standard requirement for the majority of Sport NI's funding programmes. The Irish Amateur Boxing Association is the recognised Governing Body for boxing within the north of Ireland.

I understand that Sport NI has met with a delegation of MLAs, MPs and representatives from local boxing clubs on a number of occasions. The delegation has indicated that they wish to explore setting up a separate NI Governing Body for boxing, the NI Boxing Association.

I can advise that while discussions have taken place an application for recognition has yet to be received by Sport NI.

Mr Easton asked the Minister of Culture, Arts and Leisure what plans are in place to assist local athletes who wish to represent Northern Ireland at the next Commonwealth Games.

(AQW 48844/11-16)

Ms Ní Chuilín: Responsibility for selecting athletes to compete at international competition, including the next Commonwealth Games in 2018, rests with sports governing bodies and the Council responsible for sending a local team to competitions, i.e. the NI Commonwealth Games Council (NICGC).

To support this process, Sport NI assists the sports that will have competitors at the next Commonwealth Games, mainly through the Performance Focus Programme and the Athlete Investment Programme. In addition, my Department's investment in the Sports Institute NI (SINI) enables sports and athletes to receive direct technical support in the preparation for, and attendance at the Commonwealth Games and other international competitions. This support includes sports planning, lifestyle, science and medicine services from SINI.

I understand the NICGC intends to establish a Preparation Working Group for the next Commonwealth Games, which will include representation from Sport NI.

Mr Flanagan asked the Minister of Culture, Arts and Leisure (i) to list the public appointments processes initiated by her Department for its arm's-length bodies and Non Departmental Public Bodies since May 2011; and for each appointment (ii) whether she chose to be presented with the list of those judged suitable for appointment in a ranked or an unranked order, based on the candidates' scores at interview against an agreed pass mark.

(AQW 48854/11-16)

Ms Ní Chuilín:

- (i) A list of public appointment processes initiated by the Department of Culture, Arts and Leisure for its arm's length bodies and Non Departmental Public Bodies since May 2011 is detailed in the following table:

Body	Position(s)
NI Screen	Board Members
Arts Council	Board Members

Body	Position(s)
NI Museums Council	Board Members
Libraries NI	Chair
Libraries NI	Board Members
Sport NI	Board Members
National Museums NI	Board Members
Whowhatwherewhenwhy (W5)	Board Members
Sport NI	Chair & Vice Chair
Arts Council NI	Board Members
NI Screen	Chair
Libraries NI	Board Members & Councillor Board Members
Sport NI	Vice Chair & Board Members
National Museums NI	Chair & Board Members
Armagh Observatory and Planetarium	Members of the Management Committee
Arts Council NI	Board Members
NI Screen	Vice Chair & Board Member
Libraries NI	Chair
Libraries NI	Councillor Board Members

(ii) I chose to be presented with an unranked list, of those judged suitable for appointment, in each competition listed.

Mr Weir asked the Minister of Culture, Arts and Leisure to list the voluntary and community organisations in North Down that receive funding from her Department.

(AQW 48939/11-16)

Ms Ní Chuilín: The table attached details the voluntary and community organisations in North Down that receive funding in the current financial year. It does not include Lottery funded programmes.

Funder	Name of Organisation Funded	Period
Sport NI	Castle Juniors	2015/16
Ulster-Scots Agency	Cleland Memorial Pipe Band	2015/16

Mr Weir asked the Minister of Culture, Arts and Leisure what support her Department has given to the promotion of chess in each of the last five years.

(AQW 49004/11-16)

Ms Ní Chuilín: Chess is not currently recognised by Sport NI as a sporting activity. As a result, I can confirm that my Department and Sport NI have not provided any support to promote chess in the last five years.

Sport NI advise that no application for recognition from any organisation to be the recognised Governing Body for chess in the north of Ireland has been received by them in the last five years. In addition, no funding or support has been sought from Sport NI by a chess organisation during this time.

Mr Weir asked the Minister of Culture, Arts and Leisure what strategy her Department is pursuing to increase participation in sport.

(AQW 49006/11-16)

Ms Ní Chuilín: Responsibility for increasing participation in sport rests, in the first instance, with the governing bodies of each sport. My Department and Sport NI provides support to sports governing bodies, district councils, sports clubs and other key stakeholders as they work to increase participation in sport.

All such support provided by my Department and Sport NI is based on the NI Strategy for Sport & Physical Recreation 2009-2019 - 'Sport Matters'. This strategy includes twenty six high level targets aimed at developing sport and physical recreation under the themes of participation, performance and places. Eleven of these targets are aimed at increasing participation

rates. DCAL and Sport NI work with other Executive Departments, District Councils, sports governing bodies, sport clubs and other organisations from the voluntary and community sectors to take forward actions identified from this Strategy.

The findings of a recent Mid-Term Review of the Strategy demonstrated the benefits to Sport of the Sport Matters Strategy over the last number of years and its role in helping to unify our community, through its promotion of equality, its contribution to tackling poverty and social exclusion and its role within health, education and the economy.

The Strategy, associated Action Plan, annual progress reports and Mid Term Review can be viewed on the DCAL website at the link below: -

http://www.dcalni.gov.uk/index/sport/sport_matters.htm

Mr Flanagan asked the Minister of Culture, Arts and Leisure (i) to detail the current status of records held by the Public Record Office on the (a) Daily Activity Reports of the regiments of the British Army from 1845 to 1850; and (b) receipts issued by the British army commissariat officers in every Irish port tallying the cattle and tonnage of foodstuff removed and export lading manifests; (ii) what these records would be expected to contain; and (iii) whether records exist for the periods before and after this timeframe.

(AQW 49202/11-16)

Ms Ní Chuilín: PRONI does not hold any of the records relating to this request. All such material is held by The National Archives in Kew, London, TW9 4DU.

Mr Campbell asked the Minister of Culture, Arts and Leisure how many libraries need (i) replaced; and (ii) extensive refurbishment.

(AQW 49204/11-16)

Ms Ní Chuilín: The Board of Libraries NI has responsibility for the management of the library estate within the North of Ireland. Libraries NI has informed me that it would like to (i) replace; and (ii) extensively refurbish a number of libraries over the next 5 year period. These are set out at Annex A in alphabetical order.

These developments are all subject to funding becoming available.

Annex A

Library	Replace	Refurbish
Armagh	✓	
Banbridge		✓
Belfast Central	✓	
Castlewellan		✓
Chichester	✓	
Coalisland	✓	
Coleraine		✓
Colin Glen	✓	
Derry		✓
Enniskillen	✓	
Fivemiletown	✓	
Lisburn Road		✓
Newtownards	✓	
Tandragee		✓
Warrenpoint	✓	

Department of Education

Mr McKinney asked the Minister of Education to detail all the strategies published and endorsed by his Department that (a) are in effect; or (b) will come into effect before the end of May 2016.

(AQW 48733/11-16)

Mr O'Dowd (The Minister of Education): The information requested is detailed in the table below.

Strategy	In Effect	In Effect by May 2016
Accessible Transport Strategy – Lead Department DRD	✓	
Autism Strategy: Cross Departmental Strategy –lead Department DHSSPS	✓	
Building an Active Travel Future for NI – Lead Department DRD	✓	
Community Use of School	✓	
Count, Read: Succeed – A Strategy to Improve Outcomes in Literacy and Numeracy	✓	
Departmental Human Resources Strategy 2014-17	✓	
DOE Road Safety Strategy to 2020 – Lead Department DOE	✓	
Extended Schools	✓	
Healthy Food for Healthy Outcomes – Food in Schools Policy	✓	
Home to School Transport Policy	✓	
Learning to Learn – A Framework for Early Years Education and Learning Services	✓	
Post-Primary Transfer Policy	✓	
Preparing for Success: Joint DE/DEL Careers Strategy	✓	
Priorities for Youth	✓	
Regional Strategy for Improving Pupil Attendance at School		✓
Regional Strategy for the Management and Promotion of Teacher Attendance	✓	
Schools for the Future: A Policy for Sustainable Schools	✓	
STEM Strategy – Lead Department DEL	✓	
Supporting Pupils with Medication Needs: Joint DE/DHSSPS policy	✓	
Teacher Professional Learning Strategy – Lifelong Learning Leaders		✓
Together: Building a United Community Strategy – Shared Campus Programme	✓	
Vision Strategy	✓	

Mr Agnew asked the Minister of Education to detail the full costs of administration in the (i) Education Authority; (ii) Council for Catholic Maintained Schools; (iii) Council for the Curriculum, Examinations and Assessment; (iv) Comhairle na Gaelscolaíochta; (v) General Teaching Council; (vi) Youth Council; and (vii) his Department.

(AQW 48747/11-16)

Mr O'Dowd: Details of the full costs of administration in the above-mentioned bodies for the financial year 2014-15 are as follows:

Organisations	Administration Costs £000
Education Library Boards (ELBs) and the Staff Commission	40,464
Department of Education	17,993
Council for the Curriculum, Examinations and Assessments	5,723
Council for Catholic Maintained Schools	2,235
General Teaching Council (GTCNI)	904
Comhairle na Gaelscolaíochta	655
Youth Council (YCNI)	336

Please note that from 1 April 2015 the Education and Library Boards and its Staff Commission were amalgamated in the new Education Authority. In addition, the 2014-15 Resource Accounts for the ELBs and GTCNI are yet to be finalised and as such may be subject to change.

Mr Hussey asked the Minister of Education, pursuant to AQW 48474/11-16, to detail his Department's strategy for dealing with reports of (i) sex offences; (ii) alleged cases of rape; and (iii) physical sexual assaults, committed on school premises. **(AQW 48785/11-16)**

Mr O'Dowd: My Department's safeguarding arrangements make clear that schools must report any concerns about the safety and welfare of children to the appropriate authorities - the social services or the police. Equally, schools have a duty to report crimes to the police. The arrangements for reporting are set out very clearly in guidance provided to all grant-aided schools.

Schools may also seek support from the Education Authority in dealing with reports of sex offences or indeed any offences in order to ensure that staff and pupils receive the help and guidance they need. Contact with the Authority or other support bodies does not, however, alter or remove the need for schools to report directly to the police or social services.

The Education Authority also plays its full part as a member of the Safeguarding Board and, through this role, ensures that the services it provides and the guidance it offers to schools and other educational providers remains current. Working with the Department, it is considering whether to require schools to report serious incidents directly to the Authority as well as to the police or social services. Before any such move is introduced, I would want to be satisfied that it did not in any way impede the existing reporting requirements or create confusion for schools.

Mr Hussey asked the Minister of Education, pursuant to AQW 48474/11-16, what plans his Department has in place to ensure they obtain all information in relation to reports of (i) sex offences; (ii) alleged cases of rape; and (iii) physical sexual assaults, committed on school premises. **(AQW 48786/11-16)**

Mr O'Dowd: The safety of children while at school is of paramount importance to me. Schools do great work to ensure that is the case and Boards of Governors will be clear on the need for reporting concerns about criminal activity to the PSNI and I know take those responsibilities seriously.

The information recently published by the PSNI is concerning and it is important that we understand the picture behind these figures. My officials are due to meet the PSNI later this week to discuss the statistics in detail and explore the nature of the reports to them by schools.

Mr Agnew asked the Minister of Education, pursuant AQW 46510/11-15, for a breakdown of the figures by (a) primary; and (b) post-primary schools, in the (i) Maintained; (ii) Controlled; (iii) Integrated; and (iv) Irish Medium sectors. **(AQW 48799/11-16)**

Mr O'Dowd:

Number of School-Based Non-Teaching Staff

	Controlled	Controlled Integrated	Maintained Catholic	Maintained Other	Irish Medium
Sept 2005					
Primary	5256	117	4463	49	110
Post Primary	2946	115	2436	53	11
Total	8202	232	6899	102	121
Sept 2010					
Primary	5725	240	5421	52	230
Post Primary	3216	163	2942	82	26
Total	8941	403	8363	134	256
Sept 2014					
Primary	6284	291	6035	56	344
Post Primary	3101	214	3183	104	26
Total	9385	505	9218	160	370

1. Numbers of school-based non-teaching staff have been provided by the Education Authority.

- 2 Nursery schools/units and Special schools have been excluded from the above table, therefore the figures for this AQW (48799/11-6) will show a reduction from the figures provided in the earlier AQW (46510/11-15).
- 3 Figures in respect of the former BELB do not include schools catering, cleaning service and mini model crèche staff as these were board managed services.
- 4 In the former SELB, where an employee is a multi-jobber across multiple sectors then the job with the earliest start date decides which sector that employee is counted in.
- 5 The figures from the former WELB do not include catering or cleaning as these are set-up on the system separately but are not defined as controlled, maintained etc.
- 6 One Irish Medium School included in the category "Irish Medium" is in fact a controlled Irish medium school.
- 7 Numbers of school-based non-teaching staff in Grant Maintained Integrated Schools have been provided by DE and are as follows:

School Based Non-Teaching Staff

	Grant Maintained Integrated	
	Primary	Post Primary
Sept 2005	283	356
Sept 2010	366	511
Sept 2014	542	717

Number of School Based Teachers

	Controlled	Controlled Integrated	Maintained Catholic	Maintained Other	Irish Medium *	Grant Maintained Integrated
Nov 2005						
Nursery	134	0	69	0	0	0
Primary	4187	122	3875	28	118	249
Prep	24	0	0	0	0	0
Post Primary	3650	162	3180	0	38	643
Special	765	0	52	23	0	0
Total	8760	284	7176	51	156	892
Nov 2010						
Nursery	142	0	69	0	0	0
Primary	4040	178	3801	25	149	280
Prep	22	0	0	0	0	0
Post Primary	3316	208	2992	0	45	709
Special	737	0	46	15	0	0
Total	8257	386	6908	40	194	989
Nov 2013						
Nursery	140	0	70	0	0	0
Primary	4064	192	3816	24	180	284
Prep	16	0	0	0	0	0
Post Primary	3041	197	2761	0	44	685
Special	791	0	48	15	0	0
Total	8052	389	6695	39	224	969

* Irish Medium contains some teachers from Controlled Irish Medium schools and Other Maintained Irish Medium schools. These teachers have only been counted under the Irish Medium totals.

- 1 Teacher numbers are from the Teachers Payroll and Pensions System. They are validated with schools and are based on a reference week in the autumn term.
- 2 Teachers employed at more than one school are counted at the school at which they work the majority of their time.
- 3 The following types of teacher are included:
 - (a) full-time permanent teachers;
 - (b) part-time permanent teachers; and
 - (c) temporary teachers filling vacant posts, secondments or career breaks.
- 4 The following teachers are excluded:
 - (a) substitute teachers covering illness or other short-term absences;
 - (b) peripatetic teachers; and
 - (c) teachers employed under the Signature Project.
- 5 The figures provided are a headcount of teaching staff. This means that a part-time employee will be counted in the same way as a full-time employee.

Mr McKinney asked the Minister of Education to detail the (i) voluntary; and (ii) community organisations in South Belfast that receive funding from his Department.

(AQW 48803/11-16)

Mr O'Dowd: The information requested is detailed in the tables below.

Funding directly from the Department of Education (DE)

Community/Voluntary Organisation

- Voice of Young People in care (VOYPIC)
- Young Enterprise NI
- NSPCC – Preventative Education Project
- Women's Aid – Helping Hands Project
- Rosario Youth Club
- Boys Brigade, Belvoir Project

Funding via an Arms Length Body or other organisation on behalf of DE

Community/Voluntary Organisation

- | | |
|---|--|
| ■ 109th Belfast Scouts | ■ 62nd Belfast Scouts |
| ■ 109th Girls Brigade Coy | ■ 68th Belfast Scouts |
| ■ 10th Antrim Scout Group | ■ 7th Belfast Scout Group |
| ■ 1136 Squadron Air Training Corps - Vol Unit | ■ 81st Belfast Scouts |
| ■ 18th NI Company Girls' Brigade | ■ Anahilt Scout Group |
| ■ 19th Belfast Girl Guides | ■ Ballybeen Peer Education Project |
| ■ 19th Belfast Rainbow Unit (Newtownbreda Presbyterian Church) Vol Unit | ■ Ballymacarrett Youth and Community Project |
| ■ 1st Ballinderry Guides | ■ Ballynafeigh Community Development Association |
| ■ 1st Dundonald Guiding | ■ Barnardos BME project |
| ■ 1st Hilden Scout Group | ■ Belfast City Mission Youth Council |
| ■ 1st Hillsborough Guides | ■ Belfast Community Circus School |
| ■ 1st Hillsborough Scout Group | ■ Benmore PEAG |
| ■ 1st Seymour Hill Scout Group | ■ Brooklands Youth Centre |
| ■ 20th Boys Brigade Coy | ■ Broomhedge Parish Church Lads' Brigade |
| ■ 23rd Antrim Scout Group | ■ Carr Baptist Youth Council |
| ■ 34th Belfast Scouts | ■ Carryduff Pre-school Playgroup |
| ■ 3rd Lisburn Boys' Brigade and Sloan Street Presbyterian Church Youth Club | ■ Carygreedy Activities Group |
| ■ 43rd Belfast Boys' Brigade | ■ Children's Enterprise NI Ltd |
| ■ 44th Belfast Scouts | ■ Christ Church Presbyterian Youth Council |
| ■ 4th Belfast Boys' Brigade/315th Girls' Brigade/Dundonald Elim | ■ Christ Church Youth Council |
| | ■ Christ the Redeemer Guide Unit |
| | ■ Christchurch Belfast |

- Church of Nazarene Youth Club
- Church of the Epiphany Girls Brigade Coy
- Church of the Nativity Guide Unit
- Cinemagic
- City Church Belfast - Vol Unit
- City of Belfast YMCA Voluntary Youth Club
- Clubs for Young People
- Colin Area Detached Project
- Colin Youth Development Centre
- Colin Youth Inclusion
- Cranmore Integrated Playgroup
- Crescent Senior Every Boys Rally Voluntary Youth Group
- Cumann Oige An Droichid
- Damask Community Youth Outreach
- Derriaghy Youth Council
- Drumbo Girls' and Boys' Brigade
- Dunmurry Community Youth Association
- Dunmurry Presbyterian Church Youth Council
- Dunmurry/Stevenson Project
- Early Learners Day Nursery
- Elmwood Youth Council
- Every Girls Rally-Bethany Hall
- Finaghy Methodist Voluntary Youth Club
- Fitzroy Presbyterian Church Voluntary Youth Club
- Flutterbies Playgroup
- Forge Integrated Playgroup
- Friday Fun Club
- Ge Next (Chinese Welfare Association)
- Great Dunmurry Positive Relations Partnership
- Halftown Residents Youth Association
- Hillcrest Day Nursery (PEAG)
- Irish Football Association
- Kids First Playgroup
- Kids@BT9(PEAG)
- Kilmakee Presbyterian Church Youth Council
- Lagmore Area Project
- Lambeg Project (2nd guides/1st Scouts)
- Laurelhill Youth Resource Centre
- Legacurry Youth Council
- Lisburn 817 Air Training Corps
- Lisburn Cathedral Youth Council
- Lisburn Congregational Youth Council
- Lisburn District Church Lads & Girls Brigade
- Lisburn Rural Project
- Lisburn YMCA
- Little Hands Little Feet PEAG
- Lower Oldpark Community Association-Voluntary Unit
- Lower Omeau Residents' Action Group
- Magheragall Boys' Brigade
- Magheragall Parish Church Youth Council
- Maghergall Girls' Brigade
- Malone Playgroup
- Mount Oriel Playgroup
- NI Community of Refugees and Asylum Seekers (NICRAS)
- NI Fire and Rescue Cadets (Belfast)
- Our Lady Queen of Peace Guide Unit
- Peace Players International NI (PPI - NI)
- Poleglass Community Association and Sally Gardens Youth Club
- Priesthill Methodist Girls' Brigade and Youth Club
- Railway Street Pres Church Youth Council
- Resurgam Youth Initiative
- Rosario Voluntary Youth Club
- Saints Youth Centre
- Scoil na Fuiseoige
- Seymour Hill and Conway Youth Council
- Seymour Hill Methodist Youth Council
- Solas
- South Belfast Explorer Scout Group - Vol Unit
- St Bernard's Pre-school Education Centre
- St Columba's Youth Council
- St Hilda's Parish Youth Council
- St John Vianney Voluntary Youth Club
- St Malachy's Voluntary Youth Club
- St Mark's Youth Council
- St Mary's Youth Club/194th Girls' Brigade/Impact
- St Patrick's Youth Club
- The Learning Tree Pre-school
- Tonagh Youth Club
- Tor Bank Youth Club
- Trinity Methodist Boys' Brigade and Girls' Brigade
- Trinity Youth Club and Girls' Brigade, Boardmills
- Tullycarnet Community Youth Project
- Village Surestart Playgroup
- Windsor Women's Centre
- Windsor Youth (Windsor Baptist Church)
- YMCA – Daycare Playgroup
- Youth Club Kameleon
- Youth Initiatives
- Youthwise Project - Annadale Haywood Residents Association

Mr Campbell asked the Minister of Education to detail the number of unannounced school inspection visits that have taken place in each of the last two years, to (a) primary schools; and (b) post-primary schools.

(AQW 48819/11-16)

Mr O'Dowd: The following table outlines the number of unannounced school inspection visits that have taken place in each of the last two years in (a) primary schools and (b) post-primary schools.

	Academic year – 2013/2014	Academic year – 2014/2015
Primary	0	0
Post-Primary	0	1

Mr Easton asked the Minister of Education to outline the departmental funding streams available to community groups. (AQW 48825/11-16)

Mr O'Dowd: The funding streams available to community groups from the Department of Education or its arm's length bodies are detailed in the table below.

Funding Stream

- Additional Youth Intervention Scheme
- Early Years Fund
- Education Other Than at Schools (Grants support for specialist services)
- Extended Services Funding.
- Neighbourhood Renewal Youth Programme – Derry City
- Registered Youth Club Grants (Salaries, Utilities, Summer Camps, etc)
- Registration and Sponsorship Funding
- SEN Integrated Capacity Building Early Years Inclusion Initiative
- Summer Diversionsary
- Targeting Social Need
- Voluntary Pre-school (PEAGs) Group Funding
- West Belfast Community Project
- Youth Extended Provision Funding
- Youth Inclusion Scheme
- Youth Intervention Funding
- Youth Intervention Scheme Programme 2
- Youth Irish Medium Support
- Youth Outreach Support Services
- Youth Social Deprivation Funding
- Youth Together Building United Communities (TBUC)

Mr Agnew asked the Minister of Education to detail how much of his budget is spent on administrative costs; and for breakdown of those costs.

(AQW 48849/11-16)

Mr O'Dowd: Details of how much of the 2014-15 education budget was spent on administrative costs, including a breakdown per organisation and spend category, is as follows:

Organisations	Pay Costs £000	Non-Pay Costs £000	Total Costs £000
Education Library Boards (ELBs) and the Staff Commission	35,526	4,938	40,464
Department of Education	16,418	1,575	17,993
Council for the Curriculum, Examinations and Assessments	2,280	3,443	5,723
Council for Catholic Maintained Schools	1,590	645	2,235
Middletown Centre for Autism	761	320	1,081
General Teaching Council (GTCNI)	611	293	904
Council for Integrated Education (NICIE)	464	214	678
Comhairle na Gaelscolaíochta	501	154	655
Youth Council (YCN)	188	148	336
Total	58,339	11,730	70,069

Please note that from 1 April 2015 the Education and Library Boards and its Staff Commission were amalgamated in the new Education Authority. In addition, the 2014-15 Resource Accounts for the ELBs and GTCNI are yet to be finalised and as such may be subject to change.

Mr Flanagan asked the Minister of Education (i) to list the public appointments processes initiated by his Department for its arm's-length bodies and Non Departmental Public Bodies since May 2011; and for each appointment (ii) whether he chose to

be presented with the list of those judged suitable for appointment in a ranked or an unranked order, based on the candidates' scores at interview against an agreed pass mark.

(AQW 48855/11-16)

Mr O'Dowd: Since 1 May 2011, my Department has initiated public appointments processes in relation to the following arm's length bodies and Non Departmental Public Bodies:

- The Belfast Education and Library Board
- The North Eastern Education and Library Board
- The Southern Education and Library Board
- The Western Education and Library Board
- The Staff Commission for Education and Library Boards
- The Council for Catholic Maintained Schools
- The Council for the Curriculum, Examinations and Assessment
- The Education Authority
- The General Teaching Council
- The Middletown Centre for Autism
- The Youth Council for Northern Ireland
- The Vaughan Trust (a body supported by DSD but to which DE makes an appointment)

In every case I chose to be presented with an unranked list of those judged suitable for appointment.

Mr Agnew asked the Minister of Education to detail the estimated cost of the new Education Authority Board.

(AQW 48892/11-16)

Mr O'Dowd: It is estimated that the Education Authority Board will cost approximately £235,450 per annum, broken down as follows:

Salaries:	Chair	£50,000
	Members	£150,000
	ERs NICS*	£11,500
Travel and subsistence:		£18,000
Training:		£5,950
Total		£235,450

* Employers National Insurance Contributions

Mr Agnew asked the Minister of Education whether records are kept in relation to rent arrangements for school estates.

(AQW 48893/11-16)

Mr O'Dowd: The Education Authority (EA) has advised that records are retained in relation to the rent arrangements for the controlled school estate and also rental payments to Irish Medium/Developing Schools.

Mr Weir asked the Minister of Education what strategies his Department is pursuing to increase the uptake of free school meals.

(AQW 48903/11-16)

Mr O'Dowd: I am keen to ensure that the parents/guardians of every child who is eligible to a free school meal (FSM) establishes that entitlement and avails of a nutritionally balanced meal during the school day.

My Department works in partnership with the Education Authority (EA) and individual schools to take various steps to promote both applications for and uptake of FSM. To encourage parents to check they are eligible to a FSM the EA issues press releases, sends out renewal applications and letters to parents, and distributes display posters to schools, the Social Security Agency, the Citizens Advice Bureau and libraries to increase awareness of entitlement criteria and the application process. Within schools there are a range of activities undertaken to encourage uptake including the installation of cashless payment systems in a number of postprimary schools to reduce any perceived stigma associated with FSM, menus are sent home with pupils and promoted through school websites, theme days and taster sessions are arranged for parents and pupils and the uptake of FSM meals against entitlement is monitored to identify particular issues. Consideration is also given to ways of improving the school meals experience of pupils by reducing queuing time, improving the variety and quality of food and improving the dining environment and experience, as these factors can impact on a decision to avail of a FSM.

My Department also issues a press release before the start of the school year to encourage parents who think they might be eligible to a FSM to apply and officials are working with colleagues in the Department for Social Development to explore further ways to encourage parents receiving a qualifying benefit to apply for FSM.

Mr Weir asked the Minister of Education to detail (i) how many families availed of the school uniform grant in 2015; and (ii) how this compares with each of the last three years.

(AQW 48904/11-16)

Mr O'Dowd: The number of families¹ in receipt of the school uniform grant in the last four school years is as follows:

2011/12	48,360
2012/13	50,345
2013/14	52,744
2014/15	59,045

The Education Authority has also advised that to date 50,773 families have had uniform grants approved for the current school year. Applications for 2015/16 are still being processed.

Mr Campbell asked the Minister of Education whether his Department has analysed the (i) difference between the number of people entitled to free school meals and the uptake; and (ii) reasons behind the differences in entitlement and uptake in (a) primary; and (b) post-primary schools.

(AQW 48976/11-16)

Mr O'Dowd: In 2014/15 81% of pupils entitled to receive a free school meal took up their entitlement. For primary schools this figure was 83% and for postprimary schools it was 78%. These figures broadly reflect a trend over the last 5 years.

Research carried out by the Public Health Agency² indicated that when pupils were asked why they considered those entitled to a FSM did not take up their entitlement, the most common reasons given by pupils in each phase included: 'not liking the quality or choice of food' (44% primary, 56% post-primary), 'they don't like queuing' (18% primary, 46% post-primary), 'the canteen is too crowded' (14% primary, 39% post-primary) and 'they don't like using the canteen' (13% primary, 24% post-primary).

In contrast to these findings, the research suggested that both teachers and parents considered a key reason for the low uptake of free school meals to be stigma. However, relatively few pupils identified stigma as a reason for poor FSM uptake. Other factors which may contribute to lower uptake in the postprimary sector include the increased independence and freedom of choice available to post-primary pupils in general, and a number of postprimary schools allow pupils to leave the school premises at lunchtime.

I am keen to ensure that all those entitled to free school meals receive this important benefit and a number of actions are being taken forward in this regard. These are outlined in the answer to AQW 48903/11-16.

Mr Campbell asked the Minister of Education how many children in post-primary schools were suspended for bullying other children in each of the last three years.

(AQW 48977/11-16)

Mr O'Dowd: My Department collects information on suspensions annually from the Education Authority. Statistics relating to the 14/15 school year are currently being analysed and collated and will be published on the Departments website in due course.

Please note the figures in the table below refer to the number of suspensions and not the number of pupils. The same pupil may have been suspended more than once.

School Type	Number of Suspension Occasions for Bullying of Another Pupil		
	2011/12	2012/13	2013/14
Post-primary	213	209	166

Mr Rogers asked the Minister of Education to detail the schools that have closed during the (i) 2011-12; (ii) 2012-13; (iii) 2013-14; and (iv) 2014-15 academic years.

(AQW 48993/11-16)

1 Eligible families with more than one child at school would have received a uniform grant for each child.

2 School food: top marks - A summary report on food in schools research in Northern Ireland. Public Health Agency 2010 <http://www.publichealth.hscni.net/sites/default/files/Top%20marks%20summary%20report.pdf>

Mr O'Dowd: The following schools closed during the 2011-12, 2012-13, 2013-14 and 2014-15 academic years:

(i) **2011/12**

Controlled Primary

- 501-1034 Aghavilly PS
- 201-6376 Ardstraw PS
- 401-1647 Ballykiegle PS
- 201-2392 Drumlegagh PS
- 501-6028 Keady PS
- 401-1688 Redburn PS

Controlled Secondary

- 421-0194 Dunmurray High School

Controlled Special

- 231-6601 Elmbrook School
- 231-6234 Erne School

Maintained Primary

- 303-0713 Carlane PS
- 203-1886 Coranny PS
- 203-1892 Cornagogue PS
- 203-2537 Loreto Convent
- 203-6053 St Colmcille's PS
- 203-2664 St Davog's PS
- 203-2689 St Mary's Boys' PS
- 203-6096 St Mary's Girls' PS

(ii) **2012/13**

Controlled Primary

- 101-0296 Ballygolan PS
- 201-2674 Bridgehill PS
- 301-2224 Cullycapple PS
- 301-2255 Drumard PS

Controlled Secondary

- 221-0305 Devenish College
- 321-0013 Garvagh High School
- 221-0080 Lisnaskea High School

Controlled Special

- 231-0029 Altnagelvin Hospital School

Controlled Nursery

- 211-6333 Ballycolman Nursery School

Maintained Primary

- 103-0329 Edmund Rice PS
- 103-6464 Star of the Sea PS
- 103-0316 St Aidan's PS
- 103-0317 St Bernadette's PS
- 203-1888 St Eugene's PS

Maintained Secondary

- 223-0111 St Eugene's High School
- 123-0173 St Gemma's High School
- 223-0181 St Peter's High School

Voluntary Preparatory School

- 362-0012 Dalriada Preparatory Department

(iii) **2013/14****Controlled Secondary**

- 321-0233 Ballee Community High
- 121-0266 Orangefield High School

Controlled Special

- 231-0015 Belmont House School
- 231-6525 Foyle View School

Maintained Primary

- 203-2510 Barrack Street Boys' PS
- 503-1301 Clontifleece PS
- 203-6389 St Anne's Girls' PS
- 503-1213 St Clare's Convent PS
- 503-1576 St Colman's Abbey PS

(iv) **2014/15****Controlled Secondary**

- 421-0086 Knockbreda High School
- 321-0200 Monkstown Community School
- 321-0279 Newtownabbey Community High School
- 421-0183 Newtownbreda High School

Controlled Grammar

- 341-0033 Coleraine High School

Controlled Primary

- 101-0269 Avoniel Primary School
- 461-0085 Down High School, Preparatory Department

Maintained Primary

- 203-2277 Craigbrack Primary School
- 503-2693 Crievagh Primary School
- 203-2631 Envagh Primary School
- 203-2265 St Anthony's Primary School
- 203-2600 St Francis of Assisi Primary School
- 403-6081 St Luke's Primary School
- 203-2687 St Macartan's Primary School
- 403-6134 St Mark's Primary School

Maintained Secondary

- 223-0254 Immaculate Conception College
- 523-0160 St Brigid's High School
- 523-0070 St Mary's High School
- 523-0088 St Paul's Junior High School

Voluntary Grammar

- 342-0032 Coleraine Academical Institution
- 542-0056 St Michael's Grammar School

Mr Dickson asked the Minister of Education why according to his Department's Shared Education policy a single school that is jointly managed is treated as a shared school while a single integrated school is not treated as a shared school and is therefore placed on a spectrum of shared school options.

(AQW 48994/11-16)

Mr O'Dowd: Shared Education aims to improve educational outcomes (including reconciliation outcomes) resulting from schools working collaboratively on a cross-community basis.

Section 4 of the 'Sharing Works' policy sets out a description for Shared Education which includes:

"... involves schools and other education providers of differing ownership, sectoral identity and ethos, management type or governance arrangement;"

As per paragraph 4.17 of 'Circular 2015/5 - Jointly Managed Schools' a 'voluntary maintained' management type is likely to be the most practicable management type for a jointly managed school.

In progressing Shared Education, a jointly managed school, as is the case for an Integrated school, would be required to collaborate with a school of a different management type as set out in the policy description.

It is my intention to bring forward a Shared Education Bill which will provide a statutory definition of Shared Education and avoid any possible confusion.

Lord Morrow asked the Minister of Education how many pupils won an appeal and were permitted entry to the school of their choice when transferring from primary to post-primary school having been initially refused, broken down by Education Authority.

(AQW 49002/11-16)

Mr O'Dowd: Seventy four pupils won appeals against non admission to the post-primary school of their choice as set out in the following table:

Education Authority Region	Successful Appeals
Belfast	2
Western	2
North Eastern	7
South Eastern	13
Southern	50

Lord Morrow asked the Minister of Education, in relation to the special educational needs statementing process, to detail the number of children (i) waiting for the process to begin; and (ii) undergoing the process, broken down by Education Authority.

(AQW 49005/11-16)

Mr O'Dowd: The Education Authority (EA) has advised that the number of children waiting for the statementing process to begin and the number undergoing the statementing process is as follows:

EA Region	Number Waiting*	Number Undergoing**
Belfast	7	156
North-East	46	298
South-East	15	361
Southern	35	402
Western	24	225

* Refers to those children whose applications for statutory assessment of special educational needs (SEN) have been received by the EA but who were, as at 18 September 2015, awaiting a decision on whether the EA proposes to proceed with a statutory assessment.

** Refers to those children on whom it has been decided to proceed with a statutory assessment of SEN and whose parents have been notified. This includes those who were, as at 18 September 2015, being assessed to decide whether or not to make a Statement, or have been informed that the EA has decided not to make a Statement or have had a proposed Statement issued and are awaiting issue of a final Statement.

Mr Weir asked the Minister of Education what steps his Department has taken to promote chess in schools.

(AQW 49013/11-16)

Mr O'Dowd: My Department has not taken any steps to promote chess in schools.

The statutory Curriculum prescribes a number of high-level Areas of Learning as the minimum to be taught across each Key Stage. However, the Department does not prescribe specific content or the resources used to deliver the curriculum – this is a decision for teachers/schools.

The Extended Schools (ES) programme is designed to support learning and raise attainment levels for those schools which serve areas of greatest social deprivation. The varied activities on offer, as determined by schools, can include special interest clubs and a small number of ES provide chess clubs.

While I appreciate learning chess might help develop some of the skills set out in the curriculum, any decision to utilise chess for this purpose, either in the classroom or as an after-school activity, would be a matter for each school.

Mr Weir asked the Minister of Education to detail what strategy is being pursued or considered by his Department to increase participation in chess amongst schools and young people.

(AQW 49021/11-16)

Mr O'Dowd: My Department has no strategy aimed at increasing participation in chess amongst schools and young people, nor would it be appropriate to do so.

The Department's policy is to give schools as much autonomy as possible and this includes decisions on the specific content of their curriculum and the resources or programmes they use to deliver the curriculum. The statutory Curriculum does allow schools enough flexibility to introduce chess but such a decision is a matter for each school.

Any decision to introduce chess as an after-school activity would also be a matter for each school.

Mr Rogers asked the Minister of Education how many children did not achieve a nursery placement at (i) stage one; and (ii) stage two in (a) 2013-14; (b) 2014-15; and (c) 2015-16.

(AQW 49030/11-16)

Mr O'Dowd: The table below shows the number of children who were not offered a place in their preferred settings during the pre-school admissions process:

Year	Applications	Unplaced Stage 1	Unplaced Stage 2
2013/14	22735	1030	55
2014/15	23215	1064	30
2015/16	23614	1006	39

The Executive's Programme for Government includes a commitment to provide one year's funded pre-school education to every family that wants it, and for the past three years this target has been met. For 2015/16 admissions, 99.8% of parents who stayed with the admissions process to the end received the offer of a funded place.

I have made sufficient funding available to meet the increased need for pre-school places for the 2015/16 academic year and have encouraged parents of children unplaced at Stage 1 to stay with the process and submit further preferences for stage 2.

The Education Authority continues to work with parents and providers to place children after the admissions process has ended.

Mr Agnew asked the Minister of Education when the needs model will be amended to measure future educational need and demand within the local Education Authority sub-regions.

(AQW 49039/11-16)

Mr O'Dowd: The Education Authority sub-regions correspond to the previous five Education and Library Board areas. These areas comprise combinations of the old 26 District Council areas for which the Needs Model currently provides projections of need for places.

Hence the Needs Model does not require amendment to address the Education Authority sub-regions.

Lord Morrow asked the Minister of Education, in respect of Special Education Needs statementing to detail (i) the timeframe for the process; (ii) the circumstances in which the process can be accelerated or the child prioritised; and (iii) why the process takes so long particularly in instances where a parent has obtained a consultant's report privately.

(AQW 49057/11-16)

Mr O'Dowd: Following receipt of a request for a statutory assessment of a child's special educational needs (SEN) the Education Authority (EA) is required, under legislation, to complete the assessment and statementing process in no more than 26 weeks, subject to valid exceptions.

In exceptional cases it may be necessary to make an emergency placement for a child. This should only be made when the EA, parents, school and any relevant professionals who will be involved in the statutory assessment are all agreed that the child's needs are such that action must be taken immediately and an emergency placement is the best way forward. The EA should immediately initiate a statutory assessment.

It is in the interests of all concerned that statutory assessments and statements are made as quickly as possible, having regard to the need for thorough consideration of the issues in individual cases. The period of time involved allows for a detailed assessment to be undertaken with input commissioned from the child's parents or guardians and a range of educational and health professionals if appropriate. One of the proposals of the Review of Special Educational Needs and Inclusion is to reduce the timeframe for completion of the statutory assessment and issue of a final statement from 26 to 20 weeks.

The Educational Psychologist (EP) from whom psychology advice is sought must be employed by the EA or engaged by it for this purpose. The EP must consult, and record any advice received from any other psychologist, such as a clinical or occupational psychologist, who may have relevant knowledge of or information about the child, and should also be asked by the EA to consider any advice which parents may submit independently from a fully qualified educational psychologist.

Therefore while the EA will take account of private educational psychologist reports, these reports cannot be used instead of advice provided by the psychologist employed or engaged by the EA.

Mr Weir asked the Minister of Education what progress has been made in reassessing the mechanics of the needs based model in calculating school place provision.

(AQW 49064/11-16)

Mr O'Dowd: The purpose of the Needs Model is to provide long term projections of the need for places in grant-aided schools across all sectors in both the Primary and Post-primary phases within defined geographical areas for use in the area planning process.

It does so through projecting forward the current patterns of enrolments across sectors and areas based on population projections. It is not intended to provide estimates for growth in any sector beyond those derived from population projections and current patterns of enrolment.

This does not mean that growth in any sector is capped by the model. The breakdown of the projected need for places across sectors is the starting point for planning. It has been made clear to the sectoral support bodies that it is for them to make an evidence-based case for growth beyond that calculated.

My Department has asked for and will consider any suggestions for changes to the shape and use of the model brought forward by the local planning groups and Area Planning Working Group.

Mr Swann asked the Minister of Education, pursuant to AQW 48858/11-16, whether any action would be taken against a school that did not provide music as part of the curriculum at Key Stage 3.

(AQW 49068/11-16)

Mr O'Dowd: As stated in my response to AQW 48858/11-16, Music is a statutory part of the curriculum from Foundation Stage to Key Stage 3, under the area of learning 'The Arts'. The Education and Training Inspectorate monitor the quality of teaching and learning and, where appropriate, would raise concerns in an inspection report regarding the breadth and balance of the curricular provision.

If a parent has concerns that a school is not delivering the statutory curriculum they may wish to make a complaint using the school's complaint's procedure. If the parent remains dissatisfied, they may make a complaint to the Education Authority (EA) which is obliged to set up an independent Curriculum Complaints Tribunal to hear the complaint. If the Tribunal upholds the complaint, it can give a notice for steps to be taken to remedy the matter.

Mr Weir asked the Minister of Education to detail the average time taken to complete each stage of the Special Educational Needs Statementing process in each of the last five years.

(AQW 49119/11-16)

Mr O'Dowd: The information requested is not readily available in the format requested. To provide it would result in disproportionate cost.

Mr Allister asked the Minister of Education why schools are facing higher maintenance bills since the Education Authority centralised maintenance contracts.

(AQW 49142/11-16)

Mr O'Dowd: The Education Authority (EA) currently operates Term Service Contracts for maintenance work in line with Public Procurement Policy and Procurement Guidance templates provided by Department of Finance & Personnel and Central Procurement Directorate and also as recommended in the Gateway Review of Procurement and Contract Management. Operation of Term Service Contracts predates establishment of the EA. The use of these contracts was considered to provide the most economically advantageous tenders in line with policies and guidelines applicable at the time. Term Service Contracts are competitively tendered contracts of one year duration, renewable annually up to a maximum of 4 years and annual increases are not applicable.

Department for Employment and Learning

Mr Flanagan asked the Minister for Employment and Learning to detail the annual total operating costs of the higher and further education sectors in 2014/15.

(AQW 48673/11-16)

Dr Farry (The Minister for Employment and Learning): The operating costs of the higher and further education institutions are detailed in their annual financial statements. Higher and further education institutions prepare their statements on an academic year basis. For academic year 2014/15, the financial statements will not be available until the end of November for the further education institutions and the beginning of December for the higher education institutions.

The operating costs for the sectors in academic year 2013/14 were as follows:

	£000s
Further Education Sector	251,545
Higher Education Sector	486,831
Total	738,376

Ms Sugden asked the Minister for Employment and Learning for his assessment of the impact of departmental funding cuts on measures to meet the projected skills needs of the economy as outlined within his Department's Skills Strategy.

(AQW 48752/11-16)

Dr Farry: The cuts to my Department's resource budget for 2015-16 were unprecedented in size and scale; £61.5 million of cuts are required in one year, representing 8% of the total resource budget. This has already impacted negatively across several of my Department's programmes and partnerships which are key to the delivery of the Northern Ireland Skills Strategy 'Success Through Skills -Transforming Futures'.

There has been significant impact in both the higher and further education sectors.

Higher education has a key role to play in ensuring a steady supply of individuals with the skills needs required by local businesses. To ensure this the financial sustainability of the sector is crucial. However, the higher education institutions are facing £16.1million of cuts in the 15/16 financial year. This has led to a reduction of 540 full-time undergraduate places this academic year. Over the next three years a total of 1,910 undergraduate places will be lost. Indeed, should budget reductions continue this situation will only worsen. It is also worth noting that even before these significant cuts there was already a funding gap between our local higher education institutions and their counterparts in England – between £1,000 and £2,500 per student place depending on the subject band.

Although both universities have endeavoured to protect narrow STEM (Science, Technology, Engineering and Mathematics) places to ensure that subject areas offered more closely reflect the needs of the economy, it is inevitable that these cuts will be extremely detrimental to the local skills needs of business and Northern Ireland's future economic prosperity. Indeed, under a lower corporation tax environment, the demand for higher level skills will increase.

It is clear to me that the funding model we currently use to support our higher education is no longer sustainable and that is why, on 15th September, I launched a wider conversation about the future financial sustainability of higher education in Northern Ireland entitled "The Higher Education Big Conversation".

The Big Conversation will provide the opportunity to have an informed discussion about the financial sustainability of the higher education system here with all stakeholders and the exploration of alternative solution for Northern Ireland's higher education system. When the process is finished, I will be taking stock of the options open to us and presenting the findings to my Executive colleagues for consideration.

The further education (FE) sector plays a central role in the implementation of the key strategic priorities of the Programme for Government 2011-2015. The importance of a having a vibrant, flexible FE sector is crucial to ensuring our vision in rebuilding and rebalancing the Northern Ireland economy.

Following the unprecedented level of budget cuts to FE this year; colleges have had to implement a major programme of savings. To mitigate the effect of these changes, my Department has been working closely with the sector to safeguard provision, where possible, that supports economic development and workplace skills, and which includes academic as well as professional and technical skills.

As a result, colleges have had to make very difficult decisions in prioritising provision, whilst at the same time being mindful of the need to develop and grow the provision of higher level skills, particularly those skills that focus on the STEM subjects.

'Enabling Success', the Executive's new Strategy to reduce the persistently high levels of economic inactivity in NI was published on 20 April 2015. The level of economic inactivity is a major economic and social problem which, if left unaddressed, has the potential to both hinder Northern Ireland's economic growth and to contribute to increased economic strain on finite public resources, such as welfare budgets.

However, given the major and ongoing pressures on the Executive's budget, and the subsequent absorption of these pressures through all Departmental baselines, including my Department, the Strategy remains almost exclusively unresourced. Subsequently, almost all of the implementation projects across a number of government departments have not been able to commence due to a lack of resources.

Budget reductions have also reduced our ability, more broadly, to provide or support opportunities for upskilling the workforce through specific programmes and initiatives in other areas.

If further cuts are required in 2015-16 my Department will seek to act as strategically as possible, which means trying to protect, first and foremost, those areas that are most relevant to the economy, as well as looking to those services that are provided to those who are most vulnerable.

I am pleased to say, however, that despite the challenging financial and economic climate, Northern Ireland has continued to make progress against the targets in the Northern Ireland Skills Strategy since its publication in 2011. I have continued to press ahead with new approaches for optimum skills realisation such as the new Apprenticeship, Youth Training and Further Education Strategies and the Higher Education Big Conversation.

In summary, the challenging financial position facing my Department has already impacted across the skills delivery landscape and I anticipate that reduced budgets will continue to impact on the provision of skills required to support the economic aspirations for Northern Ireland. In response to a reduced budget I have committed to ensuring that available budget is focussed on the most economically relevant areas and used to address priority strategic needs and I will continue to do so.

Mr Flanagan asked the Minister for Employment and Learning (i) to list the public appointments processes initiated by his Department for its arm's-length bodies and Non Departmental Public Bodies since May 2011; and for each appointment (ii) whether he chose to be presented with the list of those judged suitable for appointment in a ranked or an unranked order, based on the candidates' scores at interview against an agreed pass mark.

(AQW 48856/11-16)

Dr Farry: A list of public appointments processes initiated by my Department is presented in the attached annex A. On all occasions where a competition was initiated for a new appointment, I have asked for the list of candidates judged suitable for appointment to be divided into 'suitable' and 'highly recommended' bandings, based on candidates' performance at interview. Candidates are unranked within these categories, however.

Mr McKinney asked the Minister for Employment and Learning whether his Department has a role in adjudicating the payment of pensions in third level institutions.

(AQW 48872/11-16)

Dr Farry: My Department has no role in adjudicating the payment of pensions in third level institutions.

Mr Easton asked the Minister for Employment and Learning to detail how many university places were available for September 2015.

(AQW 48882/11-16)

Dr Farry: The numbers of full-time undergraduate university places for Northern Ireland and EU domiciled students funded by my Department for academic year 2015/16 are 11,206 at Queen's University Belfast and 12,848 at Ulster University.

Places were also available to Northern Ireland and EU domiciled postgraduates, to part-time undergraduates, to Great Britain and international students and to students on courses commissioned directly by the Department of Health, Social Services & Public Safety.

My Department does not hold information on these places for academic year 2015/16.

Ms Sugden asked the Minister for Employment and Learning to detail what communication his Department has had with major businesses, who have expressed concerns about the future lack of local linguistic skills, following the closure of the Modern Languages School at Ulster University Coleraine.

(AQW 48905/11-16)

Dr Farry: My Department has not had any communication or received any feedback from major businesses, including international businesses, regarding a potential deficit in modern language skills due to the closure of the School of Modern Languages at Ulster University.

Ms Sugden asked the Minister for Employment and Learning to detail what communication his Department has had with Ulster University, Coleraine, regarding a time scale for staff redundancies due to the closure of the Modern Languages School.

(AQW 48906/11-16)

Dr Farry: I have had ongoing discussions with Ulster University in relation to the possible implications of the budget reductions to the higher education sector, including the closure of the School of Modern Languages.

However, while my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous and responsible for their own staffing levels and potential redundancies.

Mr Easton asked the Minister for Employment and Learning to detail the current departmental budget to Queen's University Belfast.

(AQW 48943/11-16)

Dr Farry: In the current 2015-16 financial year, my Department anticipates providing £73.7 million of recurrent funding and £9.4 million capital funding to Queen's University Belfast.

Mr Easton asked the Minister for Employment and Learning to detail the current budget to Ulster University.
(AQW 48944/11-16)

Dr Farry: In the current 2015-16 financial year, my Department anticipates providing £54.5 million of recurrent funding and £6.5 million capital funding to Ulster University.

Mr Easton asked the Minister for Employment and Learning to detail the funding received by Queen's University Belfast which does not come from his Department.

(AQW 48945/11-16)

Dr Farry: The latest published financial statements for Queen's University are for the 2013-14 academic year. Income which does not come from my Department is detailed in the statements as follows:

	£'000s
Tuition fees, support grants and education contracts	80,170
Research grants and contracts	64,546
Other operating income	52,548
Less: share of joint ventures	(2,378)
Endowment and investment income	6,496
Total Income	201,382

This represents 67.49% of total income of £298.4 million.

Mr Easton asked the Minister for Employment and Learning to detail the funding received by Ulster University which does not come from his Department.

(AQW 48946/11-16)

Dr Farry: The latest published financial statements for Ulster University are for the 2013-14 academic year. Income which does not come from my Department is detailed in the statements as follows:

	£'000s
Tuition Fees and Education Contracts	68,990
Research Grants and Contracts	23,596
Other Income	17,622
Endowment and Investment Income	2,686
Total Income	112,894

This represents 56.67% of total income of £199.2 million.

Ms Sugden asked the Minister for Employment and Learning to detail any feedback he has received from businesses, including international businesses, concerning a deficit in modern language skills following the announcement to close the School of Modern Languages at Ulster University.

(AQW 48995/11-16)

Dr Farry: My Department has not had any communication or received any feedback from major businesses, including international businesses, regarding a potential deficit in modern language skills due to the closure of the School of Modern Languages at Ulster University.

Ms Sugden asked the Minister for Employment and Learning to detail all current and future academies being delivered under his Department's Assured Skills Programme.

(AQW 48997/11-16)

Dr Farry: The table below lists the live and planned Academies under the Department's Assured Skills programme:

Name of Assured Skills Academy	Start date of Academy	Length of Academy
EY	17 August 2015	9 weeks
FinTrU	1 September 2015	6 weeks
Deloitte	5 October 2015	6 weeks

Name of Assured Skills Academy	Start date of Academy	Length of Academy
Whitehat	12 October 2015	5 weeks
Eishtec	12 October 2015	3 weeks
EY	December 2015/January 2016	to be confirmed

Change Fund

From 1 April 2015 my Department received an additional £2m in funding through the 'Change Fund' for Assured Skills. The overall objective of this funding is to improve the effectiveness of government support and to identify and address those sectors and sub sectors where the availability of skills is impeding the growth of the sector.

The table below lists the live and planned Academies funded from the Change Fund:

Name of Change Fund Academy	Start date	Length of Academy
2D Animation Academy	3 August 2015	16 weeks
Financial Services Academy	7 September 2015	8 weeks
Export Sales & Marketing Academy	7 September 2015	8 weeks
Welding Academy	7 September 2015	8 weeks
Data Scientists Academy	To be confirmed	16 weeks
Gaming Academy	2 November 2015	12 weeks

Mr Campbell asked the Minister for Employment and Learning, pursuant to AQW 43851/11-15, when he expects to formally announce the size and location of any replacement college campus for the Northern Region.
(AQW 49037/11-16)

Dr Farry: A copy of an Outline Business Case was received from the Northern Regional College on 22 September 2015, setting out the College's proposals for addressing its accommodation needs in the Ballymena and Coleraine/Ballymoney areas.

Following Departmental approval of the Business Case, approval is then required from the Department of Finance and Personnel before a formal announcement can be made.

Department of the Environment

Mr McMullan asked the Minister of the Environment whether (i) he has requested the Ministry of Defence take immediate steps to secure munitions it dumped in the Irish Sea at Beauford Dyke during the 1950s, 1960s and 1970s; and (ii) he will provide assurances that local authorities will not be liable for paying for any cleaning operations aligned to any military ordnance being washed up on their beaches or property.

(AQW 48455/11-16)

Mr Durkan (The Minister of the Environment):

- (i) I am concerned at the past practice of munitions dumping at sea. However, the totality of the munitions dumping area is within Scotland's territorial waters, and not those under the jurisdiction of Northern Ireland.
- (ii) It is my understanding that local authorities have never been liable for the cost of clean-up of any military ordnance on our beaches. In the past the Northern Ireland Environment Agency has co-ordinated the response on ensuring that washed-up munitions are disposed of properly. The response to any military ordnance being washed up on our coastline today would primarily fall to the PSNI, who may involve other specialists if required. It would not be envisaged that any costs resulting from this sort of operation would fall to the local authority.

Mr Gardiner asked the Minister of the Environment to detail the scale of each of the 2015/16 inescapable budgetary pressures faced by his Department.

(AQW 48517/11-16)

Mr Durkan: At the June monitoring round, my Department submitted resource funding bids totalling £11.3m and capital funding bids totalling £3.41m to meet identified pressures. The detail of these bids is included in the tables below.

Table 1: Resource bids

Bid	£million
De-Rating Grant - shortfall in baseline provision	1.3
Restoration of Rates Support Grant	2.8
Dereliction/Emergency Planning/Construction Products Grants	1.7
Natural Environment Programmes	2.0
Regional Ops / Local clean up costs / All Island Unconventional Gas Exploration and Extraction (UGEE) Research Programme	0.78
Listed Building Grants	1.4
Road Safety communications	1.0
Judicial Review / Consultancy Costs	0.27
Office of Legislative Counsel Costs	0.05
Resource Bids	11.3

Table 2: Capital Investment bids

Bid	£million
Taxi & Bus IT System	1.03
Heritage Led Development	1.00
Vehicles & scientific equipment	0.25
Enhancements and capital repairs to Country Parks	0.75
Roe Valley Hydro Electric Scheme	0.38
	3.41

As the June monitoring process has not yet concluded these remain the budgetary pressures within my department.

Mr Agnew asked the Minister of the Environment (i) whether any regulatory requirements exist which mandate source separation of commercial and industrial waste for recycling; and if so, to detail (ii) what powers his Department has to enforce these rules; and (iii) the number of times enforcement has been actioned due to breaches of these regulations in the last twelve months.

(AQW 48588/11-16)

Mr Durkan: As it is not a requirement of the Waste Framework Directive to source separate commercial and industrial waste for recycling, there is currently no legislation in place which mandates for this. There are therefore no powers to enforce source separation and, consequently, no enforcement action has been taken on this specific issue.

However the recently introduced Food Waste Regulations (Northern Ireland) 2015 place a duty on food businesses (i.e. businesses involved in food production, food preparation or food retailing) to present food waste for separate collection.

The purpose of the Food Waste Regulations is to prevent food waste going to landfill by encouraging the source segregation and separate collection of food waste and subsequent banning of separately collected food waste from landfill. The Regulations introduce a prohibition on the landfilling of separately collected food waste from 1 April 2015; as well as introducing a duty on businesses to ensure food waste is not deposited in a lateral drain or sewer from 1 April 2017.

Food businesses that produce over 50kg of food waste per week have to comply by 1 April 2016; and food businesses that produce over 5kg of food waste per week have to comply by 1 April 2017.

Mr Flanagan asked the Minister of the Environment what action his Department has taken to control the pricing and clamping policies of private car park operators, given the pledges made by his predecessor in May 2013.

(AQW 48591/11-16)

Mr Durkan: You will be well aware that my Department previously had a very limited role in relation to this issue; a role that ceased completely when vehicle registration and licensing was centralised by the Driver and Vehicle Licensing Agency (DVLA) in Swansea on 21 July 2014. From that date, responsibility for the delivery of vehicle registration and licensing in Northern Ireland, including the release of keeper data, transferred to DVLA.

Since the transfer my Department has no access to the DVLA system to monitor or resolve issues relating to Northern Ireland motorists. Therefore, any specific issues should be raised directly with the DVLA at the address below:

Mr Oliver Morley
Chief Executive
Driver and Vehicle Licensing Agency
Swansea
SA6 7JL

There is also a dedicated telephone number and email address for MPs and other elected representatives to contact DVLA on behalf of their constituents. Emails should be sent to dvlaministerials@dvla.gsi.gov.uk, or alternatively the telephone number is 01792 788585.

With regards this specific issue, both I and my predecessor have previously raised concerns about the practices of some car parking companies, in particular, inadequacy of signage detailing parking time limits and penalties, penalty demands, threats of legal action and the absence of an appeal mechanism in Northern Ireland. Despite this, I have received no satisfactory assurances and I must reiterate that my Department has no locus to control the policies or prices of private car parks.

I understand since 2009 all car parking companies have been required to become members of an accredited trade association (ATA) and adhere to a code of practice, before they are able to obtain keeper information. If anyone receives a parking charge notice and feels that any of the practices used by the company do not comply with the code of practice, they should contact the relevant ATA directly.

Lord Morrow asked the Minister of the Environment, given the taxi sign proposals will house taxi plates which the new legislation states should not be removable from the taxi, how does his Department intend to enforce this, as the sign itself will be removable and consequently the plate.

(AQW 48625/11-16)

Mr Durkan: The legislation developed in respect of taxi signs and plates has specifically required that both are removable. At no point has any legislative provision proposed that signs or plates should be permanently fixed to a vehicle.

Mr Swann asked the Minister of the Environment how many of his departmental staff have a registered disability, broken down (i) by full time equivalent; and (ii) as a percentage of the workforce.

(AQW 48644/11-16)

Mr Durkan: At 1 April 2015, 86 staff in the Department of the Environment have a declared disability. In terms of full-time equivalent staff this equates to 82.5 staff or 4.1% of Departmental staff.

Mr Agnew asked the Minister of the Environment (i) whether he has received the Northern Ireland Audit Office draft report examining his Department's failures to protect the Lough Neagh Area of Special Scientific Interest and Special Protection Area; and (ii) to detail any timescale for responding to the report.

(AQW 48661/11-16)

Mr Durkan: I can confirm that my Department has received the draft Northern Ireland Audit Office report which reviews unregulated sand extraction from Lough Neagh. The report is supplied to the Department in confidence and the timescale for the report is a matter for the Audit Office.

Mr Agnew asked the Minister of the Environment to detail (i) how his Department ensures that commercial and industrial waste is processed by reputable operators; and (ii) what (a) deficiencies exist in; and (b) what plans he has to improve, the regulatory oversight of this waste stream.

(AQW 48663/11-16)

Mr Durkan: The deficiencies that exist in the regulatory oversight of industrial and commercial waste have previously been highlighted in AQWs 48005/11-15 and 48588/11-16 to you. In order to improve the regulatory oversight of industrial and commercial waste, colleagues in the Environmental Policy Division are currently developing a MRF (Materials Recycling Facility) Code of Practice. Once this is in place, NIEA will assess and revise regulatory procedures, as required.

Notwithstanding for anyone who wishes to keep, treat or dispose of controlled waste there is a requirement under The Waste and Contaminated Land (Northern Ireland) Order 1997 to hold a waste management licence. NIEA assesses the compliance of an operator holding a waste management licence, through a number of regular monitoring site inspections, the number of which is assigned by the NIEA based on the potential risk of the operation of the facility. Where a site is not fully compliant with its waste management licence, then NIEA will offer the relevant guidance or implement enforcement depending on the seriousness of the offence.

The compliance of the site is entered in a Compliance Assessment Model, which has been recently developed by NIEA in response to the Mills Review to assist with identifying operators who repeatedly fail to comply with their waste management licence, and therefore enable the regulatory team to assign resources to the highest risk areas.

Waste Stream analysis is another new approach developed by NIEA in response to the Mills Review. The approach is a total audit of waste flows into and out of a waste operator, with an audit of each site taking several days. This approach is currently being trialled by NIEA and its outcome is to develop a mass balance approach where all wastes entering and leaving a site are accounted for.

Mr Agnew asked the Minister of the Environment whether (i) it is normal UK Member State protocol to provide people that have lodged infraction complaints with copies of departmental responses to the European Commission, and (ii) he will authorise the release of this information to the complainants.

(AQW 48715/11-16)

Mr Durkan: Infraction cases are quasi-legal in nature and may lead to legal proceedings against a Member State being taken to the European Court of Justice. Northern Ireland is part of the UK Member State and correspondence between the Commission and the Member State on infraction cases is regarded by both parties as confidential between them. Exposing the position of the Department or that of the Commission would prejudice these legal proceedings.

It is therefore not normal UK Member State protocol to provide copies to a complainant of responses to the Commission on infraction cases, and in line with the Memorandum of Understanding and the concordat on EU Policy Issues agreed between the UK Government and the devolved administrations, the Department is not at liberty to disclose this information.

Mr Easton asked the Minister of the Environment to detail the legislation in relation to dogs being unsupervised and off their leads that results in the death of cats.

(AQW 48723/11-16)

Mr Durkan: While my Department is not responsible for any legislation specifically related to the death of cats due to unsupervised dogs, Part 5 of the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 allows district councils to make "dog control orders" providing for offences in respect of the following matters:

- (a) fouling of land by dogs and the removal of dog faeces;
- (b) the keeping of dogs on leads;
- (c) the exclusion of dogs from land; and
- (d) the number of dogs which a person may take on to any land.

Any offence provided for in a dog control order must be prescribed by the Department, the relevant legislation in this case being the Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations (Northern Ireland) 2012.

There is specific legislation in respect of attacks by dogs on other animals which is the responsibility of the Department of Agriculture and Rural Development. It is my understanding that the relevant legislation is Part 3 of the Dogs (Northern Ireland) Order 1983 (as amended by the Dogs (Amendment) Act (Northern Ireland) 2011) but any further detail should be sought from the Minister for Agriculture and Rural Development.

In either case, the relevant enforcing authority is the district council in whose area the offence is committed.

Mr McKinney asked the Minister of the Environment whether he has spoken to the Secretary of State for Energy and Climate Change, in relation to the early closure of the Northern Ireland Renewable Obligation for onshore wind development.

(AQW 48753/11-16)

Mr Durkan: I am aware of concerns surrounding the closure of the Northern Ireland Renewables Obligation (NIRO) for onshore wind development and the implications this may have for renewable energy deployment in Northern Ireland.

I have therefore written to The Secretary of State for Energy and Climate Change, Amber Rudd MP, to raise my serious concerns regarding the very real economic and environmental implications this may have for renewable energy generation in Northern Ireland.

Such a closure would have a significant impact on the achievement of the Northern Ireland Programme for Government target of a 35% reduction in Green House Gas emissions by 2025, from 1990 baselines. This target was set by including the achievement of 40% of energy from renewable resources by 2020. Northern Ireland is currently producing 20% of energy from renewable energy resources, the vast majority of which is from onshore wind developments. Closure of the NIRO to onshore wind development will render the 40% target unachievable.

In addition, I am concerned that potentially acceptable renewable energy proposals will not have sufficient time to secure planning permission either through councils or through my own Department in order to avail of the NIRO. This would render proposals unviable and would render the 40% target unachievable. Clearly, as Minister for the Environment, I am keen to ensure that as many acceptable onshore wind farm proposals come to fruition as possible for the benefit of the wider environment.

I have therefore sought Amber Rudd's assurance that she will take these very important concerns fully into account and I look forward to her response.

Mr Weir asked the Minister of the Environment to detail how many meetings of the Local Government Partnership panel have taken place since its inception.

(AQW 48768/11-16)

Mr Durkan: The Partnership Panel has met on four occasions since its inception in late 2014. The meetings took place on 2 December 2014, 3 February 2015, 28 April 2015 and 23 June 2015. The Panel is due to meet again on 20 October 2015.

Mr Agnew asked the Minister of the Environment, in relation to hydropower application A/2011/0219/F, whether (i) the cumulative effects for the purposes of Environmental Impact Assessment and Habitats Regulation Assessment will not be restricted to other proposed hydropower schemes on the River Faughan Special Area of Conservation; and (ii) his Department should have considered the effects of water abstraction and other operations from the nearby quarry.

(AQW 48800/11-16)

Mr Durkan: The planning application is still under consideration and I can assure you this matter will be given full consideration in the determination of this application. The Department is aware of the on-going enforcement proceedings associated with the quarry referred to and will continue to liaise with Derry City and Strabane District Council in reaching a decision.

Mr Agnew asked the Minister of the Environment, in relation to traffic passing bays, whether facilitating planning application A/2011/0219/F, will require (i) planning permission and screening for environmental effects; and (ii) the submission of a new application as no such details have been included, or sought as part of the original planning application.

(AQW 48802/11-16)

Mr Durkan: The planning application is still under consideration and I can assure you that all relevant issues will be given full consideration in the determination of this application.

Mr McKinney asked the Minister of the Environment to detail the (i) voluntary; and (ii) community organisations in South Belfast that receive funding from his Department.

(AQW 48804/11-16)

Mr Durkan: The table below details the voluntary and community organisations in South Belfast that currently receive funding from my Department.

Organisation

- Mornington Community Project
- Greater Village Regeneration Trust
- Conservation Volunteers
- Royal Society for the Protection of Birds
- Community Places

Mr Allister asked the Minister of the Environment whether he is aware of any plans to acquire by vesting, or otherwise, the premises previously known as Kincora at 236 Upper Newtownards Road, Belfast.

(AQW 48815/11-16)

Mr Durkan: My Department has no plans to acquire by vesting, or otherwise, the premises previously known as Kincora at 236 Upper Newtownards Road, Belfast.

Mr Flanagan asked the Minister of the Environment whether he intends to bring forward legislation to regulate and licence bonfires to ensure they comply with all environmental regulations.

(AQW 48881/11-16)

Mr Durkan: I have concerns about the impacts of bonfires due to the burning of “controlled” waste particularly in built up areas. These impacts include: potential damage to human health and the environment; physical damage to public and private property with high associated costs; low level criminality; and in certain cases behaviours that can be both anti-social and which create or increase tensions between communities.

The legislative position in Northern Ireland relating to bonfires is extremely complicated and involves a number of public bodies, making enforcement less effective without a joined up approach. Legally, the ultimate responsibility for bonfires rests with the landowner, often a public body, although those engaged in associated activities also carry certain responsibilities.

While District Councils often take the lead responsibility for the overall management of bonfires, a number of other bodies also have enforcement powers in relation to bonfires. These include the Police Service of Northern Ireland (PSNI), Northern Ireland Fire and Rescue Service (NIFRS), and the Northern Ireland Environment Agency (NIEA). As a result, it is likely that none of the major bonfires in Northern Ireland comply fully with the requirements of existing legislation.

In order to address the significant ongoing concern about the impacts of bonfires, I have asked my officials to consider future options which may have the potential to improve bonfire management and control. It is my intention to discuss these options with local councils and the Environment Committee in the near future.

I am aware that in Northern Ireland bonfires are an emotive issue, and their management needs to be approached in a sensitive manner. The success of any option for their management and control will rely heavily on adopting a holistic approach with buy-in and participation from all those involved. If the issues around bonfires are to be successfully tackled full political and community support will be needed. I am prepared to take leadership on this and open up the debate.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48006/11-15, whether the decision to use on-shore operations as the basis to issue Aggregates Levy Credit Scheme Certificates to Lough Neagh sand traders was only taken after and because, his Department was aware that the extraction taking place from the bed of the lough was unauthorised. (AQW 48918/11-16)

Mr Durkan: The Aggregates Levy Credit Scheme (ALCS) was introduced by Her Majesty's Revenue and Customs (HMRC) under the Aggregates Levy (Northern Ireland Tax Credit) Regulations 2004. The Department administered the certification part of the scheme on behalf of HMRC. Certificates were only issued to applicants for specific sites that had been registered for the purposes of the aggregates levy, as defined by the Finance Act 2001.

In the case of Lough Neagh, the Department only received applications for onshore sites. Six ALCS certificates were issued for onshore Lough Neagh sites, all of which HMRC had recorded as registered sites for the purpose of the aggregates levy. Therefore, the Department complied with the relevant legislation and the application process when certifying these sites.

Mr Hazzard asked the Minister of the Environment (i) for his assessment of the recent Marine Litter Survey; and (ii) what actions his Department will take in light of the findings. (AQW 48920/11-16)

Mr Durkan: I welcome the publication of the Marine Litter Survey. It helps the Department report on litter levels along our coastline and provides a focus on our continuing efforts to clean up our beaches.

Although, there are unacceptable levels of litter across our beaches, the Survey highlights that significantly more litter was observed on beaches close to the fishing harbours of Ardglass and Kilkeel than on other parts of our coastline.

To help address this specific issue, my Department is continuing to fund the Fishing for Litter scheme. This scheme which is in operation across the three main fishing harbours at Ardglass, Kilkeel and Portavogie encourages fishermen to land rubbish trawled up in their nets during normal fishing operations and promotes sustainable waste disposal practices and cultural change among the industry. Since the scheme started in February 2014 almost 24 tonnes of litter have been removed from the sea by fishermen.

In addition, I have provided funding to the Kilkeel Development Association through the Challenge Fund to deliver a programme of education and beach cleaning events through the Big Beach Crusade.

To address the problem of litter across all of our beaches my Department published the Northern Ireland Marine Litter Strategy in 2013. We also established the Good Beach Summits which bring together all those with a responsibility for beaches to help deliver the Strategy. The Strategy is to be reviewed later this year.

A number of programmes will continue to be delivered under the Strategy including: the Wrigley's Litter Less Campaign, Blue Flag Awards for beaches and marinas, the Line Out campaign which focuses on reducing angling litter, the Bag it and Bin It campaign aimed at reducing levels of sewage related debris, upgrades to coastal sewage infrastructure, and the Great Northern Irish Beach Clean in which I recently participated in at Culmore Point.

I will continue to tackle this problem at both a Strategic and Programme level dealing with litter across all of our beaches including those close to fishing harbours. We have already made progress, but this survey shows that there is still much to be done. This requires effort on all our parts and through the Good Beach Summits, I am at least satisfied that we have the framework and the relevant participants to tackle this problem effectively.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48007/11-15, in light of enforcement proceedings, whether (i) legislation or policy positions have changed since the Aggregates Levy Credit Scheme certificates were issued; and (ii) Lough Neagh sand traders have ever operated within the regulatory framework. (AQW 48942/11-16)

Mr Durkan: The relevant legislation for the operation of the Aggregates Levy Credit Scheme (ALCS) was the Aggregates Levy (Northern Ireland Tax Credit) Regulations 2004 and the Finance Act 2001. During the operation of ALCS between 1 September 2004 and 1 December 2010 there were no legislative changes to ALCS certification and monitoring. On 1 December 2010, as a result of a European Court ruling and European Commission direction on state aid rules, HM Treasury reviewed the existing policy and suspended the ALCS.

Only registered sites, as defined by the legislation stated above, received an ALCS certificate. In the case of Lough Neagh, ALCS applications were only received for onshore operations that had been recorded by Her Majesty's Revenue and Customs as registered sites. During the period of ALCS operation, no regulatory issues were reported necessitating a review of a certificate for these onshore sites. In addition, operators complied with the ALCS Code of Practice requirement to conduct an independent environmental audit every two years, and to address any issues arising from the audit.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48222/11-15, whether any monitoring of unauthorised sand extraction from Lough Neagh Special Protection Area took place between 5 August 2014 and 22 January 2015.
(AQW 48947/11-16)

Mr Durkan: As set out in my previous response, because this is an ongoing formal enforcement case my Department is not in a position to comment further at this stage.

Mr Agnew asked the Minister of the Environment to detail (i) how many Prosperity Agreements his Department has entered into; and (ii) any resources that have been redirected from administrative activities to supporting businesses improve their environmental performance as indicated in his statement of 16 September 2015.
(AQW 48957/11-16)

Mr Durkan: My Department has signed three Prosperity Agreements with the following progressive companies to date:

- 1 Linden Foods/Linergy in August 2014
- 2 Lafarge Tarmac in March 2015
- 3 John Thompson and Sons Ltd. in July 2015

My Department has established a dedicated programme management team of six staff from existing staff resources to develop Prosperity Agreements and monitor their progress.

Mr Middleton asked the Minister of the Environment what steps his Department and the Northern Ireland Environment Agency are taking to address the waste at the Electra Road, Maydown site in Londonderry.
(AQW 49012/11-16)

Mr Durkan: Following a site inspection carried out by NIEA on 10 July 2015, the waste management licence for Brickkiln Waste Limited, located at land North of 19, Maydown Road, Electra Road, Derry, licence number LN/07/09/V2 (WML ref 13/32) was suspended under Article 16(5) of the 1997 Order to acceptance of waste. The reasons for the suspension were the failure to comply with Article 16(4) Notices issued under the 1997 Order (remediation notices), dated 12 June 2015 and 26 June 2015, and that the licence was still not being complied with, namely:-

- A quantity of bales of RDF (Refuse Derived Fuel) has been stored on site for longer than the 3 months permitted in the waste management licence; and
- The quantity of unprocessed waste stored in the reception area is in excess of the quantities permitted by the waste management licence; and
- The quantity of organic fines stored on the site is in excess of the 200 tonnes permitted by the waste management licence.

The Suspension Notice set out the remedial measures and timeframes that must be taken by the operator, and as these have not yet been complied with, this Suspension Notice remains in force.

You should note that the operator of the site, Brickkiln Waste Limited, has gone into voluntary administration and the administrator is currently in control of the site. The administrator is presently in the process of selling the facility by way of sealed bids, due for completion on 30 September 2015. One of the stipulations of the sale is the requirement for the successful bidder to confirm in writing that they will undertake the works to clear the site in line with the requirements of the Suspension Notice and provide evidence that they can satisfy NIEA requirements.

I assure you that NIEA is continuing to inspect the site regularly, and is liaising with the administrator to ensure that the waste onsite is managed properly.

Mr Agnew asked the Minister of the Environment to define the term sustainable economic growth as set out in his Department's 2015-1016 Business Plan targets R4.1 and R4.2.
(AQW 49036/11-16)

Mr Durkan: There are many definitions for the term sustainable economic growth, but in general it refers to a rate of growth which meets the needs of the present without compromising the capacity of future generations to meet their needs.

Mr Agnew asked the Minister of the Environment whether (i) planning permission is required for the erection of mobile phone masts near schools; and (ii) there are any specific policies relating to their erection near schools.
(AQW 49123/11-16)

Mr Durkan:

- (i) Planning Permission is required for the erection of mobile phone masts in certain circumstances; however, telecommunication operators can avail of permitted development rights under Part 18 of The Planning (General Permitted Development) Order (Northern Ireland) 2015.

These permitted development rights allow for the replacement or extension of an existing mast previously erected following grant of planning permission and the installation, alteration or replacement of apparatus on an existing mast,

providing it does not extend the mast above 10% of its original permitted height and subject also to a number of other conditions and limitations. Where these are met planning permission is not required.

- (ii) Proposals for the erection or installation of a mast which is not a replacement or extension of an existing mast or other development that falls outside the scope of permitted development rights will require planning permission. The Strategic Planning Policy Statement, which I recently published in final form, consolidates and expresses in a strategic way the provisions of PPS 10: Telecommunications. The SPPS is a material consideration in the preparation of local development plans and in making decisions on planning applications.

The SPPS requires councils, through their local development plans, to bring forward policies and proposals to set out the detailed criteria for consideration of new telecommunications development in their local area which should address issues such as siting, design and impact upon visual amenity. Also, in relation to health considerations, applicants should provide a statement declaring that the base station or mast, when operational, will meet internationally accepted public exposures guidelines. Therefore, the SPPS provides councils with the flexibility to bring forward their own specific policies on this matter in their local development plans, to reflect local circumstances.

Under the transitional arrangements of the SPPS and for continuity in decision taking, detailed policies in PPS 10: Telecommunications will still apply until such times as a council adopts its Plan Strategy. PPS 10 does not specify the distance that a mast must be located in respect of a school but it recommends that, in relation to macrocell base stations, that is the zone where the concentration of radio waves is higher than elsewhere, should not fall on any part of a school's grounds or buildings without agreement from the school and parents, and that, if agreement could not be obtained for an existing base station, the antennas may have to be readjusted.

Therefore, the location of a proposal, including its location near a school, is a material consideration in the determination of a planning application.

Department of Finance and Personnel

Mr Gardiner asked the Minister of Finance and Personnel when will she provide an answer to AQW 46663/11-15. (AQW 47716/11-15)

Mrs Foster (The Minister of Finance and Personnel): AQW 46663/11-15 was answered on 4 September 2015.

Mr Allister asked the Minister of Finance and Personnel to detail the payments to North/South bodies has she approved in 2015. (AQW 48739/11-16)

Mrs Foster: The Northern Ireland Grants to North/South Bodies approved by my predecessor for 2015 were as follows:

Name of Body	Amount approved	Date approved by DFP Minister
Language Body: Foras Na Gaeilge	£3,076,683	5 December 2014
Ulster Scots Agency	£1,836,835	
Waterways Ireland	£3,119,152	2 December 2014
SEUPB	£1,008,500	11 November 2014
Loughs Agency	£1,975,242	11 November 2014
Food Safety Promotion Board (Safefood)	£1,900,000	10 December 2014
InterTradeIreland	£2,582,862	16 December 2014
Tourism Ireland Ltd	£11,690,000	3 March 2015

I have not approved any Grants to North/South Bodies for 2016.

Mr Allister asked the Minister of Finance and Personnel to detail the payments to North South bodies that are awaiting approval at 10 September 2015. (AQW 48779/11-16)

Mrs Foster: My approval is required for the total grant to a North/South body in a financial year. There were no such grant applications from sponsor departments awaiting my approval on 10 September 2015 or submitted for my approval since that date.

Actual payment of the grant to each North/South Body is processed by its sponsor department throughout the financial year.

Mr Allister asked the Minister of Finance and Personnel whether she has approved 2016 payments to North South bodies and does she intend to issue such approvals.

(AQW 48780/11-16)

Mrs Foster: I have not yet received any requests from sponsor departments for approval of the 2016 Grants to the North/South Bodies. I will consider approval of the 2016 Grants and supporting Business Plans when such requests are presented.

Mr Allister asked the Minister of Finance and Personnel to outline her gatekeeper functions.

(AQW 48781/11-16)

Mrs Foster: My role is to ensure that public resources are allocated and utilised in the most effective and appropriate way. This is particularly important, given the ongoing pressure on public sector budgets.

Mr Weir asked the Minister of Finance and Personnel to detail the number of civil servants currently employed in North Down.

(AQW 48864/11-16)

Mrs Foster: The number of Northern Ireland Civil Service employees (headcount) in the North Down Assembly area at 1 July 2015 was 960.

Notes: Data is based on permanent and temporary employees not on career break in the 13 Departments, staff in the Health and Safety Executive for Northern Ireland, the Office of the Attorney General for Northern Ireland, staff of The Assembly Ombudsman for Northern Ireland/ The Northern Ireland Commissioner for Complaints and the Historical Institutional Abuse Inquiry Team. Data sourced from HRConnect and additional DOJ Databases as at 1st July 2015.

Mr McKinney asked the Minister of Finance and Personnel to detail the number of appeals that have been made in relation to the revaluation of non-domestic properties.

(AQW 48870/11-16)

Mrs Foster: Between the 1 April 2015 and 21 September 2015, the District Valuers within Land & Property Services received 2,255 challenge type applications in relation to the revaluation of non domestic properties.

Mr McKinney asked the Minister of Finance and Personnel to detail the capital projects that have been approved for the Carryduff area of South Belfast since May 2011.

(AQW 48889/11-16)

Mrs Foster: There were no capital projects approved within my Department for the Carryduff area since May 2011.

This response is provided for the Department of Finance and Personnel only as the information for all departments is not held centrally. The Member should contact individual departments for their information.

Mr McKinney asked the Minister of Finance and Personnel to detail the number of businesses that, due to the revaluation of rates, fell outside the threshold for the Small Business Rates Relief Scheme.

(AQW 48891/11-16)

Mrs Foster: As a result of the non domestic revaluation which came into effect on 1 April 2015, 767 properties were no longer eligible for Small Business Rate Relief because their Net Annual Value (NAV) increased above the £15,000 limit. From the same date, 1,351 properties became eligible for Small Business Rate Relief.

Mr Allister asked the Minister of Finance and Personnel to detail the consequences for budgetary control due to the absence of June and October monitoring rounds.

(AQW 48911/11-16)

Mrs Foster: The Executive agreed a June Monitoring technical exercise which allowed departments some internal flexibility to manage their budgets. In the absence of any Executive agreement on the substantive June monitoring round, all Ministers' must ensure they remain within their existing control totals.

Mr Allister asked the Minister of Finance and Personnel to detail how her Department is currently monitoring spending across Departments.

(AQW 48912/11-16)

Mrs Foster: Departments are required to remain within control totals agreed by the Executive. In monitoring departmental spend DFP takes two key approaches. Firstly my department's Supply division have regular engagement with finance teams in departments to discuss budgetary matters. Secondly, on a monthly basis departments report their actual spend and projected spend split by month. This helps to ensure that departments are within Budget and provides an early indicator of any inescapable pressures facing departments.

The monthly spend reports are also presented to the Committee for Finance and Personnel for their information and assessment.

Mr Allister asked the Minister of Finance and Personnel to detail how her Department is currently monitoring savings across Departments.

(AQW 48913/11-16)

Mrs Foster: Budget 2015-16 did not set specific savings targets for departments. Instead it is up to individual Ministers to make appropriate savings to live within their control totals. Therefore, my Department is not monitoring savings across departments. However, individual departmental Committees may wish to do so.

Mr Weir asked the Minister of Finance and Personnel to detail the number of appeals lodged in relation to the revaluation of non-domestic properties broken down by (i) constituency, and (ii) council area.

(AQW 48927/11-16)

Mrs Foster: Land & Property Services IT systems do not record property details by Parliamentary Constituency. The table below details the number of challenge type applications received by the District Valuers in relation to the revaluation of non domestic properties, as at 21st September 2015 by Council area.

District Council	Total
Antrim & Newtownabbey	183
Armagh Banbridge & Craigavon	274
Belfast	383
Causeway Coast & Glens	211
Derry & Strabane	137
Fermanagh & Omagh	176
Lisburn & Castlereagh	158
Mid & East Antrim	138
Mid Ulster	165
Newry Mourne & Down	260
North Down & Ards	170
Total	2255

Mrs Dobson asked the Minister of Finance and Personnel to detail (i) the number; (ii) make and model; and (iii) individual cost of all new vehicles purchased in each of the last three years by her Department and any of its arm's-length bodies.

(AQW 49022/11-16)

Mrs Foster: My Department has purchased the following vehicles in the past 3 years:

Number	Make & Model	Cost	Date of purchase
1	Landrover Defender	£19k	February 2013
1	Skoda Superb 2.0 Tdi Elegance	£19k	March 2013
3	Renault Traffic LH29dCi 115	£14k each	March 2014

None of the Department's arm's length bodies purchased any vehicles.

Mr Middleton asked the Minister of Finance and Personnel to detail the support her Department is providing ratepayers in Strabane through the District Rate Convergence Scheme.

(AQW 49031/11-16)

Mrs Foster: Collectively, it is estimated that Strabane ratepayers will receive a District Rate subsidy amounting to £1.5m over the life of the scheme.

By way of example, for a domestic ratepayer with a property that has a capital value of £125,000, this will represent a discount of £21 for the current financial year.

For a non-domestic ratepayer occupying a property with an NAV of £15,000 this will represent a discount of £500 for the current financial year.

Mr Swann asked the Minister of Finance and Personnel whether Departments have a target for the number of members of departmental staff who are registered with a disability.

(AQW 49041/11-16)

Mrs Foster: The NICS Departments do not set a target in relation to the number of staff who declare a disability either at the recruitment stage or during their employment.

Rather than setting goals or targets for the employment of people with disabilities, the NICS is committed to ensuring that its employment policies and practices provide people with disabilities with an equal opportunity for employment and advancement in the NICS.

Currently 5.5% of NICS staff have declared that they have a disability, compared to 5.6% of the economically active population. (Economically active data sourced from the 2011 Census). However it should be noted that this is a voluntary declaration collected for equal opportunities monitoring purposes only. It is therefore possible that not all staff with a disability have chosen to declare they have a disability and the information reported here can therefore only be considered to be an indication of the position.

The NICS continues to work with people with disabilities and their representatives to identify proactive measures to encourage people with disabilities to consider a career in the NICS and, when appointed, to remove any barriers to their retention and progression within the Service.

Whether or not staff declare that they have a disability for monitoring purposes, departments will make reasonable adjustments across the range of employment practices including, recruitment and selection, training and development, and working arrangements, to ensure people with disabilities are not disadvantaged.

Mr Lyttle asked the Minister of Finance and Personnel to detail the terms of reference for the Ulster University Economic Policy Centre independent audit of the cost of division.

(AQW 49052/11-16)

Mrs Foster: The terms of reference are appended to this answer.

Independent Audit of Cost of Division - Terms of Reference

The Stormont House Agreement stated:

“There should be an independent audit of departmental spending to identify how divisions in society impact on the delivery of goods, facilities and services, and to then consider how best to reconfigure service delivery in a manner consistent with a shared future”

The following tasks need to be completed to fulfil the Stormont House Agreement action points

- An assessment of the robustness of the 2007 Deloitte Report on the Cost of Division and specifically its methodology; and
- The provision of a 2015 estimate of what division might cost the Executive in terms of public expenditure.
- Initial proposals for alternative service delivery that will reduce the cost of division

Terms of Reference for Economic Policy Centre

In early 2006, OFMDFM commissioned Deloitte to conduct research into the financial costs of the divide in NI. The report, which was finalised and published in 2007, concluded that the upper limit of the cost of the divide in Northern Ireland was around £1.5 billion per annum.

The original Deloitte report is now considerably dated and as a result UUEPC is commissioned to update the existing work. In doing so UUEPC should revisit the methodologies used in the estimates previously produced by Deloitte and provide an updated cost, either using the original methodology or via a new, more suitable approach for today's economy.

The project will not revisit the consultations and engagement process of the previous work, but will produce empirical estimates for Direct, Duplication and Economic Lost Opportunity costs, partly as a way to generate debate and discussion over what is a very emotive and complex issue.

UUEPC will have discretion on how best to take this work forward.

Mr Weir asked the Minister of Finance and Personnel to detail how much money has been allocated by monitoring rounds in each of the last three years to cover shortfalls in the cost of smartpass travel.

(AQW 49135/11-16)

Mrs Foster: The Executive has agreed the following monitoring round allocations in each of the last three years to cover the shortfall in the cost of the Concessionary Fares scheme;

£ million	2012-13	2013-14	2014-15
Concessionary Fares	4.0	6.8	9.5

Department of Justice

Mr Easton asked the Minister of Justice to outline the departmental funding streams available to community groups.
(AQW 48769/11-16)

Mr Ford (The Minister of Justice): Across my Department a wide range of work is being undertaken with voluntary and community groups to address criminal justice and community safety related issues.

My Department also provides funding to Policing and Community Safety Partnerships, which work with a wide range of bodies including voluntary and community groups.

Each year my Department runs the Assets Recovery Community Scheme to allocate funds confiscated from criminals to schemes designed to fight crime or the fear of crime. The application process is a competitive one and applications are generally submitted through the Policing and Community Safety Partnerships, though many of the successful projects are run by community groups.

Mr McKinney asked the Minister of Justice to list the voluntary and community organisations in South Belfast that receive funding from his Department.
(AQW 48809/11-16)

Mr Ford: The voluntary and community groups in South Belfast that have received funding from my Department, including its Agencies but not its arm's-length bodies, during the 2015-16 financial year to date are listed below:

- Belfast and Lisburn Women's Aid
- Extern
- Housing Rights Service
- NEXUS
- Northern Ireland Association for the Care and Resettlement of Offenders
- Prison Fellowship
- Quaker Service

My Department also provides funding to the Belfast Policing and Community Safety Partnership which works with a wide range of bodies including voluntary and community groups, some of which may be in South Belfast.

Other voluntary and community groups receive funding for Northern Ireland wide services. Some of these services may be available in South Belfast.

Mr Weir asked the Minister of Justice to detail the projects, including the partnerships involved, that have been delivered in North Down since 2011 aimed at addressing crime and the fear of crime among older and vulnerable people.
(AQW 48813/11-16)

Mr Ford: The previous North Down Community Safety Partnership and North Down Policing and Community Safety Partnership, in partnership with North Down Age Concern and AGENDA (Age North Down and Ards), have delivered a range of local initiatives since 2011 aimed at addressing crime and the fear of crime among older and vulnerable people.

From April 2011 to March 2013 the Good Morning programme provided a daily telephone support service targeting isolated and vulnerable members of the community. A dedicated multi-media crime prevention awareness campaign for elderly residents was also delivered. The Safety of Seniors programme, delivered up to March 2015 and targeting key communities, facilitated several crime prevention events and roadshows across North Down which provided a range of community safety initiatives and tools.

The newly established Ards and North Down Policing and Community Safety Partnership (from April 2015) has also identified fear of crime, particularly amongst the elderly, as one of its strategic priorities to be addressed in the 2015 to 2018 period. Work is currently ongoing to develop projects aimed at tackling this issue within the 2015-16 action plan.

Lord Morrow asked the Minister of Justice how many crown court cases in the Fermanagh-Tyrone Court Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.
(AQW 48834/11-16)

Mr Ford: Up to and including the 15 September 2015 there were 36 cases in the Division of Fermanagh and Tyrone where either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

The figures provided above relate to cases which remain active and are at various stages before the Crown Court ranging from committal through to cases awaiting arraignment.

Mr Flanagan asked the Minister of Justice (i) to list the public appointments processes initiated by his Department for its arm's-length bodies and Non Departmental Public Bodies since May 2011; and for each appointment (ii) whether he chose to

be presented with the list of those judged suitable for appointment in a ranked or an unranked order, based on the candidates' scores at interview against an agreed pass mark.

(AQW 48879/11-16)

Mr Ford: My Department has initiated the following public appointment processes since May 2011:

Appointment Process	Year	How the list was submitted Ranked/Unranked
Northern Ireland Policing Board - Members	2011	Unranked
Criminal Justice Inspection Northern Ireland - Chief Inspector	2012	Unranked
Probation Board for Northern Ireland - Chair	2012	Unranked
Probation Board for Northern Ireland - Members	2012	Unranked
RUC George Cross Foundation –Members	2012	Unranked
Parole Commissioners	2012	Ranked
Independent Monitoring Boards - Members	2013	Ranked
Prisoner Ombudsman	2013	Unranked
RUC George Cross Foundation - Chairman	2013	Unranked
Police Rehabilitation and Retraining Trust – Members and Chair	2013	Unranked
Parole Commissioners	2013	Ranked
Northern Ireland Police Fund - Members	2014	Unranked
Northern Ireland Policing Board - Members	2015	Unranked
Probation Board for Northern Ireland – Members	2015	Unranked
Independent Monitoring Boards - Members	2015	Ranked

Lord Morrow asked the Minister of Justice to outline the circumstances around the failure to return to custody of John Patrick Smith on 14 September 2015; and why it was 16 September 2015 before his absconson was made public.

(AQW 48894/11-16)

Mr Ford: John Patrick Smyth was due to return to Magilligan Prison on 16 September 2015. He was returned by the PSNI on 17 September, having initially been released on two days temporary release from 14 September until 16 September.

Due to a breach of home leave conditions, Mr Smyth was posted unlawfully at large (UAL) on 14 September and the Prison Service website was updated on the following morning, stating that he had been UAL since 14 September.

I have been advised that Mr Smyth's case was very closely monitored by NIPS, PBNI and the PSNI. I am content that agreed procedures were followed.

Lord Morrow asked the Minister of Justice (i) how many criminal cases submitted to Forensic Science NI have been detrimentally impacted upon by investigations into the recent murders in Belfast; (ii) what action is being taken to ensure that no criminal case collapses due to delay in the processing of forensic evidence and a failure to meet the required timescales for prosecution; and (iii) what is the estimated maximum delay in any such case.

(AQW 48895/11-16)

Mr Ford:

- (i) Murders and other serious cases are always afforded a very high priority by Forensic Science Northern Ireland (FSNI). The forensic strategies developed in partnership with the PSNI and the Public Prosecution Service in connection with the recent murders in Belfast have ensured that the volume of forensic work required and its prioritisation are proportionate. As a result there has been no detrimental impact on the investigations into other criminal cases.
- (ii) FSNI routinely works with the PSNI and the Public Prosecution Service to ensure that forensic evidence is prioritised and made available when needed. This involves regular liaison to identify upcoming needs. I do not anticipate any case collapsing on the basis of any delay in forensics on the part of FSNI.
- (iii) As there has been no detrimental impact, no delay is expected.

Lord Morrow asked the Minister of Justice for an update on the investigation into the incidents on the 2 and 3 February 2015 at HMP Maghaberry, detailing (i) when the investigation was completed; and (ii) when a report will be published.

(AQW 48896/11-16)

Mr Ford: As is normal practice following any serious incident in a prison, the Northern Ireland Prison Service conducted a review to establish the exact facts surrounding the incidents and what lessons might be learnt.

This review was completed in February 2015. It addressed issues which are highly sensitive and related to security of the establishment, and will not be published.

Lord Morrow asked the Minister of Justice whether a failure to pay a court imposed fine is a criminal offence; and whether this falls under the same legislation as failing to comply with the terms of a probation or community service order.

(AQW 48897/11-16)

Mr Ford: Non-payment of a court imposed fine is not a criminal offence.

The Magistrate's Courts (Northern Ireland) Order 1981 provides a number of powers for courts when dealing with fine default. The original fine can be partially or fully remitted; further time for payment may be allowed; a distress warrant can be issued; or the person can be imprisoned.

Separate provision for the enforcement of probation and community service orders is dealt with under schedule 2 to the Criminal Justice (Northern Ireland) Order 1996.

Subject to the Assembly's consideration, the Justice (No. 2) Bill will provide courts with new and additional powers to deduct payments from income, to freeze and obtain access to money held in bank accounts, or in certain circumstances to seize vehicles to secure payment.

I am not aware of community safety orders.

Mr Ross asked the Minister of Justice how many court cases have involved personal litigants in each of the last five years, broken down by tier of court.

(AQW 48899/11-16)

Mr Ford: For the purpose of this answer a personal litigant is defined as an individual or organisation appearing without legal representation in either a civil or family court who represent themselves in proceedings. A personal litigant may be either the issuing or responding party in a case.

The number of court cases disposed in the last five years, that involved personal litigants, is presented by court tier in the table below.

The figures include small claims and other types of proceedings where legal representation would not usually be required.

Number of Court Cases disposed that involved a Personal Litigant, by Court Tier: 2010 to 2014

Court Tier	2010	2011	2012	2013	2014
Court of Appeal (Civil)	16	10	29	26	19
Magistrates' Court	1,413	1,194	1,039	960	967
High Court	3,388	3,569	2,096	1,863	1,834
County Court	14,559	11,207	11,188	10,438	10,264
Total	19,376	15,980	14,352	13,287	13,084

Source: Integrated Court Operations System (ICOS)

Lord Morrow asked the Minister of Justice whether there is a requirement, through the acceptance of Probation Service referrals or similar, for staff at hostels, such as the one at Edward Street in Portadown, to report any situations whereby a resident breaches bail or Sexual Offences Prevention Order terms; and what is the protocol to be followed by hostel staff in these instances.

(AQW 48925/11-16)

Mr Ford: Staff at Probation Board for Northern Ireland Approved Hostels, such as Edward Street, are provided with copies of any court orders (including bail conditions) and post-release prison licences which apply to hostel residents. Hostel staff are required to report any instances of non-compliance with such orders and licences to the relevant enforcement agency.

Lord Morrow asked the Minister of Justice (i) why Terry McConnell did not return to HMP Maghaberry on leaving the Royal Victoria Hospital; (ii) under what prison policy this was approved, and by whom; and (iii) whether it is common practice for prisoners not to return to prison in these circumstances.

(AQW 48928/11-16)

Mr Ford: The requested information cannot be provided as disclosure would be contrary to the Data Protection Act 1998.

Lord Morrow asked the Minister of Justice what criteria will be used to decide the membership of the Sex Worker Liaison Group on Human Trafficking.

(AQW 48930/11-16)

Mr Ford: The PSNI has confirmed membership. Membership from the health sector has not been finalised. Once the membership has been finalised, I will publish the names of the organisations on the Organised Crime Task Force website: www.octf.gov.uk.

Membership will be drawn from organisations which have direct contact with or represent sex workers operating in Northern Ireland. There is no requirement that members of the group should be based or resident in Northern Ireland.

Members will be required to demonstrate how they can contribute to the overall purpose of the group, which is to assist in the work of tackling trafficking for sexual exploitation.

The group's remit will focus solely on issues related to tackling human trafficking.

Lord Morrow asked the Minister of Justice whether members of the proposed Sex Worker Liaison Group on Human Trafficking will be based in Northern Ireland.

(AQW 48931/11-16)

Mr Ford: The PSNI has confirmed membership. Membership from the health sector has not been finalised. Once the membership has been finalised, I will publish the names of the organisations on the Organised Crime Task Force website: www.octf.gov.uk.

Membership will be drawn from organisations which have direct contact with or represent sex workers operating in Northern Ireland. There is no requirement that members of the group should be based or resident in Northern Ireland.

Members will be required to demonstrate how they can contribute to the overall purpose of the group, which is to assist in the work of tackling trafficking for sexual exploitation.

The group's remit will focus solely on issues related to tackling human trafficking.

Lord Morrow asked the Minister of Justice how much the NI Courts and Tribunals Service has spent on the personal service of fine default summonses since the unpaid fines recoup listings commenced, broken down by court division; and whether defaulters are held liable for the cost of a personal summons.

(AQW 48933/11-16)

Mr Ford: The table below sets out the cost of personal service of Fine Default Notices by summons server by Court Division on 31 August 2015. A person in default is not liable for the cost of personal service of a Fine Default Notice.

Court Division	Personal Service Fees (£)
Antrim	35,020.00
Ards	33,992.00
Armagh and South Down	31,291.00
Belfast	86,983.00
Craigavon	24,414.00
Fermanagh and Tyrone	41,639.00
Londonderry	49,764.00
Total	303,103.00

Mr Weir asked the Minister of Justice how many current court cases are unable to proceed as a result of the legal aid dispute. **(AQW 48941/11-16)**

Mr Ford: Up to and including the 15 September 2015 there were 323 cases relating to 376 defendants, where either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

The figures provided above relate to cases at various stages before the Crown Court ranging from committal through to cases awaiting arraignment.

Lord Morrow asked the Minister of Justice whether the remit of the proposed Sex Worker Liaison Group on Human Trafficking will be focused solely on tackling human trafficking.

(AQW 48955/11-16)

Mr Ford: The PSNI has confirmed membership. Membership from the health sector has not been finalised. Once the membership has been finalised, I will publish the names of the organisations on the Organised Crime Task Force website: www.octf.gov.uk.

Membership will be drawn from organisations which have direct contact with or represent sex workers operating in Northern Ireland. There is no requirement that members of the group should be based or resident in Northern Ireland.

Members will be required to demonstrate how they can contribute to the overall purpose of the group, which is to assist in the work of tackling trafficking for sexual exploitation.

The group's remit will focus solely on issues related to tackling human trafficking.

Lord Morrow asked the Minister of Justice how many fine defaults the NI Courts and Tribunals Service is currently processing in each court division broken, down by those which (i) are being pursued, either by (a) postal; or (b) personal summons service; and (ii) have entered into re-payment schedules.

(AQW 48958/11-16)

Mr Ford: The table below sets out the number of Fine Default Notices which are currently being pursued by postal or personal service by summons server by Court Division.

Court Division	Personal Service	Postal Service	Total ¹
Antrim	570	160	730
Ards	455	309	764
Armagh and South Down	455	162	617
Belfast	984	1190	2174
Craigavon	322	204	526
Fermanagh and Tyrone	272	227	499
Londonderry	368	246	614
Total	3426	2498	5924

1 This statistic relates to Fine Default Notices that have been listed for hearing on or after the 1 September 2015.

The table below sets out the number of fines imposed by Court Division and the number of individuals who as a result of Fine Default Review proceedings currently have fine payment terms by instalment as of

1 September 2015.

Court Division	Number of Fines	Number of Defaulters ²
Antrim	510	260
Ards	216	134
Armagh and South Down	341	173
Belfast	2247	1265
Craigavon	403	253
Fermanagh and Tyrone	365	219
Londonderry	523	333
Total	4605	2637

2 An individual who is in default may be counted in more than one court office.

Lord Morrow asked the Minister of Justice to outline the reasons for the use of the term sex worker in its newly published annual strategy on human trafficking and exploitation.

(AQW 48959/11-16)

Mr Ford: The term 'sex worker' is used in the Human Trafficking and Exploitation Strategy for 2015/16 in the context of the establishment of a Sex Worker Liaison Group on Human Trafficking.

The purpose of the group is to assist in the work of tackling trafficking for sexual exploitation. The aim is to meet those who provide sexual services, or those who engage with them and represent them, to help to identify victims of human trafficking for sexual exploitation. We have used the term "sex workers" to describe this group.

Lord Morrow asked the Minister of Justice, in relation to the 18 cases listed at Dungannon Magistrates Court on Friday 18 September 2015 under Fine Default Review, and ordered as remitted, what was the collective total of fines outstanding as of that date.

(AQW 48960/11-16)

Mr Ford: The total value of fines remitted in full by order of the court at Dungannon Magistrates Court as a result of Fine Default Review Proceedings on 18 September 2015 was £2,842.95. This value relates to 16 fine defaults in total. The remaining two fines were paid in full on the day of court.

Mr Campbell asked the Minister of Justice, pursuant to AQW 48571/11-16, given that there are 143 more prisoners now than in 2009, and the overall cost of running the prison has fallen by nearly £8million a year, what costing rationale exists now that didn't exist in 2009.

(AQW 48982/11-16)

Mr Ford: The Northern Ireland Prison Service has implemented a number of cost reducing measures since 2009. Although it is not possible to provide details on every saving identified, significant savings were achieved by the reduction of staffing levels.

115 prison officers based in Magilligan left the service under the terms of the Voluntary Exit Redundancy scheme.

A full review of staffing levels also reduced the total number of staff employed at Magilligan.

Mr Allister asked the Minister of Justice what percentage of complaints of rape in each of the last five years have resulted in (i) prosecution; and (ii) conviction.

(AQW 48990/11-16)

Mr Ford: The Department of Justice does not hold this information. Decisions whether to prosecute complaints are taken by the Public Prosecution Service (PPS), and you may therefore wish to direct your question to the PPS.

The most recent prosecutions and convictions data publicly available in relation to prosecution for the offence of rape and the number of successful convictions that have resulted, has been provided in the following table.

Prosecutions and convictions for rape offences, 2010 - 2014

	2010	2011	2012	2013	2014
Prosecutions	59	57	52	64	62
Convictions	15	9	22	15	28
% conviction	25.4%	15.8%	42.3%	23.4%	45.2%

Note:

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included. They are not directly comparable therefore with information derived from datasets held by PPS.
- 2 The figures provided relate to prosecutions and convictions for all classifications of the offence specified.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48552/11-16, in how many instances have contempt of court proceedings been ordered and issued against fine defaulters.

(AQW 49001/11-16)

Mr Ford: I am not aware of any instances of fine defaulters being dealt with using contempt of court proceedings.

Lord Morrow asked the Minister of Justice, pursuant to AQW 31846/11-15, whether legal aid was granted for Karen Walsh to appeal her conviction.

(AQW 49003/11-16)

Mr Ford: Legal Aid for solicitor and two counsel was granted by the Court of Appeal on 25 June 2015.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48552/11-16, whether it is within the remit of judiciary to order the issue of contempt of court proceedings in these instances; and what discussions has he held with the Lord Chief Justice with a view to alerting judiciary on this option.

(AQW 49048/11-16)

Mr Ford: Magistrates' courts in Northern Ireland do not have a power to issue contempt of court proceedings for non-payment of a fine.

The Crown Court's powers to deal with contempt of court are wider than those in the magistrates' courts. It would be a matter for the judiciary to decide whether the wider powers available in the Crown Court could also be used to deal with failure to pay a fine.

I have not raised this with the Lord Chief Justice and have no plans to do so.

Lord Morrow asked the Minister of Justice to list the instances of people objecting to, or refusing to be, security scanned and checked entering Dungannon Court House, detailing their reasons for the objection.

(AQW 49050/11-16)

Mr Ford: The Northern Ireland Courts and Tribunals Service (NICTS) does not routinely record this information. Issues are only identified and recorded if a formal complaint is made. NICTS is currently investigating one complaint regarding the requirement to comply with the security screening process from an individual who was seeking to park in the secure car park at Dungannon Courthouse.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48678/11-16, what are the estimated legal aid costs of the appeal matters in this case.

(AQW 49053/11-16)

Mr Ford: It is not possible to calculate an estimate of the legal aid costs at this stage.

Mr Allister asked the Minister of Justice to list the approved bail hostels; and to advise of the consequences of deployment of premises for such purposes which do not hold such approval.

(AQW 49066/11-16)

Mr Ford: There are no approved bail hostels in Northern Ireland. There are a number of hostels accredited by the Northern Ireland Housing Executive and approved by Probation Board for Northern Ireland (PBNI) for the management of offenders within the community. These hostels are operated by voluntary organisations and accommodate mostly offenders subject to statutory probation supervision, i.e. those on post release prison licences or community orders.

The majority of defendants seek to be bailed to their own home address or to that of family or friends. Where the court believes that additional supervision measures are not required individuals may be granted bail to residential properties managed by voluntary sector organisations providing services to homeless people.

The demand for places within Approved Hostels in Northern Ireland is such that comparatively few persons are accommodated there solely as a bail requirement. On occasion the Court may direct that a person requires a high level of monitoring in terms of compliance with their bail conditions and therefore requires residence in an Approved Hostel.

Mr Allister asked the Minister of Justice whether any prisoners in HMP Maghaberry are currently on hunger strike and to outline the circumstances of these prisoners.

(AQW 49067/11-16)

Mr Ford: Currently there are no prisoners on hunger strike in Maghaberry prison.

Mrs Dobson asked the Minister of Justice to detail the (i) number; (ii) make and model; and (iii) individual cost of new vehicles purchased in each of the last three years by his Department and its arm's-length bodies.

(AQW 49074/11-16)

Mr Ford: The Department of Justice and its arm's length bodies purchased 1,168 new vehicles during the last three financial years. In some cases the vehicle model has been omitted for reasons of security and an ongoing procurement exercise.*

Financial Year	Make and Model	Cost
2012 / 2013	Peugeot Boxer Van	£33,633.00
	Ford Mondeo 2.0TDCi Zetec	£13,989.00
	Iveco Eurocargo Lorry	£13,800.00
	New Holland T3030 Tractor	£19,400.00
	Mercedes Minibus	£51,500.00
	81 x Ford vehicles*	£1,279,957.00
	38 x Vauxhall*	£3,603,851.00
	188 x Land Rovers*	£11,453,939.00
	16 x Volkswagens*	£296,367.00
	3 x other*	£24,813.00

Financial Year	Make and Model	Cost
2013 / 2014	2 x Citroen Grand C4 Picasso	£28,739.52
	2 x Citroen Grand C4 Picasso	£31,141.24
	Renault Traffic Minibus	£16,731.00
	Kubota RTV900 Utility Vehicle	£12,849.00
	Ryan Lawnaire Aerator	£ 2,400.00
	2 x Vauxhall Movano Minibus	£20,661.00
	2 x Jankel lorry*	£268,902.00
	Kubota Tractor	£16,780.00
	9 x BMW*	£250,024.00
	25 x Ford*	£365,691.00
	260 x Vauxhall*	£9,330,166.00
	81 x Land Rovers*	£5,966,356.00
	107 x Volkswagens*	£2,090,291.00
	6 x other*	£13,764.00
2014 / 2015	Ford Transit Minibus 350	£26,766.00
	Kubota Tractor	£ 3,700.00
	Vauxhall Astra	£11,715.00
	2 x Ford 8-seater Minibus	£37,300.00
	3 x Ford Transit 8	£62,685.00
	3 x Peugeot Expert	£40,559.00
	1 x BMW*	£29,257.00
	51 x Ford*	£886,436.00
	147 x Vauxhall*	£10,935,018.00
	31 x Land Rover*	£1,979,878.00
	20 x Peugeot*	£194,493.00
	76 x Volkswagens*	£1,088,663.00

Lord Morrow asked the Minister of Justice, pursuant to AQW 48836/11-16, what criteria he and his Department will use to decide which sex workers are representative of the sex industry.

(AQW 49077/11-16)

Mr Ford: The PSNI has confirmed membership. Membership from the health sector has not been finalised. Once the membership has been finalised, I will publish the names of the organisations on the Organised Crime Task Force website: www.octf.gov.uk.

Membership will be drawn from organisations which have direct contact with or represent sex workers operating in Northern Ireland. There is no requirement that members of the group should be based or resident in Northern Ireland.

Members will be required to demonstrate how they can contribute to the overall purpose of the group, which is to assist in the work of tackling trafficking for sexual exploitation.

The group's remit will focus solely on issues related to tackling human trafficking.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48836/11-16, whether those working with or representing sex workers will be resident in Northern Ireland.

(AQW 49078/11-16)

Mr Ford: The PSNI has confirmed membership. Membership from the health sector has not been finalised. Once the membership has been finalised, I will publish the names of the organisations on the Organised Crime Task Force website: www.octf.gov.uk.

Membership will be drawn from organisations which have direct contact with or represent sex workers operating in Northern Ireland. There is no requirement that members of the group should be based or resident in Northern Ireland.

Members will be required to demonstrate how they can contribute to the overall purpose of the group, which is to assist in the work of tackling trafficking for sexual exploitation.

The group's remit will focus solely on issues related to tackling human trafficking.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48836/11-16, which law enforcement bodies and health professionals will be invited to attend the sex worker liaison group.

(AQW 49080/11-16)

Mr Ford: The PSNI has confirmed membership. Membership from the health sector has not been finalised. Once the membership has been finalised, I will publish the names of the organisations on the Organised Crime Task Force website: www.octf.gov.uk.

Membership will be drawn from organisations which have direct contact with or represent sex workers operating in Northern Ireland. There is no requirement that members of the group should be based or resident in Northern Ireland.

Members will be required to demonstrate how they can contribute to the overall purpose of the group, which is to assist in the work of tackling trafficking for sexual exploitation.

The group's remit will focus solely on issues related to tackling human trafficking.

Mr McKinney asked the Minister of Justice to detail the number of people who have been convicted of heroin abuse and supply crimes in South Belfast over the last five years.

(AQW 49093/11-16)

Mr Ford: Drugs offences may be prosecuted under the Medicines Act 1968, the Misuse of Drugs Act 1971, the Customs and Excise Management Act 1979 and the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

The specific information requested is not available. Drugs offences detailed in the above legislation tend to relate to the classification of the drugs involved and there is no specific offence which distinguishes heroin abuse or supply offences from those involving other Class A drugs. Additionally, information on the location of an offence is not included as part of convictions databases held by the Department.

Therefore, information in relation to convictions at courts in the Belfast Court Division, for offences relating to Class A drugs, has been provided. The most recent convictions data available relate to 2014.

Convictions at courts in the Belfast Court Division for Class A drugs offences, 2010 – 2014

	2010	2011	2012	2013	2014
Convictions	56	79	80	99	85

Note:

- 3 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 4 The figures provided relate to prosecutions and convictions for all classifications of the offences specified.

Mr Allister asked the Minister of Justice, in respect of the anticipated Historical Investigations Unit, whether the PSNI indicating that an existing case is complete amounts to declaring that an investigation is closed.

(AQW 49107/11-16)

Mr Ford: Department of Justice officials are working with both PSNI and OPONI on what will constitute complete and incomplete cases, to identify the caseload which will be transferring to the Historical Investigations Unit (HIU). The Department is also working with PSNI to identify the closed cases that have been identified as requiring re-examination.

In addition, in line with the Stormont House Agreement, families may apply to have an otherwise closed case considered for criminal investigation by the HIU if there is new evidence, which was not previously before the HET, which is relevant to the identification and eventual prosecution of the perpetrator.

Mr Ramsey asked the Minister of Justice how many of the recommendations by the Prison Review Oversight Group are yet to be implemented.

(AQO 8729/11-16)

Mr Ford: Of the 40 recommendations made by the Prison Review Team, only two remain outstanding, with 33 having been signed off and three remaining under assessment by the Oversight Group. An additional two recommendations have been referred by the Oversight Group to CJINI for independent assessment.

The Oversight Group accepts that delivery of recommendations three, on effective community sentences, and 13, on the joint Health and Justice Strategy, will fall outside the lifespan of the Reform Programme. However, it is important to say that good progress continues to be made on these two complex recommendations. Regarding recommendation three, work is ongoing

with the Lord Chief Justice to consider alternatives to custody, without the need for legislative change. On recommendation 13, significant progress has been made on developing the Strategy and my Department will continue to work with DHSSPS colleagues on this.

Four key strategic themes have emerged on which the prison system will continue to focus to ensure it plays its part in building a safer Northern Ireland. The four themes are: leadership; purposeful activity; partnership with healthcare; and a fit for purpose prison estate. While the official structures around the Reform Programme will come to a close in the coming months, this will not mean the end of change. The Northern Ireland Prison Service will continue to embed the reforms implemented through the programme.

Mr Lyttle asked the Minister of Justice for an update on the implementation of elements of the Stormont House Agreement relating to the past.

(AQO 8737/11-16)

Mr Ford: My Department is responsible for the progression of two key elements of the Stormont House Agreement: the establishment of an independent Historical Investigations Unit, to investigate outstanding Troubles-related deaths; and improvements to the way the legacy inquest function is conducted. We have made substantial progress in both areas since January 2015.

In line with best practice, this work has been subject to a rolling programme of engagement with key stakeholders from the outset. The aim has been to learn from past practice, good and bad; drawing on the experiences of victims' families and justice bodies in developing new systems and structures.

The legislation to deliver those elements in the form of the Northern Ireland (Stormont House Agreement) Bill remains on track. Subject to current discussions, the Bill is due to be laid in Parliament in October.

The key policy points within that draft legislation that relate to the justice system have been subject to guidance and direction from the Stormont House Implementation Group.

The development of legislative instructions relating to the justice elements has been taken forward by my officials. However, I should note that the sponsor of the Bill is the Northern Ireland Office, which will be guiding its passage through Westminster.

The Stormont House Agreement Bill represents a watershed – a unique moment when we have the opportunity to address one of the critical challenges facing our political institutions. I once again urge the parties to work creatively to reach political agreement; we simply cannot afford to miss this chance finally to build structures capable of dealing with our troubled past.

Mr McGimpsey asked the Minister of Justice what discussions he has had with the PSNI in regards to illegal drugs use in South Belfast.

(AQO 8738/11-16)

Mr Ford: Whilst the specific issue of illegal drug use in South Belfast has not been the subject of my recent discussions with the PSNI, the misuse of illicit substances, can and does, impact upon individuals and the wider community not least in the Member's constituency.

Local PCSPs have worked to raise awareness of the associated impacts and have also supported wider initiatives such as the "Drug Dealers Don't Care" campaign.

They will continue to concentrate their efforts on tackling the issues identified within the local community.

At a strategic level, responding to the range of potential harms caused by substance misuse is a key focus of the Executive's New Strategic Direction on Alcohol and Drugs.

It is Northern Ireland's framework for reducing substance related harm and whilst the Department of Health, Social Services and Public Safety leads on delivery, my Department has been and will remain a key contributor to that work.

Mr Swann asked the Minister of Justice what discussions he has had with the National Crime Agency on tackling serious and organised crime to combat the threat posed by rural crime gangs.

(AQO 8739/11-16)

Mr Ford: Organised crime is not divided into urban and rural, so I have had no specific discussions about rural organised crime. The threats and priorities that are being addressed are set out in the Annual Report and Threat Assessment 2015 and the related Organised Crime Strategy, both of which are published.

Mr Gardiner asked the Minister of Justice how many offenders are currently unlawfully at large.

(AQO 8740/11-16)

Mr Ford: There are currently 30 offenders unlawfully at large.

This figure comprises offenders who failed to return from home leave, unaccompanied temporary release or compassionate bail granted by the courts, or who were released early from custody by the Northern Ireland Prison Service.

Of this number 12 were released after the devolution of policing and justice.

Mr McCartney asked the Minister of Justice, in relation to the Prisoner Ombudsman report released today into the misdiagnosis of a prisoner, what lessons have been learned; and whether he will commit to implementing all the recommendations contained within the report.

(AQW 49244/11-16)

Mr Ford: The Report has again brought into focus the challenges of delivering effective healthcare in a custodial environment.

There are three recommendations from the Report which are the sole responsibility of the Northern Ireland Prison Service to address. I am fully committed to the implementation of these recommendations.

There are two recommendations that fall jointly to the prison service and the SEHSCT. NIPS will engage fully in partnership to address these recommendations.

There are ten recommendations that are the sole responsibility of the South Eastern Health and Social Care Trust. The Trust is responsible for the delivery of healthcare in prison establishments.

Northern Ireland Assembly Commission

Mr Allister asked the Assembly Commission to detail the rules governing the use of the Great Hall by non members to give media interviews.

(AQW 48778/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): The Assembly's Media Handbook states that the media may interview witnesses to Committees, those accompanied by Members, members of other legislatures, and anyone else who agrees to be interviewed in the Great Hall.

The Media Handbook is available on the Assembly's website at the following location

<http://www.niassembly.gov.uk/news-and-media/media-handbook/>.

Mr Allister asked the Assembly Commission to detail the total spend by Assembly committees on refreshments since May 2011.

(AQW 48910/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): The total expenditure by committees on refreshments since May 2011 is £95,727.63. This figure, broken down by financial year, is:

2011/2012	£18,148.16
2012/2013	£18,266.84
2013/2014	£22,750.28
2014/2015	£28,270.01
April 2015 to August 2015	£8,292.34

Mr Allister asked the Assembly Commission to detail whether a minister appointed for a day acquires office holder pension rights.

(AQW 48975/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): A Member appointed as a Minister accrues office holder pension benefits for the actual days that he or she is paid a Ministerial salary. The office holder pension due to a Minister is calculated using the same formula as the additional pension due to any other office holder in the Assembly Members' Pension Scheme.

Mr Allister asked the Assembly Commission to detail the outturn in regard to costs and completion dates in respect of the roof and works at the rear of Parliament Buildings; and how does this compare with the project promises.

(AQW 48991/11-16)

Mr Ramsey (The Representative of the Assembly Commission): The Assembly Commission appointed Tracey Brothers, from Enniskillen, to carry out the roof refurbishment works in April 2014 and work on site commenced in May 2014 with completion due in May 2015.

The Commission granted approval to proceed with the works based on an estimated construction cost of £5.4m and, following tender, the agreed sum for the works was just under £5m excluding Vat.

The project design team are working on the outturn cost and the final account, although not yet agreed, is expected to be within or very close to the agreed tender sum.

The works were substantially completed by the end of May 2015 although delays to some work items, caused primarily by cold and wet weather, meant that practical completion was not achieved until 07 September 2015.

The Commission is delighted that such a complex project has been successfully completed broadly on time and within budget particularly given the restrictions that were placed on the contractor to allow normal Assembly business to continue without disruption.

As well as achieving the primary objective of protecting the heritage of the listed building, improvements and new technologies incorporated in the project are expected to produce ongoing energy savings in the region of 25 – 30%.

Northern Ireland Assembly

Friday 9 October 2015

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Allister asked the First Minister and deputy First Minister whether the deputy First Minister is officially representing their Department or the Executive in South Africa, in connection with the death of Nelson Mandela; and if so, (i) who else is attending; and (ii) at what cost to the public purse.
(AQW 29341/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): The deputy First Minister attended the memorial service on behalf of OFMDFM, representing the Executive while the First Minister welcomed a significant foreign investment and jobs announcement in Londonderry/Derry, also on behalf of the Executive. Details of the visit can be found on: <http://www.ofmdfmi.gov.uk/biannual-report-2013-2014.pdf>

Mr Allister asked the First Minister and deputy First Minister when they will ask the Secretary of State for Northern Ireland to withdraw the UK derogation on the European Convention on Human Rights that allows religious discrimination in the employment of teachers and contributes to the economic costs of division in Northern Ireland society.
(AQW 39625/11-15)

Mr P Robinson and Mr M McGuinness: Although our Department has responsibility for the Fair Employment and Treatment Order, the issue clearly impacts on education policy.

The Department of Education therefore has thus far been taking a lead on this issue.

Ms Sugden asked the First Minister and deputy First Minister what communication they have had with the Racial Equality Unit regarding the Minority Ethnic Development Fund, including the date and outcome of the last meeting.
(AQW 44156/11-15)

Mr P Robinson and Mr M McGuinness: Over recent years, the Minority Ethnic Development Fund has played a crucial role in our efforts towards achieving racial equality and good race relations. Groups have now been notified of funding for 2015/16. We receive regular updates from the Racial Equality Unit on this issue.

Ms McGahan asked the First Minister and deputy First Minister for their assessment of the economic benefits of the events in North America involving the NI Bureau and the Office of the First Minister and deputy First Minister over the St Patrick's Day holiday 2015.
(AQO 7931/11-15)

Mr P Robinson and Mr M McGuinness: The NI Bureau held its annual business breakfast on 17 March in Washington and it was attended by approximately three hundred influential politicians, business people, and third sector stakeholders. As well as developing relationships with international contacts, the event aims to showcase Northern Ireland as a place to visit and invest in. The Head of the Civil Service provided an update on developments over the last year, including the fact that we have witnessed record levels of inward investment and tourism.

Mr Humphrey asked the First Minister and deputy First Minister for their assessment of the impact of Vice-President Biden's St Patrick's Day joke on local community relations.
(AQO 7900/11-15)

Mr P Robinson and Mr M McGuinness: We continue to have an extremely positive relationship with the US Administration and we look forward to strengthening the mutually beneficial partnerships that we have developed.

Mr Lynch asked the First Minister and deputy First Minister what assurances they can give that equality is a priority for their Department.
(AQO 8011/11-15)

Mr P Robinson and Mr M McGuinness: We place a great deal of importance on our equality obligations. Our Equality and Human Rights remit is extensive including policy responsibility for: age; children and young people; disability; gender equality; and sexual orientation.

We have a range of policies in place which set out our aims and objectives for each of these areas and, as with all government policies, these are developed within the context of the equality of opportunity provisions set out in section 75 of the Northern Ireland Act 1998.

The statutory obligations are largely implemented through equality schemes, approved by the Equality Commission, and by screening and carrying out equality impact assessments on policies.

Our equality scheme sets out how OFMDFM proposes to fulfil the section 75 statutory duties.

In addition, our Department has sponsorship responsibility for the Equality Commission, which provides support, advice and protection against discrimination on the grounds of age, disability, race, religion and political opinion, sex and sexual orientation. The Equality Commission also has responsibilities arising from the Northern Ireland Act 1998 in respect of the statutory equality and good relations duties, which apply to public authorities.

Mr Lyttle asked the First Minister and deputy First Minister for a progress update on (i) the Together: Building a United Community strategy commitment to deliver an enhanced good relations impact assessment for all policies across government; and (ii) the Stormont House Agreement commitment to deliver an independent audit of all departmental spending in order to identify how division is impacting on the delivery of goods, facilities and services to the public and how best to reconfigure this service delivery consistent with a shared future.

(AQW 46259/11-15)

Mr P Robinson and Mr M McGuinness: Officials are currently in active discussions with the Equality Commission for Northern Ireland regarding their role in the delivery of Together: Building a United Community strategy and the delivery of an enhanced good relations impact assessment is one element of these discussions.

The commitment to deliver an independent audit of departmental spending is the responsibility of the Department of Finance and Personnel. The Minister of Finance and Personnel has informed us that the University of Ulster Economic Policy Centre has been commissioned to carry out the independent Audit of the cost of division.

Mr Allister asked the First Minister and deputy First Minister to detail the (i) annual cost of the Executive Office in Brussels; and (ii) how much it has spent on hospitality in each of the last three years.

(AQW 47354/11-15)

Mr P Robinson and Mr M McGuinness: The table below lists the breakdown of the actual expenditure for the Office of the Northern Ireland Executive in Brussels for the last three complete financial years.

Annual cost of the Executive Office in Brussels	2012-13 £'000	2013-14 £'000	2014-15 £'000
Annual costs	457	482	467
Salary costs	357	372	394
Hospitality costs (incl in running costs)	30	23	18

Ms Lo asked the First Minister and deputy First Minister to detail the steps being taken to recognise and support existing shared communities under the Together: Building a United Community strategy.

(AQW 47478/11-15)

Mr P Robinson and Mr M McGuinness: The Together: Building a United Community Strategy outlines how Government, community and individuals will work together to build a united community and achieve change against 4 key priorities; one of these is Our Shared Community. Under this priority, the Strategy commits to the development of 10 shared neighbourhoods, reinforcing the aim to create shared housing and shared communities.

In addition, the Strategy also commits to an overarching review of housing to bring forward recommendations on how to enhance shared neighbourhoods within our society.

The review will be completed in two stages. The first stage is a review of existing evidence on shared housing. This will be completed this summer and the Department for Social Development (DSD) will use it to identify key gaps in the evidence base. This will inform stage 2 which will involve engaging an external researcher to fill these gaps and offer recommendations on ways in which the framework for furthering shared housing can be improved; this will include how ongoing support can be provided to new and existing shared communities. It is anticipated that stage 2 will be completed in 2016.

DSD Housing Group is also liaising with the Housing Executive to explore how it can deliver a programme of Environmental Improvement (EI) schemes in existing neighbourhoods that have participated in the NIHE Shared Neighbourhoods Programme. It is intended to commence such a programme in financial year 2016/17, subject to funding availability.

In addition OFMDFM recognises and supports the delivery of all Good Relations work across our society, including existing shared neighbourhoods, through a range of funding streams all of which are aligned with the Together: Building a United Community Strategy. They include:

- Central Good Relations Fund;
- District Council Good Relations Programme (delivered via local councils); and
- Funding provided by the Community Relations Council.

Ms Lo asked the First Minister and deputy First Minister to detail the opportunities identified under the Together: Building a United Community strategy to build upon and invest in the existing expertise and practice of shared neighbourhood and cross community practitioners and activists.

(AQW 47479/11-15)

Mr P Robinson and Mr M McGuinness: The Together: Building a United Community recognises that partnerships and diversity must be at its core. The delivery architecture to support the implementation of the Strategy involves a collaborative approach with government, councils, statutory and voluntary and community sector partners.

The Ministerial Panel, set up to oversee Together: Building a United Community, sets the strategic direction on how to achieve good relations across our community and to identify key areas for action. The Panel comprises all Ministers from the Executive in addition to representatives from the NI Council for Voluntary Action, SOLACE (Society of Local Authority Chief Executives) and the NI Housing Executive.

Thematic subgroups have also been established under the auspices of the Ministerial Panel. Two have been established to date, the Community Tensions Subgroup and the Housing Subgroup. The diverse membership of the subgroups includes cross-departmental representation, cross community representation and organisations involved in the practice of shared neighbourhoods.

Collectively all these stakeholders acknowledge that to achieve our vision of a united community based on reconciliation, equality of opportunity and the desirability of good relations, the collective commitment and effort of everyone is required; including the participation of practitioners and groups at a local level.

In addition to the development of ten Shared Neighbourhoods, the Department for Social Development's Housing Group is progressing a review of housing to bring forward recommendations on shared neighbourhoods.

The review will be completed in two stages. The first stage is a review of existing evidence on shared housing. This will be completed this summer and the Department for Social Development (DSD) will use it to identify key gaps in the evidence base. This will inform stage 2 which will involve engaging an external researcher to fill these gaps and offer recommendations on ways in which the framework for furthering shared housing can be improved. It is anticipated that stage 2 will be completed in 2016. Finally, OFMDFM has been actively supporting cross community work through various funding streams fully aligned with the Together: Building a United Community Strategy. They include:

- Central Good Relations Fund;
- District Council Good Relations Programme (delivered via local councils);
- Summer schools/camps (delivered by the Education Authority via the Department of Education);
- North Belfast Strategic Good Relations Programme;
- Planned interventions (delivered by Belfast City Council and the Education Authority); and
- Funding provided through the Community Relations Council.

Collectively these funding streams have amounted to nearly £50m being provided by OFMDFM for the benefit and progress of good relations activities here over the last five years.

Mr Nesbitt asked the First Minister and deputy First Minister to detail the number of Assembly Questions answered by their Department since May 2011.

(AQW 47559/11-15)

Mr P Robinson and Mr M McGuinness: During the period May 2011 to March 2015, we have answered 2783 Assembly Questions.

Mr Nesbitt asked the First Minister and deputy First Minister to detail the percentage of Assembly Questions answered on time, by their Department since May 2011.

(AQW 47561/11-15)

Mr P Robinson and Mr M McGuinness: During the period May 2011 to March 2015, 33% of Assembly Questions have been answered on time.

Mr Dallat asked the First Minister and deputy First Minister to detail any plans they have to address under-representation issues in public appointments in the next twelve months, particularly in relation to raising awareness of public appointments in a way that is not fragmented.

(AQW 47607/11-15)

Mr P Robinson and Mr M McGuinness: Since the Commissioner for Public Appointments published his report on diversity and under-representation in public appointments in January 2014, extensive work has been taken forward by OFMDFM, the cross-Departmental Public Appointments Forum and the NI Statistics and Research Agency in response to the issues raised. It is anticipated that, in the near future, the Executive will have an opportunity to consider future approaches to diversity in public appointments.

Since March 2015, all public appointment vacancies across government are now advertised on NI Direct, the official website for government services. This allows a central, consistent approach to be taken to disseminating knowledge of public appointment opportunities to as wide an audience as possible.

Mr Dallat asked the First Minister and deputy First Minister to detail what plans their Department has in place to address the issue of multiple or serial appointments when individuals are serving on a number of public bodies.
(AQW 47608/11-15)

Mr P Robinson and Mr M McGuinness: The most recent available figures show that, at 31 March 2014, 84% of individuals holding public appointments held only one appointment. Central guidance to Departments advises that a Department, in assessing a candidate's capability, should take into account the time commitment involved in, and potential conflicts of interest associated with, any existing appointments which he/she may hold.

Department of Agriculture and Rural Development

Mr Hazzard asked the Minister of Agriculture and Rural Development for her assessment of the recent Marine Litter Survey, specifically in light of findings that appear to identify fishing harbours as catalysts for litter on nearby beaches.
(AQW 48934/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): The recent DOE Marine Litter survey report is the result of a much needed comprehensive piece of research work. The report highlights the severity of the problem of marine litter and in particular the impact of litter associated with the fishing industry.

The government has obligations under the Marine Strategy Framework Directive to achieve good environmental status in our marine waters by 2020 and the requirement that "the properties and quantities of marine litter do not cause harm to the coastal and marine environments". DoE is the lead department and published the Marine Litter Strategy in June 2013. This Strategy was designed to meet this and other international commitments.

Marine litter whilst primarily an environmental problem also results in lost revenues for the fishing industry due to the time and effort involved in removing debris from nets, contaminated catch damage and the repair of nets due to debris. Research suggests that marine litter costs each vessel in the Scottish fleet between £15,000 and £17,000 a year.

There are now over 110 vessels involved in the Fishing for Litter scheme from the three harbours Ardglass, Kilkeel and Portavogie. Over 20 tonnes of waste has so far been recovered from the sea. NIFHA takes the lead role in organising the scheme.

As part of the DoE Marine Litter Strategy, NIFHA provides facilities for the disposal of waste oil and the segregation, collection and disposal of garbage from vessels moored in port. The waste landed is disposed of responsibly using local specialists.

Ms Sugden asked the Minister of Agriculture and Rural Development for a projected time frame for the implementation of the Farm Business Improvement Scheme.
(AQW 48937/11-16)

Mrs O'Neill: The Farm Business Improvement Scheme (FBIS) will be an important part of our new Rural Development Programme 2014 to 2020 (RDP) and it will consist of a package of measures aimed at knowledge transfer, innovation, cooperation and capital investment to help support sustainable growth in the sector.

My officials are continuing to develop these schemes and are working hard toward obtaining the necessary business case approvals.

We are planning to roll out the FBIS package in a phased way. The early focus will be on making advice and support available to farmers through the knowledge transfer measures, to help them clearly identify their needs and make informed decisions about their business.

To that end, I can confirm that the first phase of the FBIS will open for applications in October. This first phase of the FBIS will establish Business Development Groups for farmers.

These groups are extremely important, as they are designed to help farmers come together with their peers, to learn about and enhance their knowledge of business management, new technologies and innovative ways of working. This new programme will assist farmers to acquire the tools to help them make the right decisions about their businesses now, and particularly before they decide to take on additional financial commitments.

In this initial phase of FBIS we are also planning to deliver Farm Family Key Skills training schemes, including farm safety and business planning.

These knowledge transfer measures will help farmers to think carefully about their business plans and will help prepare the way for the proposed Business Investment Scheme capital programme that is planned for next year.

Mr Weir asked the Minister of Agriculture and Rural Development to detail the composition of the Fisheries Taskforce.
(AQW 48940/11-16)

Mrs O'Neill: The Fishing Industry Task Force was established in 2014 to examine the challenges facing the industry and make recommendations to my Department to help ensure that the industry remained sustainable and profitable in the long term.

The Task Force has fifteen members. Six members are from industry representing organisations from the catching sector (Anglo-North Irish Fish Producers Organisation (ANIFPO) and NI Fish Producers Organisation (NIFPO)) and 4 members from the processing sector. There is also a fisheries scientist from the Agri-Food and Biosciences Institute (AFBI), and an economist from the Sea Fish Industry Authority (Seafish). DARD members include the Director of Fisheries and Environment Division, who chairs the Task Force, and two members representing Sea Fisheries Policy.

Lord Morrow asked the Minister of Agriculture and Rural Development what engagement has been held with livestock processors in Northern Ireland and the Republic of Ireland on compliance with required checks on receiving animals to ensure they are not stolen, and to ensure that the appropriate veterinary records are in order.

(AQW 48961/11-16)

Mrs O'Neill: My officials engage strategically with livestock processors on a regular basis to discuss livestock traceability compliance and record keeping. In addition, my Official Veterinarians (OVs) who are based in livestock processing premises, engage operationally with Food Business Operators (FBOs) on a daily basis.

As you are aware, the PSNI is responsible for investigating livestock theft and for providing advice to the general public and to businesses on crime prevention and detection. My Department's Central Enforcement Team (CET) works very closely with the PSNI, an Garda Síochána and other agencies in implementing measures to tackle livestock crime.

In accordance with an agreed risk-based protocol, when the PSNI receive a report of stolen livestock the descriptions of the animals are immediately passed to the CET. CET then send the details to department staff at all slaughter premises in both the north and the south of Ireland, so that extra vigilance can be directed at livestock matching the descriptions.

Recently the PSNI gave a presentation in Greenmount on tackling livestock crime to all the Department's OVs and Senior Meat Inspectors to provide further advice on identifying suspicious loads of cattle.

Mr Easton asked the Minister of Agriculture and Rural Development what action is being taken to increase the size and the health of the bee population.

(AQW 48962/11-16)

Mrs O'Neill: DARD support improvements in managed bee health locally through implementation with stakeholders of the Strategy for the Sustainability of the Honey Bee. Plant Health Inspection Branch also delivers the annual Bee Health inspection programme, during 2015, inspectors have completed inspections at 96 apiaries and following confirmation of notifiable disease at 34 apiaries we undertook disease control measures including colony destruction, shook swarm and movement controls.

Inspectors have established with the support of local beekeepers sentinel apiaries in support of the early detection of the quarantine pests Small Hive Beetle and Tropilaelaps mites.

DARD are committed to actions under the recent All Ireland Pollinator Strategy including measures to support populations of Pollinators which include managed and solitary bees in the next Environmental Farming Scheme.

Mr Campbell asked the Minister of Agriculture and Rural Development how many occasions she has met with EU Commissioner Hogan or any Ministers from the Department for Environment, Food and Rural Affairs to help resolve the ongoing dairy crisis facing farmers.

(AQW 48979/11-16)

Mrs O'Neill: I have discussed actions to resolve the ongoing dairy crisis at meetings with the EU Agriculture and Rural Development Commissioner, Phil Hogan on two occasions, namely 27 March and 1 September 2015.

I have discussed actions to resolve the ongoing dairy crisis at meetings with Defra Ministers on 3 occasions, namely 11 and 17 August and 7 September 2015.

Further details of my meetings with Commissioner Hogan and Defra may be found in my responses to AQW 48840/11-16, AQW 48841/11-16 and AQW 48842/11-16.

Finally, on 24 September I also had a telephone discussion with the Defra Minister, George Eustice where he confirmed that the north's share of EU targeted aid funding would be £5.1m. This is around one fifth of the funding allocated to our Member State.

The decision to allocate nearly 20% of the Member State's aid package to the north comes after I highlighted the unique and difficult circumstances facing the industry here, with both Commissioner Hogan and Ms Truss. As a result, I have secured a better deal for our farmers than would otherwise have been the case.

Ms Sugden asked the Minister of Agriculture and Rural Development what assistance on online forms her Department offers to farmers who do not have access to, or are unfamiliar with, the internet.
(AQW 48983/11-16)

Mrs O'Neill: My Department has a range of support measures in place to help farmers who either don't have access to or are unfamiliar with the internet.

Each DARD Direct office has a computer terminal in the reception area with free internet access which farmers can use. DARD Direct staff will provide help and guidance to first time users who wish to use this facility. Free access to the internet is also available through Libraries NI along with free computer classes through the 'GO ON' NI.

Ideally every rural dweller would have access to broadband, but I acknowledge this is not yet the case. The situation has greatly improved following major investment by my Department of £5m. This investment has provided potential access to 14,000 rural dwellers, and follows a previous investment of £2.5m which led to 17,000 rural dwellers getting connected.

CAFRE offer tailored training packages for farmers on how to sign up and use DARD online services. They also offer a telephone helpline for those requiring assistance in understanding the process for completing the online application.

I have asked officials to consider how we can provide further support to those farmers having difficulty, or maybe just need a little encouragement, so that they can also enjoy the significant benefits that going online provides. This includes providing out of hours telephone support at critical times and offering tools such as web chat.

My Department is focused on developing online forms and services that are as simple as possible so that customers who can use them prefer to do so.

Ms Sugden asked the Minister of Agriculture and Rural Development for her assessment of the current infrastructure to support community development in rural areas; and the ability of rural communities to support actions that alleviate poverty and exclusion.
(AQW 48984/11-16)

Mrs O'Neill: Contracts have been awarded to a total of seven service providers for the provision of a local rural community development support and advice service for all of the rural wards in the 11 new Local Council Districts. The contracts for this service have been extended until 31 March 2016 and an evaluation of the programme up to 31 March 2015 has shown that it is meeting the objective of assisting rural communities in identifying and addressing issues of poverty and isolation.

Ms Sugden asked the Minister of Agriculture and Rural Development whether she intends to announce a rural childcare programme, as part of the Rural Development Programme.
(AQW 48986/11-16)

Mrs O'Neill: You will be aware that OFMDFM is leading on the Executive's draft Childcare Strategy which is currently out for public consultation. I am fully supportive of the draft strategy. I welcome the proposal in the draft Strategy to look at the rationale of progressing either a centre-based childminding hub or a childminding network approach to support the needs of rural families and to consider developing a pilot in rural areas. I also welcome the fact that rural childcare needs are being mainstreamed across the full range of proposed actions contained in the Strategy. I encourage you to respond to the consultation which closes on 13th November.

Under the new Rural Development Programme which was recently approved by the EU Commission there may be opportunities within the Leader Programme to provide support to rural childcare projects under the rural Business Investment Scheme. Support may also be available for access to basic services or improvements in social infrastructure to improve the welfare and access to basic services where there is a clear gap in the provision of the service to those living in rural areas.

The schemes to be administered under the Leader Programme will reflect locally identified needs and priorities and will be delivered by 10 Local Action Groups, who will be holding pre-funding workshops to inform potential applicants of scheme requirements, in advance of opening calls for applications.

Ms Sugden asked the Minister of Agriculture and Rural Development how her Department communicates with the farming community, other than via the internet.
(AQW 48999/11-16)

Mrs O'Neill: My Department uses a wide range of offline communication channels to interact with customers and these can be tailored depending upon the message being delivered and the target audience.

Methods of communication include face-to-face (public meetings; meetings with representative organisations; meetings with elected representatives; etc), in writing (letters; mail shots, leaflets; etc) and via the media (workshops; press releases; information events; etc).

Both officials and I also participate in media interviews to raise awareness of issues directly affecting the industry and wider rural community.

Ms Sugden asked the Minister of Agriculture and Rural Development for an update on the progress of Local Action Groups, including the timescale for developing their Local Rural Development Strategies, and the distribution of funding.

(AQW 49000/11-16)

Mrs O'Neill: All ten Local Action groups have now received their Interim Local Rural Development Strategy templates. My Department has set a return date of 31st December 2015, however officials will work at the pace of the fastest and any of the ten LAG's submitting a strategy before this date that meets the required standard will be eligible to receive a contract to deliver LEADER on behalf of the Department. This will cut some 18 months off the set up time compared to the previous programme.

The request for funding by an applicant is a 2 stage process. Firstly applicants must attend a funding workshop where they will be given advice on eligibility and pre application documentation that they need to have before applying for funding, such as a business plan. Once workshops are complete in a LAG area the LAG will advertise that it is open to receive online applications.

This two stage process should increase the number of successful applications and reduce the amount of time wasted processing unrealistic ones. Our aim is to process all applications to a funding decision within 90 days of receipt.

Mr Easton asked the Minister of Agriculture and Rural Development what are the current laws on the use of agricultural pesticides.

(AQW 49009/11-16)

Mrs O'Neill: The Plant Protection Products (Sustainable Use) Regulations 2012 implement the EU Directive on the Sustainable Use of Pesticides. Their purpose is to achieve sustainable use by reducing risks and impacts of pesticides on human health and the environment.

These regulations stipulate the following requirements for the use of agricultural pesticides:

- A person can only use pesticides authorised for professional use if they hold a specified certificate or work under appropriate supervision.

A person who uses, or causes or permits an individual to use a pesticide must ensure that:

- All reasonable precautions are taken to protect human health and the environment.

The application of the pesticide is confined to the crop, land, produce, buildings, contents of buildings, materials or other areas intended to be treated.

The amount used and the frequency of use should be as low as is reasonably practicable.

So far as is reasonably practicable, where there is more than one product authorised for a particular situation, preference should be given to using products that do not represent a risk to the aquatic environment and/or drinking water supplies.

A person who owns or leases pesticide application equipment must ensure that such equipment is not used unless it has passed inspection.

Health and safety is of vital importance in relation to the use and management of pesticides. Therefore, an effective system of training and certification is necessary to protect operators applying pesticides, bystanders, wildlife, plants and the environment from adverse effects.

The Plant Protection Products Regulations (NI) 2011 ensure that only pesticides approved for use can be sold. These regulations specify that only authorised pesticides can be used and that they must be used as instructed on the product label.

Mr Easton asked the Minister of Agriculture and Rural Development to list the animals on the Northern Ireland breeds at risk register.

(AQW 49011/11-16)

Mrs O'Neill: The north of Ireland Breeds at Risk Register provides livestock owners of cattle, sheep, goats, pigs, equines, fowls, ducks, geese and turkey rare breeds the opportunity to register their animals with the Department in advance of an outbreak of epizootic disease.

The Register may be accessed at the following link <http://www.dardni.gov.uk/uk-breeds-at-risk.pdf>.

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the (i) number; (ii) make and model; and (iii) individual cost of new vehicles purchased in each of the last three years by her Department and its arm's-length bodies.

(AQW 49020/11-16)

Mrs O'Neill: During the last three financial years, 2012/13 to 2014/15, the Department has purchased 127 vehicles. Information confirming the make, model and individual cost of each vehicle is provided in the tables below.

Vehicle Purchases in DARD 2012/13 to 2014/15

AFBI

Make and Model	Quantity	Purchase Price	Total Purchase Price
Ford Focus	1	13,502.64	13,502.64
Ford Kuga	1	18,200.92	18,200.92
Ford Mondeo	1	17,373.25	17,373.25
Ford S Max	1	19,130.09	19,130.09
Ford Transit	1	15,434.25	15,434.25
Ford Transporter	1	23,923.33	23,923.33
Toyota Auris	1	10,870.03	10,870.03
Toyota Hilux	1	18,167.56	18,167.56
Toyota Hilux	1	19,375.00	19,375.00
VW Transporter	1	17,174.60	17,174.60

CAFRE and Core Department

Make and Model	Quantity	Purchase Price	Total Purchase Price
Cushman Hauler	1	14,195.00	14,195.00
Ford Ranger	1	17,813.94	17,813.94
Ford Ranger	1	21,823.02	21,823.02
Ford Transit Minibus	1	19,244.80	19,244.80
Ford Transit Minibus	3	20,036.92	60,110.76
DAF LF220 Horse Transporter	1	43,850.00	43,850.00
John Deere 5080M	1	16,000.00	16,000.00
John Deere 6330P	1	35,000.00	35,000.00
John Deere 6430	1	24,889.00	24,889.00
Massey Ferguson 5440	1	19,000.00	19,000.00
Massey Ferguson 5450	1	21,000.00	21,000.00
Massey Ferguson 6475	1	32,000.00	32,000.00
Mitsubishi L200	1	18,490.00	18,490.00
Mitsubishi Shogun	1	19,003.83	19,003.83
Mitsubishi Shogun	2	20,403.68	40,807.36
Skoda Octavia	1	19,595.17	19,595.17

Forest Service

Make and Model	Quantity	Purchase Price	Total Purchase Price
Citroen Berlingo	20	10,424.05	208,481.00
Citroen Berlingo	4	10,045.00	40,180.00
Citroen Relay	5	13,386.00	66,930.00
Citroen Relay CCAB	5	13,530.00	67,650.00
DAF Beaver Tail	4	51,000.00	204,000.00
DAF Tipper Lorry	1	127,500.00	127,500.00
Ford Fiesta Van	2	10,387.45	20,774.89

Make and Model	Quantity	Purchase Price	Total Purchase Price
Ford Transit Van	2	11,927.85	23,855.70
Iveco CCAB Tipper	8	29,429.00	235,432.00
Nissan Cabstar	5	16,197.00	80,985.00
Nissan Cabstar	5	21,962.00	10,9810
Peugeot Boxer Van	2	13,150.05	26,300.1.
Peugeot Boxer Van	1	12,030.41	12,030.41
Peugeot Boxer Van	5	13,653.15	68,265.75
Renault Traffic	1	11,414.79	11,414.79

Rivers Agency

Make and Model	Quantity	Purchase Price	Total Purchase Price
Citroen Berlingo	6	10,080.55	60,483.30
Citroen Berlingo	3	10,248.00	30,744.00
Citroen Berlingo	5	10,516.50	52,582.50
Ford Ranger	3	15,507.94	46,523.82
Land Rover Defender	1	18,821.77	18,821.77
Land Rover Double Cab	7	19,446.89	136,128.23
Peugeot Boxer Van	1	12,548.15	12,548.15
Peugeot Boxer Panel Van	1	16,687.00	16,687.00
Peugeot Partner Van	1	8,812.12	8,812.12

Mrs Cochrane asked the Minister of Agriculture and Rural Development whether her Department recognises electronic signatures, in place of handwritten signatures, when receiving authority or signed petitions.

(AQW 49024/11-16)

Mrs O'Neill: My Department recognises and accepts electronic signatures across a wide range of activities including applications for courses in the College of Agriculture, Food and Rural Enterprise; applications for Cross Compliance derogations; corrections to the Land Parcel identification System; returns relating to Less Favoured Area/Areas of Natural Constraint; on various registration and approval applications; etc.

The Department's arms-length bodies also seek to adopt a flexible approach and will accept electronic signatures where possible.

My Department does not receive many public petitions; however, I would support the acceptance of e-petitions.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 48835/11-15, to detail the costs of these staff in (i) 2013/14; (ii) 2012/13; and (iii) 2011/12.

(AQW 49028/11-16)

Mrs O'Neill: The costs of these staff for each year are as follows:

Year	Total salary costs (£)
2011/2012	5,736,736
2012/2013	4,733,213
2013/2014	4,683,091

Ms Sugden asked the Minister of Agriculture and Rural Development (i) for her assessment of the effectiveness of the Contacting Elderly Rural Isolated pilot scheme in enhancing independent living and addressing social isolation for older people; (ii) whether it is on course to meet its targets; and (iii) whether funding will be made available for this scheme post 2016.

(AQW 49043/11-16)

Mrs O'Neill: The Connecting Elderly Rural Isolated (CERI) scheme continues to be an effective mechanism to alleviate social isolation among vulnerable elderly people. CERI remains on course to meet its target of 102,000 contacts by March 2016.

The decision on funding a future Scheme using the CERI model will be informed following an evaluation of the current arrangements. This evaluation will be undertaken during 2016 and led by the Western Health and Social Care Trust.

Ms Sugden asked the Minister of Agriculture and Rural Development to detail the ways in which her Department is encouraging stakeholders in the agricultural sector to consider long term approaches to mitigate against market volatility. **(AQW 49044/11-16)**

Mrs O'Neill: My Department's advisers have, over time, encouraged farmers to consider matters that would help to mitigate the risks that can be inherent in the farming industry. These include an efficient production system linked to farm resources; business and financial management through benchmarking; prudent expenditure; a cash flow plan covering the whole year; and hedging contracts.

I know that hedging contracts and insurance cover are used by the farming industry in other countries, but at this stage there does not seem to be an appetite to go down this road by our industry. This matter is however still on the table for discussion. Hedging contracts were among the issues identified by the Agri-Food Strategy Board's Dairy Sub-group for consideration in the medium term. While hedging contracts do not lead to an overall increase in the price received by those farmers for their produce, they do provide a means for farmers to even out cash flows and mitigate against volatility in the market.

As contracts are a commercial matter you will appreciate that my Department cannot engage directly in discussions between individual purchasers and producers on taking this matter forward. This is something that only the various industry interests can do. Nevertheless, I do believe that it is something that individual producers may wish to explore further and I have openly encouraged farmers to talk to their milk buyers about this.

In addition, following my engagement with the previous Finance Minister, Simon Hamilton and with the industry, I was pleased that the British government decided to extend the period for which self-employed farmers can average their profits from two years to five years. This is a very welcome move that will, from April 2016, play a part in mitigating the impacts of price volatility.

Looking ahead, we need to critically examine how we can best ensure that our agri-food industry is sustainable and profitable in the future and the actions that can be taken going forward by government and industry to support this. At a strategic level I have tasked the Agri-Food Strategy Board to establish a Supply Chain Forum, covering all sectors, focussed on supporting the industry in developing a sustainable future, through enhanced collaboration and effective communication. I will be a strong advocate of this work and fully intend to be closely involved.

On a wider stage the European Commission recently announced plans to establish a new High Level Forum for a Better Functioning Food Supply Chain at EU level to assist the Commission with the development of industrial policy in the food sector. Amongst other issues, the Forum will examine hedging instruments, such as new futures markets for agricultural products. I would encourage local representatives to plug into the work of the Forum so that the industry in the north of Ireland can benefit from any lessons learned or new initiatives that it identifies.

Mr Easton asked the Minister of Agriculture and Rural Development how many sheep have been imported in each of the last two years. **(AQW 49055/11-16)**

Mrs O'Neill: The total number of live sheep imported from the south, Britain, and the rest of the world has been recorded during each of the last two calendar years as follows:-

Year	Number of animals
2013	6,746
2014	9,811

I hope you find this information helpful.

Mr Easton asked the Minister of Agriculture and Rural Development how many pigs have been imported in each of the last two years. **(AQW 49058/11-16)**

Mrs O'Neill: The total number of live pigs imported from the south, Britain and the rest of the world during each of the last two calendar years has been recorded as follows:-

Year	Number of animals
2013	636,572
2014	595,659

I hope you find this information helpful.

Mr Easton asked the Minister of Agriculture and Rural Development how much poultry has been imported in each of the last two years.

(AQW 49059/11-16)

Mrs O'Neill: The total number of live poultry imported from Britain and the EU during each of the last two calendar years is recorded as follows:-

Year	Number of birds
2013	9,560,611
2014	9,909,238

I hope you find this information helpful.

Mr Easton asked the Minister of Agriculture and Rural Development how many horses have been imported in each of the last two years.

(AQW 49060/11-16)

Mrs O'Neill: In addition to those horses that can move freely to the north of Ireland under the terms of the Tripartite Agreement my Department's records indicate that 1,111 horses were imported in 2013 and 1,244 horses were imported in 2014.

Mrs D Kelly asked the Minister of Agriculture and Rural Development whether there are any regulations regarding the protection of adjacent properties from Willow Beetle infestations; and whether farmers are responsible for eradicating these infestations from Willow Trees.

(AQW 49075/11-16)

Mrs O'Neill: There are currently no regulations regarding the protection of adjacent properties from Willow Beetle infestations, and none which would require farmers to eradicate these infestations from Willow Trees on their land.

Mrs Dobson asked the Minister of Agriculture and Rural Development, in relation to the Minister of the Environment's decision to ban the cultivation of GM crops, to detail the (i) discussions she had with the Minister of the Environment; and (ii) discussions her officials undertook with officials within the Department of the Environment prior to the decision being taken.

(AQW 49082/11-16)

Mrs O'Neill: I had no discussions with the Minister of the Environment in relation to his decision to ban the cultivation of GM crops in the north of Ireland. The Minister for the Environment wrote to inform me of the decision on the day he announced it.

My officials had no discussions with officials within the Department of the Environment prior to the decision being taken.

Mrs Dobson asked the Minister of Agriculture and Rural Development, in relation to the Minister of the Environment's decision to ban the cultivation of GM crops, for her assessment of the impact of this decision on the Agri-food industry; and whether she has received any correspondence setting out opposition to the banning of GM Crops.

(AQW 49085/11-16)

Mrs O'Neill: None of the GM crop varieties that are approved for growing in the EU are currently grown in the north of Ireland. Therefore, at present the decision of the Minister for the Environment to ban the cultivation of GM crops here will have little impact on the Agri-Food industry in the north of Ireland.

I have not received any correspondence setting out opposition to the banning of GM crops.

Mr Lyttle asked the Minister of Agriculture and Rural Development to outline the budgetary reductions to the Agri-Food and Biosciences Institute; and how this will impact on the research and development capacity of the agricultural sector.

(AQW 49089/11-16)

Mrs O'Neill: You are aware that public sector finances are under significant pressure as a result of the Tory Government's ideologically driven assault on the Executive's block grant. Such attacks are having a very real impact on public services and my ability to deliver for agricultural and rural communities. While I recognise the budgetary challenges facing AFBI this year, AFBI is not alone in facing such challenges. My Department has received a £29.9 million (15.1%) cut this year. On a like-for-like basis, the net £4m reduction in AFBI's baseline budget is equivalent to 11.5%. When set against AFBI's overall cost base, this reduction equates to 7.5%.

I recently took decisions in response to AFBI's 2020 Strategy proposals. These will result in DARD withdrawing funding from certain areas of the AFBI scientific programme and focusing resources on areas of most strategic importance to DARD and the wider agri-food industry.

DARD withdrawing funding from certain areas of research and development does not necessarily mean that this work must stop. Alternative delivery models may be possible with funding from other sources.

In terms of overall research capacity, the work areas targeted for withdrawal of DARD funding are small, and AFBI recognises the difficulty in sustaining scientific excellence within very small units. AFBI's strategy of consolidation and realignment is designed to set the foundations for future growth in scientific capacity in those areas where it is strong and which are of greatest strategic importance to this region.

AFBI, of course, is not the sole source of scientific expertise for the agri-food sector and I plan to explore new mechanisms that would enable us to become involved in collaborative research with other regions and countries, thereby effectively expanding the research capacity that is available to the local industry. I would hope to be in a position to bid for funding to deliver these plans during the next budget period.

Mr Easton asked the Minister of Agriculture and Rural Development to outline the law on importing exotic animals.
(AQW 49095/11-16)

Mrs O'Neill: The primary legislation governing trade in animals in this category both between EU Member States, and into Member States from outside the EU, is the EU Council Directive 92/65/EEC. This requires a specific health certificate to be completed in respect of all animals being imported. In addition to this requirement, trade in animals from Britain into the north of Ireland is governed by the Importation of Animals Order (NI) 1986 which requires persons bringing animals into the north to apply for an import licence approved by the Department of Agriculture and Rural Development (DARD).

The Minister for the Environment has advised that the Department of the Environment (DOE) has no role in the regulation of the import of exotic animals. DOE (NI Environment Agency), however, enforces the Dangerous Wild Animals (NI) Order 2004 which regulates the keeping by private individuals of potentially dangerous animals. The Order aims to safeguard the public and also the welfare of exotic (dangerous) animals kept in captivity. Potential owners must apply for a licence prior to taking ownership of the Dangerous Wild Animal. Granting of a Dangerous Wild Animal licence requires a favourable veterinary site inspection report, along with confirmation of appropriate insurance and the required (annual) licence fee of £80. Individuals wishing to acquire dangerous animals from outside the north are asked to contact DARD Veterinary Service to arrange appropriate permits for import.

Mr Easton asked the Minister of Agriculture and Rural Development to list the breeds of exotic animals in Northern Ireland; and the number of each breed.
(AQW 49098/11-16)

Mrs O'Neill: Intra-community trade in animals other than, cattle, swine, sheep, goats, equidae, poultry and hatching eggs) is covered by the "Balai" Directive (92/65/EEC). In order to participate in intra-community trade in "Balai" animals, holdings must be either registered or approved under this directive. There is no requirement to notify the numbers of animals on these premises so my department cannot supply the numbers of such species in the north of Ireland.

Premises have been registered or approved to keep the following types of "exotic" animals.

- Alpacas
- Rabbits
- Wallabies
- Llamas
- Red Deer
- Mice
- Reindeer

This does not include the species kept by Belfast Zoo or by licensed pet shops.

The Department of the Environment have provided the table below which details the exotic animals held by 11 licensed keepers in the north. These animals are licensed under the terms of the Dangerous Wild Animals (NI) Order 2004.

Species	English name	Number held
<i>Cebus apella</i>	Black-capped capuchin	2
<i>Felis catus</i> x <i>Prionailurus bengalensis</i> x <i>F. Catus</i>	Cheetoh	1
<i>Nasua narica</i>	Coati	3
<i>Dromaius novahollandiae</i>	Emu	6
<i>Heladerma suspectum</i>	Gila monster	1
<i>Atheris squamigera</i>	Bush viper	2
<i>Potos flavus</i>	Kinkajou	3
<i>Procyon lotor</i>	Raccoon	5
<i>Bitis nasicornis</i>	Horned puff adder	1
<i>Lemur catta</i>	Ring-tailed lemur	9
<i>Echis carinatus</i>	Saw-scaled viper	1
<i>Panthera tigris</i>	Tiger	2

Species	English name	Number held
Bitis gabonica rhinoceros	Gabino viper	1
Crotalus atrox	Western diamondback rattlesnake	1
Canis lupus	Wolf	1

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of Ring Rot have been recorded in the last four years; and to outline the effect on the potato crop over this time.

(AQW 49101/11-16)

Mrs O'Neill: Forest Service Plant Health Inspection Branch implements an annual risk based inspection and surveillance programme to detect the quarantine disease of potatoes, Ring Rot. No local findings have been made in the last four years or since annual surveillance commenced in the north of Ireland. As a consequence Ring rot has not impacted negatively on the local seed or ware sectors. Maintaining freedom from Ring rot is important as it supports the maintenance of the regions status as a High Grade Community seed area within the EU.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of potato cyst have been recorded in the last four years; and to outline the effect on the potato crop over this time.

(AQW 49102/11-16)

Mrs O'Neill: In the last four years Plant Health Inspection Branch has detected viable populations of Potato Cyst Nematode (PCN) in soil from 67 fields totalling around 215 hectares. These 67 fields are deemed infested with PCN and Statutory Plant Health Notices have been issued prohibiting the growing of potatoes in these fields. Currently 496 hectares in 182 fields are deemed infested with PCN across the north of Ireland. Seed potatoes to be entered for classification and certification must be grown on land tested prior to planting and found free of PCN so the effect of PCN on the local seed potato crop is negligible. Land used for growing ware potatoes does not have to undergo an official pre-planting test for PCN.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of potato flea have been recorded in the last four years; and to outline the effect on the potato crop over this time.

(AQW 49103/11-16)

Mrs O'Neill: Plant Health Inspection Branch implements an inspection and surveillance programme to detect Potato Flea Beetle, *Epiditrix* spp, on ware potato imports from Spain and Portugal where the pest has been recorded in recent years. Legislation requiring the notification to DARD of potatoes originating in these two countries has been in place since January 2013, notified consignments from these destinations are inspected by Plant Health Inspectors. An annual survey is carried out on local seed and ware growing crops and tubers to detect signs of this pest. There have been no findings to date on either the domestic crop or ware potato imports. As a consequence Potato Flea Beetle has not impacted negatively on the local seed or ware sectors. Maintaining freedom from Potato Flea Beetle is important as it helps to maintain the north's status as a High Grade Community seed area within the EU.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of citrus longhorn beetle have been recorded in the last four years; and to outline the impact on the tree population over this time.

(AQW 49131/11-16)

Mrs O'Neill: There have been no findings of Citrus Longhorn Beetle in the north of Ireland in the past four years or any evidence of this pest impacting on the local tree population.

Plant Health Inspectors from DARD Forest Service implement an annual programme of risk based inspections to detect findings of Citrus Longhorn Beetle. Inspections target premises where potential host plants are present including nurseries and retail premises. During the four year period to 31 March 2015, 426 inspections for Citrus Longhorn Beetle in nurseries and retail premises were recorded.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 48998/11-16, how many herds of cattle tested positive for bovine TB which were then all found to be negative post slaughter.

(AQW 49269/11-16)

Mrs O'Neill: The number of herds which had positive reactors at a skin test and in which no lesions typical of bovine TB were found at post-mortem examination and in which TB was not confirmed by subsequent laboratory tests (Histopathology and Bacteriology) for the years 2012 to 2014 is shown in the table below.

Year	Number of herds which had TB reactors	Number of herds which had TB reactors and in which TB was not confirmed by post-mortem or laboratory testing
2012	2,072	583
2013	1,899	487
2014	1,769	398

More detailed Tuberculosis Disease Statistics in the north of Ireland are available on the DARD internet and include monthly statistics from 2015. See the link: (<http://www.dardni.gov.uk/statistics-tuberculosis.htm>).

All these figures are correct at the time of writing.

As mentioned in my previous response to AQW 48998/11-16, there are several reasons why a reactor is not confirmed to have TB and the same reasons apply to a herd which is not confirmed to have TB. The most common reasons are that lesions have not had time to develop to the stage when they can be seen with the naked eye and that the post-mortem examination, which is designed to check that meat is fit for human consumption, was not detailed enough to find a small number of lesions. Also, as previously mentioned, the specificity of the skin test (its performance in identifying TB clear animals as negative) is very high (in the region of 99.98%) and so False Positive animals are rare.

Note that some animals which were not lesioned at post-mortem will not have had further laboratory tests. In addition, because the data presented in the table are based on tests completed during a calendar year and not on a TB breakdown episode, there may have been reactor animals detected previous to or subsequent to the calendar year that will have had TB confirmed at post-mortem or laboratory examination.

Department of Culture, Arts and Leisure

Mrs Dobson asked the Minister of Culture, Arts and Leisure to detail the (i) number; (ii) make and model; and (iii) individual cost of new vehicles purchased in each of the last three years by her Department and its arm's-length bodies. (AQW 49073/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The table attached details the vehicles purchased by my Department and its arm's-length bodies over the last three financial years (2012-13, 2013-14 & 2014-15).

In total 58 vehicles were purchased at a cost of £2,704k. Vehicles include specialist boats and mobile libraries.

Department of Culture Arts & Leisure

	Make	Model	Cost (£)
2012-13			
1	Berkenheger	6420 Weed Cutting Boat & trailer	83,100
2	Berkenheger	6520 Weed Harvester boat & trailer	229,015
3	Iveco	Trakker 6x4 rig	99,574
4	Honda	4Track	4,620
2013-14			
1	Honda	4Track	4,620
2	Renault	Kangoo Van	12,079
3	Ford	Ranger Double Cab XLT 4x4	17,282
4	Ford	Ranger Double Cab XL 4x4	16,619
5	Ford	Ranger Double Cab XLT 4x4	17,687
6	Ford	Ranger Double Cab XLT 4x4	17,282
7	Ford	Ranger Double Cab XLT 4x4	17,282
8	Ford	Transit van	14,100
9	Redbay Boats Ltd	Patrol Boat	315,815
2014-15			

	Make	Model	Cost (£)
1	Mitsubishi	Shogun 3.2 Di-dc	23,597
Total	14		872,672

Note: With the exception of the Renault Kangoo van all of the vehicles purchased are used by the Department's Inland Fisheries Branch. The van is used by PRONI.

Arm's Length Bodies

Sports Council NI

	Make	Model	Cost (£)
2012-13			
No purchases			
2013-14			
1	Ford	Transit 14 seater Minibus	25,618
2014-15			
No purchases			
Total	1		25,618

National Museums NI

	Make	Model	Cost (£)
2012-13			
No purchases			
2013-14			
No purchases			
2014-15			
1	John Deere Tractor	4wd 5100r	29,950
Total	1		29,950

Armagh Observatory & Planetarium

	Make	Model	Cost (£)
2012-13			
No purchases			
2013-14			
No purchases			
2014-15			
OBS	Ford	Transit	15,000
PLA	Toyota	Avensis	14,176
Total	2		29,176

Libraries NI

	Make	Model	Cost (£)
2012-13			

	Make	Model	Cost (£)
1	Ford	Transit T350	23,371
2	Ford	Transit T350	23,371
3	Ford	Transit T350	23,371
4	Ford	Transit T350L	23,371
5	Ford	Transit T350L	17,112
6	Ford	Transit T350L	17,112
7	Ford	Transit T350L	17,112
8	Ford	Transit T350L	17,112
9	Ford	Transit T350L	17,112
10	Ford	Transit T350L	17,112
11	Ford	Transit T350L	17,112
12	Iveco	Eurocargo ML80	94,784
13*	Mercedes	Vario 813D	95,333
14*	Mercedes	Vario 813D	95,333
15*	Mercedes	Vario 813D	96,612
16*	Mercedes	Vario 813D	96,612
2013-14			
1*	Iveco	Eurocargo ML80	95,890
2*	Iveco	Eurocargo ML80	95,890
3*	Iveco	Eurocargo ML80	95,890
4	Volkswagen	Crafter CR35 TDI	23,265
5	Volkswagen	Crafter CR35 TDI	23,265
6	Volkswagen	Crafter CR35 TDI	23,265
7	Volkswagen	Crafter CR35 TDI	23,265
8	Volkswagen	Crafter CR35 TDI	25,638
9	Volkswagen	Crafter CR35 TDI	25,638
10	Volkswagen	Crafter CR35 TDI	25,638
11	Volkswagen	Crafter CR35 TDI	25,638
2014-15			
1*	Iveco	Eurocargo 75E	99,119
2*	Iveco	Eurocargo 75E	99,119
3*	Iveco	Eurocargo 75E	99,119
4*	Iveco	Eurocargo 75E	99,119
5	Volkswagen	Crafter CR35 TDI	22,553
6	Volkswagen	Crafter CR35 TDI	22,553
7	Volkswagen	Crafter CR35 TDI	22,553
8	Volkswagen	Caddy Maxi C20	15,013
9	Volkswagen	Caddy Maxi C20	15,013
10	Volkswagen	Caddy Maxi C20	15,513
11	Volkswagen	Transporter T30	18,396

	Make	Model	Cost (£)
12	Volkswagen	Transporter T30	18,396
Total	39		1,721,690

Note: Entries marked * are mobile libraries which as bespoke vehicles that may have spanned two financial years in construction. These vehicles are included on the basis of the year in which construction was completed (vehicle delivered) and the costs represent the total cost of each vehicle.

Waterways Ireland

	Make	Model	Cost (£)
2012-13			
No purchases			
2013-14			
No purchases			
2014-15			
1	Isuzu	D-Max Double Cab	24,806
Total	1		24,806

Ms Sugden asked the Minister of Culture, Arts and Leisure how her Department is encouraging an increase in (i) youth; and (ii) female participation in sport.

(AQW 49149/11-16)

Ms Ní Chuilín: My Department's strategy for sport, Sport Matters, contains 26 high level targets, 11 of which are specifically designed to increased participation and sport and physical activity levels across our population, including amongst young people and females. As part of this Strategy an action plan has been published, which provides specific actions for DCAL and Sport NI. The plan also includes actions to be taken forward in partnership with other government departments and a range of public bodies, including district councils.

Since 2009, Sport NI has invested just over £63.3Million in sports participation programmes which young people and females have benefitted from. Specific actions include guidance for schools that recommends a minimum of 2 hours of physical education classes per week, the delivery of Sport NI's 'Active Eight' suite of programmes and the promotion of extra-curricular sports opportunities. Other Sport NI programmes which have a focus on increasing participation opportunities for young people and females include the delivery of Sport NI's Active Communities Programme in partnership with district councils, the Active Clubs Programme and the Boxing Investment Programme.

Future plans to encourage participation in sport and physical activity, including amongst youth and females, are currently being developed and will be taken forward with the introduction of a new Sport NI policy – 'Everybody Active 2020'. It is anticipated that implementation of programmes to support this policy will commence during the 2016/17 financial year.

In addition, Sport NI intends to invest a total of £17.5Million in sports facilities through its Sports Facility Fund, which was recently launched. A key objective of this investment will be to increase participation, including amongst young people and females.

Ms Sugden asked the Minister of Culture, Arts and Leisure for her assessment of the importance of grassroots volunteers within community sport; and what support her Department offers.

(AQW 49151/11-16)

Ms Ní Chuilín: The role of volunteers in our society is significant and they are to be commended for their active support and role in many aspects of sport, including grassroots and community sport. Their contribution to sport at all levels is critical to the sustainability of the sport, to society in general in terms of health and well being and to our communities.

I can advise that during the 2014/15 and 2015/16 financial years, Sport NI has invested approximately £1.5 million in 270 community/voluntary sports projects through the Active Awards for Sport programme, with anticipated learning opportunities for 2,132 volunteers. In addition, Sport NI provides a wide range of programmes that supports coaching and volunteer learning and development within a number of organisations including, Governing Bodies of sport, Sports clubs, Disability Sport NI and Special Olympics.

I recognise that the development and maintenance of organised sport in the north of Ireland is heavily dependent on volunteering.

The findings in the recent mid-term review of Sport Matters indicates that there were over 150,000 adults in the North of Ireland who had volunteered in sport in various capacities and frequencies. In addition, many people in the North's community

value the chance to volunteer in sport and there is evidence to suggest that they would welcome more opportunity to do so. The report therefore recommends that stakeholders such as local authorities, sports Governing Bodies and representatives from the voluntary and community sectors, should consider how additional opportunities for volunteering might be provided and how barriers such as training and skills needs can be addressed. This will be achieved through ongoing activities to resource and support volunteers through clubs and Governing Bodies and to promote volunteering in sport with employers. Continued commitment by volunteers can be recognised through engagement with coaching and qualification opportunities.

Ms Sugden asked the Minister of Culture, Arts and Leisure to detail the funding availability for the development of a sports complex at Dungiven; and when the decision will be made on progressing this project.

(AQW 49152/11-16)

Ms Ní Chuilín: I am committed to seeking to secure £2.5Million for the development of a community sports complex at Dungiven, as part of the City of Culture for the North West. This commitment, like all major capital investment, is subject to budget availability and the approval of a business case which will include confirmation of any necessary partnership funding for the project.

The Causeway Coast and Glens Borough Council has completed a consultation exercise on plans for sporting provision in Dungiven and is progressing with the development of a business case and detailed designs.

Officials from DCAL and Sport NI continue to work closely with the Council to provide advice and support with regard to the business case.

Ms Sugden asked the Minister of Culture, Arts and Leisure what funding has been made available since March 2015, to continue to address sports participation rates in the top 30 per cent most deprived areas.

(AQW 49153/11-16)

Ms Ní Chuilín: I can advise that since March 2015, Sport NI, an arms length body of my Department, has provided Exchequer and Lottery funding of £430,776 to continue to deliver programmes to address sports participation rates in the top 30 per cent most deprived areas.

I can confirm that additional funding is being sought to extend the Promoting Equality, Tackling Poverty and Social Exclusion through Sport Programme which ceased in March 2015.

My Department leads on one of the seven headline actions from the Executive's Together: Building a United Community Strategy, namely the development of a Cross Community Youth Sports Programme. The principal focus of the Sports Programme is to enhance good relations, though the Programme also has the potential to increase participation in sport.

A pilot project ran from January to March 2015 in the Lower Falls and Greater Village areas in Belfast, which are both within the top 30 per cent deprived areas. It is currently anticipated that up to £315,000 is to be invested in 2015/16 in the continuation of the programme in the pilot areas and to fund a minor sports equipment project to support sporting organisations with five or more volunteers.

In addition, a methodology for roll out of the Sports Programme is currently being developed. I have reprioritised £300,000 of Departmental funding to facilitate this roll out. It is my intention that in every community which hosts the TBUC Sports Programme the aim will not only be to build good relations, but also help to improve sports participation rates and target areas with significant social and economic challenges and a legacy of under-investment.

Ms Sugden asked the Minister of Culture, Arts and Leisure for an update on steps to achieve the Sport Matters commitment to ensure that 90 per cent of the population are within twenty minutes of quality accredited, multi sports facilities by 2019; and whether her Department is on course to meet this target.

(AQW 49154/11-16)

Ms Ní Chuilín: I can advise that the most recent annual Sport Matters progress report which was published in December 2014, indicated we were on track to achieve the target by 2019.

However, the recent mid-term review of Sport Matters Strategy has recommended that this target should be amended to change from a time bound to a distance based target.

In terms of future plans to further develop multi sports facilities, I can confirm that Sport NI launched a new Sports Facility Fund on 18 May 2015 totalling £17.5 million Lottery funding which will be available for sports facility projects over the next five years.

In addition, Sport NI is currently working with the 11 District Councils to develop a Facilities Strategy for the north of Ireland and 11 associated District Council Area Reports. The project is a partnership between Sport NI and the District Councils and involves engagement with a number of other key stakeholders, such as Government Departments, Governing Bodies for Sport, Education Authorities, Sports Clubs and Universities.

Lord Morrow asked the Minister of Culture, Arts and Leisure for her assessment of the Audit Office report into the collapse of the Northern Ireland Events Company; and whether structures are in place to prevent a recurrence in departmental agencies and arm's-length bodies.

(AQW 49208/11-16)

Ms Ní Chuilín: I welcome publication of this comprehensive report on the Events Company's affairs.

As you may be aware, the Department, following earlier reviews, has substantially strengthened its governance and sponsorship arrangements with its arm's length bodies. There are structures in place to prevent a recurrence of these issues, and the Department keeps these structures under continuous review.

Mr Allister asked the Minister of Culture, Arts and Leisure whether any staff disciplinary proceedings have resulted from the departmental oversight failures in respect of the Northern Ireland Events Company.

(AQW 49223/11-16)

Ms Ní Chuilín: No disciplinary proceedings have taken place in respect of the Northern Ireland Events Company.

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded the Arts Council NI over the last three years.

(AQW 49233/11-16)

Ms Ní Chuilín: Arts Council has been awarded the following funding in each of the last 3 years from my Department. These are composite figures and include both revenue and capital funding:

Year	Funding £
12/13	15,174,000
13/14	14,127,461
14/15	13,775,800

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded the Northern Ireland Screen Commission over the last three years.

(AQW 49234/11-16)

Ms Ní Chuilín: My Department has awarded NI Screen the following funding in each of the last 3 years:

Year	Funding £000's
12/13	2,016
13/14	3,195
14/15	2,434

Mr Easton asked the Minister of Culture, Arts and Leisure to outline the type of projects for which the Creative Industries Innovation Fund can be used.

(AQW 49235/11-16)

Ms Ní Chuilín: While the Creative Industries Innovation Fund (CIIF) was open to all creative industries sub-sectors, applications from digital content themed projects were encouraged.

The fund provided support for the innovative development of commercially viable content, products, services and experiences capable of competing in global markets.

Examples included the development of new products and services ranging from mobile apps and games through to new collaborations being formed in the manufacture of new craft and textile products.

- Costs covered by a CIIF award included:
- Content/product development costs, including reasonable material costs;
- Freelance/short-term contracts;
- Existing staff costs, positions or roles including Directors;
- Reasonable travel and subsistence costs;
- Reasonable advertising and PR costs;
- Networking and cooperation costs associated with collaborative activity;
- Export advice and assistance; and

- Appropriate and reasonable market research costs.

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Grand Opera House over the last three years.

(AQW 49236/11-16)

Ms Ní Chuilín: My Department provides funding to the Arts Council to promote and encourage participation in the arts. The Arts Council makes funding decisions in terms of organisations supported and at what levels within the overall funding available. The Arts Council awarded the following funding to the Grand Opera House in each of the last 3 years:

Year	Funding £
12/13	636,980
13/14	594,610
14/15	594,610

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Lyric Theatre over the last three years.

(AQW 49237/11-16)

Ms Ní Chuilín: My Department provides funding to the Arts Council to promote and encourage participation in the arts. The Arts Council makes funding decisions in terms of organisations supported and funding levels, within the overall funding available. The Arts Council awarded the following funding to the Lyric Theatre in each of the last 3 years:

Year	Funding £
12/13	1,062,745
13/14	1,069,500
14/15	1,018,500

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Metropolitan Arts Centre over the last three years.

(AQW 49325/11-16)

Ms Ní Chuilín: My Department provides funding to the Arts Council to promote and encourage participation in the arts. The Arts Council makes funding decisions in terms of organisations supported and funding levels, within the overall funding available. The Arts Council awarded the following funding to the Metropolitan Arts Centre in each of the last 3 years:

Year	Funding £
12/13	1,003,160
13/14	1,205,000
14/15	1,000,000

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Ulster Orchestra over the last three years.

(AQW 49327/11-16)

Ms Ní Chuilín: My Department provides funding to the Arts Council to promote and encourage participation in the arts. The Arts Council makes funding decisions in terms of organisations supported and funding levels, within the overall funding available. The Arts Council awarded the following funding to the Ulster Orchestra in each of the last 3 years:

Year	Funding £
12/13	2,196,720
13/14	2,031,966
14/15	2,379,568

This information is available on the Government Funding Database (the GFD) which is a centralised and uniform source of accessible information on grant funding to the Voluntary and Community Sector. Its website is as show below:
<https://govfundingpublic.nics.gov.uk/>

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the NI Design Alliance over the last three years.

(AQW 49328/11-16)

Ms Ní Chuilín: My Department provided funding to the Arts Council for the administration of the Creative Industries Innovation fund from 2008 to 2015. The Arts Council awarded the following funding to the NI Design Alliance from the Creative Industries Innovation fund in each of the last 3 years:

Year	Funding £
12/13	0
13/14	9,995
14/15	9,000

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to Waterways Ireland over the last three years.

(AQW 49334/11-16)

Ms Ní Chuilín: My Department provides 15% of the resource budget for Waterways Ireland and the entire budget for any capital work carried out in the north.

The financial year for Waterways Ireland equates to the calendar year. The table below shows the funding my Department has awarded Waterways Ireland for the last three years.

Year	Resource - £000k	Capital - £000k	Total - £000k
2012	3,274	138	3,412
2013	3,094	310	3,404
2014	2,910	253	3,163

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to Public Records Office NI over the last three years.

(AQW 49338/11-16)

Ms Ní Chuilín: The attached table details the Department's funding of the Public Records Office NI over the last three financial years.

Funding Provided to PRONI

Category/Year	2012/13 £000	2013/14 £000	2014/15 £000
Resource Spend	4,511	4,574	4,456
Capital Spend	645	85	51
Total	5,156	4,659	4,507

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Tourism NI over the last three years.

(AQW 49339/11-16)

Ms Ní Chuilín: The Department has not awarded any funding to Tourism NI over the last three years.

Mr Dunne asked the Minister of Culture, Arts and Leisure to detail the rationale for the (i) exclusion of the Northern Ireland Fly Fishing Association; (ii) inclusion of the Republic of Ireland based Trout Anglers' Federation, in the SportNI sponsored fly fishing competition scheduled for 11 - 14 October 2015.

(AQW 49451/11-16)

Ms Ní Chuilín: Sport NI, an arms length body of my Department, has confirmed that the NI Fly Fishing Association is not excluded from the event to celebrate the end of the "Our Angling Story" project organised by Loughmacrory and Murrins

District Angling Association (LAMDAA) on 11 October 2015. This is not a formal competition and Sport NI is not aware of any application from the NI Fly Fishing Association to participate.

I can advise that this project received funding of £10,000 under Sport NI's Active Awards for Sport Programme. The Terms and Conditions of the award clearly state that "The Applicant must operate an equal opportunities policy during and following completion of the Project" and this has been adhered to.

I can also confirm that the event is advertised on the LAMDAA website and on social media which reaffirms that everyone is welcome.

Mrs McKeivitt asked the Minister of Culture, Arts and Leisure for an update on the feasibility study into the potential for an interactive map-based register of defibrillators across Departments and arm's-length bodies.

(AQO 8802/11-16)

Ms Ní Chuilín: Community Resuscitation including the provision and location of Automatic External Defibrillators (AEDs) is a responsibility of the Minister for Health, Social Services and Public Safety, and that Department published its Community Resuscitation Strategy in 2013.

The need for a feasibility study on the potential for a interactive database as highlighted by the Assembly debate on 4 May 2015, has been overtaken by the existing responsibility of the NI Ambulance Service (NIAS), which was tasked with 10 actions relating to Objective 6 of the NI Community Resuscitation Strategy 2014, one of which was to: "Assess the feasibility and potential value of establishing and maintaining a register of AEDs."

Since the debate on AEDs in May 2015, my Department has:-

- increased its provision of AEDs across the Department and its ALBs.
- tasked Sport NI with assessing the level of provision across the sports sector;
- established contact with the Ambulance Service to seek advice on the proper formatting and offer support on the establishment and population of data for the interactive register; and

Provided additional tangible support and assistance to the Henderson Group Community AED provision initiative.

I reiterate my willingness to play my part in extending access to AED provision across the north and would again encourage all Departments including DHSSPS and arms length bodies to engage positively on their respective roles in extending the availability of, and access to, AEDs and to provide the details of such provision to the Ambulance Service in the required format.

My officials will continue to seek opportunities to support the Ambulance Service as the single central point of contact on AEDs, in meeting its responsibility within of the Community Resuscitation Strategy.

Mr Ó hOisín asked the Minister of Culture, Arts and Leisure how her Department has co-operated with other Departments and agencies to tackle pollution in local waterways.

(AQO 8803/11-16)

Ms Ní Chuilín: My Department's Inland Fisheries Group staff are in regular contact with colleagues from other Departments and agencies on pollution related issues. They participate in a number of forums involving Department of Agriculture and Rural Development and Department of the Environment officials, where a range of fisheries related issues, including pollution incidents are discussed. These include meetings on the EU Water Framework Directive which requires EU members to take steps to prevent a deterioration of water quality in river and lakes and NI Environment Agency (NIEA) Catchment Stakeholder meetings, at which pollution reports for each area are discussed.

DCAL staff have also been involved with staff in the NIEA and other Departments in drafting the new programme of measures for the next period of the Water Framework Directive implementation and some of these will relate to water quality issues. Results from juvenile fish surveys carried out for my Department are also provided to the NIEA and other stakeholders to help assess water quality impacts on fish stocks present.

The lead agency on the investigation of pollution incidents is NIEA and DCAL Inland Fisheries Group's relationship with the agency is set out in a Memorandum of Understanding between the two parties.

Where a pollution incident results in a fish kill, NIEA takes the lead on the investigation and DCAL Fisheries Protection Officers support this by collecting, counting and identifying the dead fish and the area affected. Should the matter result in court proceedings the Fisheries Protection Officers may be required to give evidence at court.

Inland Fisheries group staff can provide the courts with expert evidence on the impact of a pollution incident on fish stocks. My officials have also developed a framework for estimating the cost of habitat enhancement and re-stocking to reinstate a fishery affected by pollution incidents. This can be presented as evidence to inform the award of compensation by the courts, should a polluter be made amenable. My officials will then seek to work with the angling club or fishery owners on how this money can be used to benefit fish stocks in the river.

Ms McCorley asked the Minister of Culture, Arts and Leisure how Foras na Gaeilge will ensure that groups are not adversely impacted by any changes to Scéim Phobail Gaeilge.

(AQO 8804/11-16)

Ms Ní Chuilín: As a result of feedback from the consultation exercise, Foras na Gaeilge has revised its proposals on Scéim Phobail Gaeilge.

Although the proposed criteria is still under consideration, the intention is that there will be an open competition and the number of grant recipients will increase from the current 19 to a maximum of 26.

These proposed changes are aimed at ensuring that the significant investment made in the existing 19 communities under the scheme is not lost, while at the same time enabling groups and communities who are not currently benefiting from the scheme grant to receive funding.

In the event of an existing recipient not meeting the required standard, Foras na Gaeilge has agreed with the Lead Organisation responsible for Irish-language development at community level (Glór na nGael) that they will engage with these communities and support them to improve their capacity and to build on initiatives already in place. Glór na nGael will also support other applicants that have not yet demonstrated the necessary capacity to be part of the scheme.

Ms Hanna asked the Minister of Culture, Arts and Leisure how her Department provides opportunities for people with learning disabilities to participate in arts programmes.

(AQO 8805/11-16)

Ms Ní Chuilín: Improving access to and participation in the arts is considered a priority by my Department, especially for those with a disability.

My Department, through the Arts Council, funds the core costs of several Arts & Disability organisations - for example the Arts and Disability Forum, Drake Music and Open Arts. The Arts Council also supports a wide range of Arts & Disability projects through its Lottery programmes which provide accessible arts activities for people with disabilities.

Conditions attached to grants awarded ensure that funded organisations promote positive attitudes towards disabled people by adopting principles, conditions and policies that meet the duties enshrined in legislation.

In addition, the Arts Council also operates a Premium Payment Scheme which aims to mitigate against the barriers faced by certain groups in society in accessing and participating in the arts; a 'buddy' scheme which provides free tickets for carers; and it supports the Arts & Disability Equality Charter.

Mr McMullan asked the Minister of Culture, Arts and Leisure how she plans to build on the success of NI Screen's investment and ensure that opportunities are provided to local film and television producers.

(AQO 8806/11-16)

Ms Ní Chuilín: As sponsor Department, my Department will continue to support NI Screen to deliver its 2014-2018 strategy 'Opening Doors', which is designed to make the north's screen industry the strongest in Ireland and outside of London. The strategy has made significant progress, even at this early stage.

Whilst internationally acclaimed productions such as Game of Thrones highlight our region's strength on the world stage, they also provide opportunities for local talent. Indeed, two local members of the Game of Thrones team recently won Creative Emmys for their work on the series.

I am also pleased that NI Screen has been able to support local successes such as BAFTA winning and Oscar nominated short film, 'Boogaloo and Graham'.

My Department will continue to support NI Screen as it helps to grow the independent production sector through the NI Screen Fund, Lottery Film Fund, Ulster-Scots Broadcast Fund and Irish Language Broadcast Fund, which are open to indigenous film makers who meet the criteria.

NI Screen also provides funding for cultural and educational activities. This includes skills development for the local sector, as well as education, digital film archive and film festivals to inspire the next generation of local filmmakers.

NI Screen's aim in funding short films and script development is to find new writers, directors and producers that are resident in the north and who intend to work professionally in the sector. NI Screen intends to develop new and emerging talent to the point that is of interest to the wider industry, thus raising the profile of talent in the north.

In addition, NI Screen has secured £150k per year until March 2017 from the British Film Institute to develop New and Emerging Talent as part of the wider BFI Network initiative. The aim is to encourage London based producers, production companies, film financiers and agents to actively engage with local resident screen talent, and increase our ability to deliver products suited to the marketplace.

Department of Education

Mr Weir asked the Minister of Education to detail the projected savings in administration and running costs for the Education Authority compared to the Education and Library Boards, in the next three years.

(AQW 48971/11-16)

Mr O'Dowd (The Minister of Education): For 2015-16 the Education Authority (EA) received a block budget of £397m for centrally managed services. As part of the Department's 2015-16 Savings Delivery Plan the EA is required to make savings of at least £10m in order to live within budget. These savings are to be found from the overall block grant and the EA is presently implementing the Voluntary Exit Scheme to help deliver these savings.

Departmental budgets beyond 2015-16 are not yet available.

Mr Weir asked the Minister of Education to detail the projected running costs for the Education Authority for 2015-2016 compared to the combined running costs for the five Education Boards, in each of the last three years.

(AQW 49014/11-16)

Mr O'Dowd: The table below presents the combined running costs for the five Education and Library Boards and the Staff Commission, for each of the last three years:

2012-13 £m	2013-14 £m	2014-15* £m
40.7	40.6	40.2

* The ELBs' 2014-15 accounts are not yet finalised therefore these figures are subject to change.

Please note, for the purposes of responding to this AQ, running costs have been defined as, 'expenditure on running organisations but excluding their frontline activities'.

The Education Authority has reported that it expects running costs for 2015-16 to be no greater than the combined ELB and Staff Commission running costs for 2014-15. In the context of the Voluntary Exit Scheme (VES) it is expected that costs will be reduced, however work on this scheme is ongoing.

Mrs Dobson asked the Minister of Education to detail the (i) number; (ii) make and model; and (iii) cost of all new vehicles purchased by his Department and each of its arm's-length bodies, in each of the last three years.

(AQW 49018/11-16)

Mr O'Dowd: The information requested is detailed in the tables below;

Year	Number of Vehicles	Make and Model	Cost
2012/13	N/A		
2013/14	N/A		
2014/15	1	Skoda Superb Elegance	£19,876.03
	1	Ford Transit Van	£7,000.00

North Eastern Education and Library Board

Year	Number of Vehicles	Make and Model	Cost
2012/13	3	Ford Transit	£72,000.00
	2	Iveco Ford Iris Bus	£154,000.00
	2	Mercedes 813D	£180,000.00
	1	Volkswagen Crafter	£48,000.00
2013/14	5	Mercedes 813D	£460,000.00
	4	Iveco Ford Iris Bus	£316,000.00
	6	Volkswagen Crafter	£288,000.00
2014/15	2	Mercedes 313 TDI	£50,000.00
	5	Mercedes 513 CDI	£175,000.00
	2	Man Minibus	£188,000.00
	2	Iveco Ford Iris Bus	£164,000.00
	4	Mercedes 109 CDI	£56,000.00
	3	Mercedes 116 CDI	£75,000.00

Year	Number of Vehicles	Make and Model	Cost
	4	Mercedes 316 CDI	£96,000.00
	2	Mercedes 513 CDI Wheelchair	£70,000.00
	20	Mercedes 513 CDI	£1,060,000.00
	13	Volkswagen Crafter	£715,000.00
	4	Ford Connect	£48,000.00

Western Education and Library Board

Year	Number of Vehicles	Make and Model	Cost
2012/13	3	Volkswagen Caddy 1.6	£38,594.30
	6	Volkswagen Caddy 2.0	£126,937.95
	1	Volkswagen Crafter	£51,588.00
	1	Ford Transit	£20,622.00
	2	Iveco Ford 25 Seater	£77,958.00
	1	Land Rover TDCI	£18,940.00
2013/14	2	Ford Transit	£29,087.50
	19	Mercedes Benz 813D	£1,720,361.00
	1	Volkswagen Crafter	£47,063.20
	5	Iveco Ford Bus	£391,244.00
	1	Volkswagen Pick-Up	£29,169.47
	1	Isuzu Cab	£36,425.00
	3	Volkswagen Sprinter 313CDI	£62,442.73
	1	Volkswagen Transporter T30	£20,962.05
	3	Mercedes Atego	£419,100.00
	6	Volkswagen 17 Seater	£306,773.10
2014/15	10	Iveco Ford Bus	£780,248.56
	11	Man 33 Seater	£106,539.20
	2	Man 43 Seater	£222,784.00
	1	Mercedes T117	£32,430.00
	1	Volkswagen C20	£23,531.75
	3	Isuzu N75	£111,720.00
	2	Volvo 57 Seater	£390,000.00
	12	Volkswagen 17 Seater	£432,654.00

South Eastern Education and Library Board

Year	Number of Vehicles	Make and Model	Cost
2012/13	3	Ford Transit Connect	£28,864.80
	1	Ford Transit	£22,416.00
	1	Ford Fiesta Van	£10,067.01
	4	Isuzu N75	£139,108.00
2013/14	1	Fiat Ducato	£21,000

Year	Number of Vehicles	Make and Model	Cost
	4	Mercedes Vario 813	£451,925.00
	2	Volkswagen Crafter	£101,100.00
	9	Iveco Ford Iris	£711,091.00
	1	Volvo Commercial Manager	£195,000.00
	3	Mercedes Sprinter	£104,956.02
	2	Ford Transit	£41,269.25
2014/15	4	Iveco Ford Iris	£316,052.00
	8	Mercedes Sprinter	£273,415.62
	1	Man Tgi	£109,929.00
	1	Man Tgl	£50,325.00

Southern Education and Library Board

Year	Number of Vehicles	Make and Model	Cost
2012/13	1	Bluebird Orion	£81,210.00
	1	Iveco Ford Daily	£49,847.00
	3	Mercedes 813D	£280,007.00
	2	Iveco Ford Daily 65C17	£155,641.00
2013/14	9	Mercedes 813D	£813,465.00
	4	Iveco Ford Daily 65C17	£311,175.20
	1	Mercedes 513CDI	£34,821.74
	7	Man TGI 10T	£657,300.00
	8	Volvo Plaxton B9r	£1,560,000.00
	2	Volkswagen Crafter CR50	£104,091.00
	1	Mercedes Citan 108 CDI	£11,720.00
	3	Iveco Ford Daily 35S11	£57,728.00
	1	Iveco Ford Eurocargo	£99,089.00
	5	Mercedes 513 CDI	£153,108.00
2014/15	1	Volkswagen CR50	£55,436.00
	2	Iveco Ford Daily	£47,000.00

Belfast Education and Library Board

Year	Number of Vehicles	Make and Model	Cost
2012/13	6	Ford Minibus	£93,615.22
	1	Master Minibus	£13,460.00
	1	Mercedes Benz	£9,500.00
	2	Peugeot Expert	£24,512.60
2013/14	3	Mercedes Vario	£271,155.00
	1	Ford Transit 17 Seater	£8,450.00
	1	Ford Transit 13 Seater	£53,000.00
	1	Peugeot Boxer	£25,775.00

Year	Number of Vehicles	Make and Model	Cost
	2	Iveco Ford Irisbus	£145,382.20
	3	Mercedes Sprinter	£99,725.16
2014/15	1	Ford S-Max	£20,267.05
	2	Ford Transit	£38,385.55
	32	Mercedes Sprinter	£1,145,331.47

The following Arm's Length Bodies have not purchased any vehicles in each of the last three years.

- Comhairle na Gaelscolaíochta (CnaG)
- Council for the Curriculum, Examinations and Assessment (CCEA)
- Council for Catholic Maintained Schools (CCMS)
- General Teaching Council (GTCNI)
- Youth Council (YCNi)
- Council for Integrated Education (NICIE)

Mrs Cochrane asked the Minister of Education whether his Department accepts electronic signatures in place of handwritten signatures when receiving authority from parents or signed petitions.

(AQW 49025/11-16)

Mr O'Dowd: Where a school with places available refuses to admit a particular child, the parent of that child may complain to the Department. In order to deal with the complaint effectively, the Department issues a form which must be completed and signed by the parent. This form is currently only available in hard copy and therefore the issue of electronic signature does not arise.

The Department will accept electronic signatures on signed petitions

Mr Weir asked the Minister of Education how many children did not achieve a nursery placement at (i) stage one; and (ii) stage two in North Down, in each of the last five years.

(AQW 49061/11-16)

Mr O'Dowd: The Education Authority has provided the table below which shows the number of children applying for pre-school places in North Down who did not receive the offer of a funded pre-school place at the end of each stage of the pre-school admissions process over the last 5 years:

Year	Stage 1	Stage 2
2015/16	31	0
2014/15	53	1
2013/14	44	3
2012/13	87	5
2011/12	59	6

The Education Authority continues to work with parents and providers to place children after the admissions process has ended.

Mr Weir asked the Minister of Education how many appeals were (i) lodged; (ii) heard; and (iii) granted on admissions to primary schools, broken down by constituency.

(AQW 49062/11-16)

Mr O'Dowd: The number of appeals (i) lodged; (ii) heard; and (iii) granted on admissions to primary schools, broken down by constituency, is set out in the following table:

Primary School Admissions Appeals

Constituency	Lodged	Heard	Granted
Belfast North	6	0	0
Belfast South	14	9	0
Belfast East	27	8	0
Belfast West	0	0	0

Constituency	Lodged	Heard	Granted
North Antrim	19	15	7
South Antrim	*	*	*
East Derry	*	*	*
East Antrim	*	0	0
Strangford	*	0	0
Lagan Valley	11	5	0
North Down	17	6	0
Fermanagh & South Tyrone	7	6	*
Mid Ulster	*	*	0
Newry & Armagh	*	*	*
Upper Bann	*	*	0
West Tyrone	*	*	*
Foyle	*	*	0

** denotes figure fewer than 5

Mr Weir asked the Minister of Education how many appeals were (i) lodged; (ii) heard; and (iii) granted on admissions to post-primary schools, broken down by constituency.

(AQW 49063/11-16)

Mr O'Dowd: The Education Authority has advised that the number of appeals (i) lodged; (ii) heard; and (iii) granted on admissions to post-primary schools, broken down by constituency, is as set out in the following table:

Post- Primary School Admissions Appeals

Constituency	Lodged	Heard	Granted
Belfast North	16	5	0
Belfast South	33	19	*
Belfast East	29	14	*
Belfast West	9	5	0
South Antrim	5	*	0
East Antrim	*	*	0
Mid Ulster	13	9	*
North Antrim	17	16	6
East Derry	8	8	0
Lagan Valley	16	16	10
North Down	12	5	*
Strangford	34	31	*
South Down	7	6	5
Fermanagh & South Tyrone	34	28	8
Newry & Armagh	62	57	33
Upper Bann	*	*	*
Foyle	27	21	*
West Tyrone	6	6	0

** denotes figure fewer than 5

Mr Weir asked the Minister of Education what strategies or actions are being pursued to address the problem of crimes committed in schools.

(AQW 49118/11-16)

Mr O'Dowd: The safety of pupils, staff and school buildings and property is very important and thankfully schools are generally very safe places. Crimes of course can and do happen occasionally in schools and on school premises and need to be dealt with appropriately. If they know or suspect that a criminal offence has taken place, schools have a duty to report this to the relevant authorities, normally the PSNI.

One of the most common problems relates to theft, fraud and damage to school property. There are very clear guidelines set out for schools that require the reporting of all instances of theft and fraud no matter how small to their managing authority for investigation and follow up. Equally, reports of damage to property receive careful attention.

Assaults on teachers – or any other staff employed in schools – whether physical, verbal, written or through social media, are intolerable and totally unacceptable. The Department would therefore encourage any teachers or staff who experience abuse, in any form, to report it immediately to their school principal, in the first instance.

There are also established procedures and guidance in place in respect of concerns about safeguarding. These processes are clearly outlined in the DHSSPS document 'Co-Operating to Safeguard Children', which is currently under review, and the Department's document, 'Pastoral Care in Schools – Child Protection'.

A common thread across all these arrangements is the importance of reviewing any incident that takes place to ensure that risks can be reassessed and lessons learned and shared to prevent recurrence. The Education Authority provides invaluable support to schools in ensuring that this step is taken.

Mr Dickson asked the Minister of Education to detail the minor works schemes scheduled for the North Eastern Region, broken down by priority.

(AQW 49150/11-16)

Mr O'Dowd: The following table lists the minor works schemes in the North Eastern Region and details the type of improvements and priority in each case.

School	Minor Work Scheme	*Priority
Schemes carried over from 2014/15 year		
Abbey Community College	Site clearance & car park	2.
Ashgrove Primary School (PS)	Refurbishment of toilets	2.
Ballyclare Vehicle Maintenance Depot	Phase 2 - Upgrade of car park - Health & Safety works (tarmac/car park/barrier)	1.
Belfast High School (HS), Newtownabbey	Replace windows and dangerous cladding	1.
Belfast HS, N'abbey	Repair ceiling of indoor changing and toilet area	1.
Belfast HS , N'abbey	School heating improvements	2.
Broughshane PS	Provision of hygiene room, refurbishment of toilets, security fencing, additional car parking and replacement of mobiles	2.
Bunscoil An Chaistil, Ballycastle	Provision of modular accommodation for multi –purpose room and 2 no classrooms	2.
Carnaghts PS	Provision of multi-purpose hall, staffroom & toilet refurbishment	2.
Carrickfergus GS	Provision of lift, internal alterations; ramps to outdoor seating area. (DDA- pupil specific)	1.
Castle Tower (Loughan Campus)	Conversion of Music room to teaching room	1.
Coleraine College	Toilet refurbishment works	2.
#Coleraine Grammar School (GS)	Replacement windows (formerly Coleraine Academical Institution)	2.
Fairview PS	Provision of turning circle and other improvements to access	2.
Glengormley HS	Provision of CCTV , car parking and gates to address security issues (managed access)	2.
Hill Croft Special School (SS)	Phase 1 a - Infant classroom - traditional building (double modular building to address increased intake to P1)	2.
Linn PS	Senior toilets to address statutory requirements for DDA access	1.

School	Minor Work Scheme	*Priority
Schemes carried over from 2014/15 year		
Linn PS	Phase 2 refurbishment of admin area	2.
Loreto College, Coleraine	Adaptations for visually impaired child	1.
Mount St Michael's PS	Additional accommodation	1.
Riverside SS	Lighting and sound in meeting room	1.
Roddensvale SS	Replace sub-standard mobile accommodation /provision of additional classroom to ensure integrity & suitability of the estate	1.
Round Tower Integrated Primary School (IPS)	Phase 2 - Refurbishment of toilets/fire security	2.
Sandelford SS	Fencing to old school site	2.
St Benedict's College, Randalstown	Structural defects to windows	1.
St Bernard's PS, Newtownabbey	Special needs adaptations	1.
St Brigid's PS, Ballymoney	Wheelchair lift for disabled pupil	1.
St James Primary PS, Newtownabbey	SEN adaptations & refurbishment of toilets including disabled toilet	1.
St Killian's College, (formerly Garron Tower)	Replacement of windows in castle buildings	2.
St Louis GS, Ballymena	Replacement of 4 mobiles	2.
St Malachy's PS, Coleraine	Visibility door panels	1.
St Mary's PS, Draperstown	Refurbishment and extension of toilet facilities	2.
St Mary's College, Portglenone	Specialist classroom for Careers Education – remove mobile and replace with double modular	1.
St Mary's PS, Cushendall	Refurbishment of children's' toilets throughout the school	1.
St Mary's on the Hill PS, Newtownabbey	Provision of extension for Special Educational Needs (SEN) accommodation	1.
St Trea's PS, Ballyronan	Provision of double modular building and internal adaptations	2.
Thornfield SS	External works to include fencing & resurfacing to all weather pitch.	2.
New schemes 2015/16 year		
Creavery PS	Emergency works - relocation of mobile from Kilonan	1.
Coleraine College	Boiler replacement	1.
Coleraine College	Toilet refurbishment works	2.
#Coleraine GS (formerly Coleraine HS - split site)	Conversion of weights room to girls' changing room to allow for new Co-Ed Grammar School	1.
#Coleraine GS (formerly Coleraine HS - split site)	Alterations to changing rooms to allow for new Co-Ed Grammar School	1.
Cross and Passion College, Ballycastle	Asbestos works	1.
Cross and Passion College, Ballycastle	Installation of circular saw	1.
Dalriada GS	Asbestos works	1.
Gaelscoil an Tseanchai	Provision of modular building	2.
Hill Croft SS	Phase 1 - provision of low stimulation room (to facilitate specific pupil needs)	1.
Millburn PS	Boiler replacement	1.
New Row PS	Replacement mobile – latent defects	1.

School	Minor Work Scheme	*Priority
Schemes carried over from 2014/15 year		
Our Lady of Lourdes HS	Installation of circular saw	1.
Rosstulla SS	Provision of security fencing to site boundary & upgrade to door security - pupil specific scheme	1.
St Joseph's PS, Antrim	Asbestos works	1.
St Joseph's Nursery School	Asbestos survey	1.
St Joseph's HS	Installation of circular saw	1.
St Patrick's College, Ballymena	Installation of circular saw	1.
St Patrick's College, Maghera	Installation of circular saw	1.
St Paul's HS	Installation of circular saw	1.
St Pius X HS	Installation of circular saw	1.

*Priority

- 1 Inescapable statutory requirements /obligations under Health & Safety / Disability Discrimination Act
- 2 Essential Minor Works

Coleraine Grammar School (GS) was established as a co-educational school from September 2015 and is currently operating over a split site following the amalgamation of Coleraine Academical Institution with Coleraine (Girls') High School.

Mr Weir asked the Minister of Education which of the partnerships under the shared campus signature project will continue to receive funding.

(AQW 49162/11-16)

Mr O'Dowd: There have been two calls for applications to the Shared Education Signature Project; to date 34 Letters of Offer have been issued. To date the following 20 partnerships have accepted funding:

- Banbridge High School, St Patrick's College, Banbridge
- Castleroe Primary School, Ballyhacket Primary School
- Cookstown Primary School, Holy Trinity Primary School Phoenix Integrated Primary School
- Cross and Passion College, Ballycastle High School
- Duneane Primary School, Moneynick Primary School
- Dungannon Primary School, St Patrick's Primary School, Dungannon
- Harberton School, Taughmonagh Primary School
- Killowen Primary School, St John's Primary School
- Knocknagin Primary School, Desertmartin Primary School
- Mercy College, Belfast Boys Model School
- Presentation Primary School, Hart Memorial Primary School
- Seaview Primary School, Carnalbanagh Primary School, Carnlough Integrated Primary School, St Mary's Primary School, Cargan
- St Brigid's Primary School, Magherafelt, Knockloughrim Primary School
- St Colm's High School, Fort Hill Integrated College
- St John Bosco Primary School, Bellaghy Primary School
- St Patrick's Academy, Royal School Dungannon
- St Paul's High School, Newtownhamilton High School, Newry High School, St Joseph's High School
- St Pius X College, Magherafelt High School, Rainey Endowed, St Mary's Grammar School, Sperrin Integrated College
- The High School Ballynahinch, St Colman's High School
- Woods Primary School, St Trea's Primary School

Mr Weir asked the Minister of Education why funding under the shared campus signature project is linked to returns of key stage 3 data.

(AQW 49163/11-16)

Mr O'Dowd: The aims of the DSC Shared Education Signature Project are to improve educational, including reconciliation, outcomes resulting from schools working collaboratively on a cross-community basis. In its recent report on Shared and Integrated Education, the Committee recommended that educational improvement should always foreground Shared Education – a view that was endorsed by the Assembly in subsequent debate. The Committee further accepted that given the important linkage between Shared Education and educational improvement, it was essential that a reasonable and acceptable educational measure be developed.

The statutory assessment arrangements offer a common framework for the assessment of the core skills across the school systems, and are currently the only adequate means of reporting attainment against the cross-curricular skills as key educational outcomes defined in the curriculum.

Consequently full engagement with the statutory assessment process is necessary in order to evaluate the success of the programme at school and system level. It would not be defensible to suggest that schools could participate in a programme aimed to improving key-stage outcomes without assessing or reporting those outcomes.

Since participation in the programme is voluntary it is not unreasonable for the funding authority to set conditions, nor is it unreasonable for one such condition to be that participating schools fulfil their legal obligations in respect of pupil assessment, particularly when the purpose of the statutory assessment process is to benefit pupils. Consequently this is a condition of the funding.

Mr Weir asked the Minister of Education how much funding his Department has awarded to shared campus signature projects.

(AQW 49164/11-16)

Mr O'Dowd: The Shared Education Signature Project is a £25m project, jointly funded by Office of First Minister and deputy First Minister (OFMdFM), Atlantic Philanthropies (AP) and Department of Education (DE). DE has provided £1.82m to the Education Authority in the 2015/16 financial year. Additional funding is expected to be drawn down from OFMdFM and The Atlantic Philanthropies during the remainder of this financial year.

Funding offers totalling £839,571 have been made to projects that applied under the first call for applications.

Work is in progress to finalise budgets for the 77 projects approved in principle that applied to the second call for applications. Funding offers are expected to issue shortly.

A third application call for projects that will commence early in 2016 is expected to issue shortly.

Mr Weir asked the Minister of Education (i) whether shared campus signature project funding is dependent on the return of Key Stage 3 data; (ii) whether funding from projects which do not return the data will be reallocated; and (iii) at what stage would the funding be reallocated.

(AQW 49165/11-16)

Mr O'Dowd: Full engagement with the statutory assessment process is necessary in order to evaluate the success of the Delivering Social Change Shared Education Signature Project (DSC SESP) at school and system level. It would not be defensible to suggest that schools could participate in a programme aimed to improving key-stage outcomes without assessing or reporting those outcomes.

Where a successful applicant is not in a position to comply with the full terms and conditions of the project, no funding will be allocated. Should the applicant come to a position whereby they can comply with the requirements of the project, a revised offer of funding could be made.

In the event that less funding is required for delivery in school than was anticipated, the DSC SESP Project Board will consider the merits of increasing allocation to other elements included within the business case (for example capacity building of the education workforce to enable high quality shared education experiences).

Mr Weir asked the Minister of Education, in light of the industrial action on the return of key stage 3 levels in communication and numeracy, how his Department received the data from some schools but not others.

(AQW 49166/11-16)

Mr O'Dowd: Post-primary schools are required by legislation to submit electronic files containing levels of progression for their Year 10 (end of Key Stage 3) pupils to the Council for the Curriculum, Examinations and Assessment (CCEA). CCEA collate and provide this information to the Department.

A number of schools did not submit the appropriate data for the 2014/15 school year to CCEA and the Department wrote to these schools to reiterate their legislative responsibilities.

Mr Ó Muilleoir asked the Minister of Education to detail the capital build projects and costs delivered by his Department for schools and youth services in South Belfast since May 2011.

(AQW 49169/11-16)

Mr O'Dowd: The following tables detail the capital build projects for schools and youth services in the South Belfast Constituency that were either completed or announced since May 2011.

Major Works Projects

Name of School	Cost	Status
Taughmonagh Primary School	£3.5m	Complete June 2012

Name of School	Cost	Status
Scoil an Droichid	£3.85m	Planning Stage -Business case approved
Methodist College	£7.1m	Planning stage -Business case approved
Breda Academy	Not yet available.	Planning Stage -Business case nearing completion

School Enhancement Programme Projects

Name of School	Cost	Status
Malone Integrated College	£3.305m	Awaiting final design approval.
Victoria College	£3.859m	Design Complete – awaiting funding for construction
Methodist College	£3.651m	Design complete - Awaiting Planning approval

Youth Services Projects

Name of School	Cost	Status
St Malachy's Youth Centre	£0.9m	Complete 2014
St John Vianney Youth Centre	£13,127	Complete 2012
Rosario Youth Centre	£95,819	Work on-going, to be complete 2016

Ms Sugden asked the Minister of Education for his assessment of the number of young people who have statements of special education needs, who progress to further education or training once they leave school.
(AQW 49197/11-16)

Mr O'Dowd: Depending on the nature of an individual's needs, a young person with a statement of SEN may opt to progress to further or higher education, training or employment. Young people with particularly complex learning difficulties may also move to health and social care provision.

The 2013/14 School Leavers Survey indicates that the majority of young people in mainstream schools with statements of special educational needs (SEN) progressed to either institutions of further education or training opportunities when they left school.

There is a well embedded statutory transition planning process in all of our schools for young persons aged 14+ with statements of SEN. The Education Authority's Transition Service helps young people with statements and their parents/carers access appropriate information, guidance and support to allow them to make informed choices for the future.

The Transition Service works in conjunction with the Department for Employment and Learning's Careers Service and Health and Social Care Trust professionals to ensure the provision of comprehensive and co-ordinated information about the range of post-school options available to young people with statements of SEN.

Ms Sugden asked the Minister of Education, pursuant to AQW 48861/11-16, what steps his Department is taking to address the number of eligible school children who do not claim free school meals.
(AQW 49198/11-16)

Mr O'Dowd: The Department recognises that there are parents who are on benefits and would be eligible to apply for free school meals (FSM), who either choose not to apply or are not aware that they can apply for FSM. As detailed in the answer to AQW 48861/11-16, the Department issues a press release on an annual basis reminding all parents to consider whether they may be eligible to FSM and if so to apply. My officials are also working with colleagues in the Department for Social Development to explore ways of maximising the take up of benefits and additional support to which households are entitled including entitlement to FSM.

Both the EA and individual schools also play a key role in encouraging parents to claim their FSM entitlement. Some examples of the activities which they are involved in are detailed in AQW 48861/11-16.

Mr Weir asked the Minister of Education to detail any relationship between the 426 school based voluntary redundancies previously announced by his Department and the reduction of 400 jobs due to the Voluntary Exit Scheme as announced by the Education Authority.
(AQW 49217/11-16)

Mr O'Dowd: The figure of 426 was contained in a letter from the Department to the Clerk of the Committee for Education on 23 September 2015. It relates to teachers and non-teaching staff in schools.

The Education Authority anticipates up to 400 non-school based staff could be approved for release by 31 March 2016. There is no relationship between the two figures.

Mr Weir asked the Minister of Education for a breakdown of the reduction of 400 jobs identified by the Voluntary Exit Scheme by (i) job title; and (ii) the number that are non-school based.

(AQW 49218/11-16)

Mr O'Dowd: To date, under the Education Authority's Voluntary Exit Scheme (VES);

115 jobs have been approved for release and a breakdown by job title is provided in the table below.

All 115 jobs are non-school based.

Tranche 1 - Volunteers Confirmed to Exit on or Before 31 March 2016

Job Title of Redundant Post	No. of volunteers
Administrative Officer	*
Adviser	16
Area Cleaning Manager	*
Assistant Principal Officer	19
Building Maintenance Officer	*
Building Supervisor	*
Clerk Typist	*
Development Officer	*
Education Officer	*
Executive Officer	5
International Links Officer	*
Librarian	*
Library Assistant	5
Library Asst Driver 2	*
Mechanic	*
Multi Skilled Technician	*
Multimedia Support Officer	*
Non-School Cook	*
Non-School Unit Catering Supervisor	*
Painter	*
Plasterer	*
Principal Library Assistant	*
Printer	*
Procurement Specialist	*
School Improvement Officer	*
Senior Admin Officer	*
Senior Clerical Officer	11
Senior Executive Officer	*
Senior Librarian	*
Senior Library Assistant	7
Senior Management	13
Senior Technical Officer	*
Teacher	*
Technical Support Officer	*
Technician 3	*
Technician 4	*

Job Title of Redundant Post	No. of volunteers
Tranche 1 Total Number Of Staff Exiting	115

* The actual number is less than 5 and is not specified for data protection purposes.

Mr Weir asked the Minister of Education to detail the level of reduction in schools maintenance and minor works schemes as proposed by the Education Authority.

(AQW 49219/11-16)

Mr O'Dowd: My Department allocates both Maintenance and Minor Works budgets to the Education Authority (EA). Following allocation, the EA prioritises the schemes to which this funding is applied. There is a significant reduction in the capital allocation for Minor Works for 2015/16. However I have recently been able to identify some flexibility in the revenue budget that will enable me to invest a further £9 million during the remainder of this financial year for maintenance works. This brings the total maintenance allocation broadly in line with the 2014/15 outturn figure. Details are included in the table below.

	2014/15 Final Outturn (£000s)	2015/16 Allocations (£000s)
Other / Minor Works Capital*	68,836	16,476
Maintenance**	23,131	23,081***

* Includes schemes relating to capital equipment and headquarters capital projects as well as controlled school minor works projects.

** Applies to both controlled and maintained schools managed by the EA.

*** Includes an additional £9 million recently allocated on top of the original allocation of 14,040.

Mr Weir asked the Minister of Education whether he has given any consideration to allowing schools greater flexibility in relation to procurement, particularly for minor works and maintenance.

(AQW 49220/11-16)

Mr O'Dowd: Schools must carry out procurement activities in accordance with Policy and Procurement Guidance provided by Department of Finance & Personnel (DFP) and Central Procurement Directorate (CPD). The Education Authority (EA) in its capacity as a Centre of Procurement Expertise (CoPE) procures minor capital works and maintenance works on behalf of the schools' estate. This is almost exclusively through eSourcingNI (which will shortly be replaced by eTenders NI) or through existing Term Service Contracts.

From inception to completion, the delivery of minor capital and maintenance works is carried out by officers who have the appropriate qualifications, training and experience to ensure that works are designed and specified with all statutory approvals in place; procured and contract managed in compliance with CPD policy for the delivery of best value for money; and where appropriate have the correct business cases, gateway reviews and post-project evaluations in place. Trained officers also ensure that designers and contractors comply with legislation governing child protection; health and safety; environmental hazards including asbestos; and government targets on sustainability.

Feedback to the EA from the vast majority of schools is that it provides an invaluable and professional service that is administered with equality, accountability and integrity when it comes to the overall management of the education estate.

Furthermore, Boards of Governors and school Principals have highlighted that they do not have the inclination, time or skillset to deliver minor capital or maintenance works as their core responsibility lies primarily in the leadership and management of learning and teaching.

Current procurement guidance in issue to schools sets out the importance of using processes to procure works, goods and services which ensure compliance with relevant regulations and legal requirements. One of the primary means of adherence with best practice from a procurement policy perspective is by providing schools with access to EA frameworks and contracts.

Given these factors I am content with the current degree of flexibility which schools have in relation to procurement.

Mr Weir asked the Minister of Education to detail the minor works schemes scheduled for the South Eastern Region, broken down by priority.

(AQW 49221/11-16)

Mr O'Dowd: The following table lists the minor works schemes in the South Eastern Region and details the type of improvements and priority in each case.

School	Project Description	*Priority
Schemes carried over from 2014/15 year		
Ardmore House Special School (SS)	New entrance	1

School	Project Description	*Priority
Schemes carried over from 2014/15 year		
Bangor Central Integrated Primary School (IPS)	New staff room, store and external play	1
Breda Academy	Relocation and refurbishment of 7 mobiles	1
Cairnshill PS	New classroom and external works	1
Carrowdore PS	New classroom and SEN Room	1
Downpatrick PS	New extension in lieu of mobiles	1
Fort Hill IPS	Entrance & office development	1
Fort Hill Integrated College (IC)	New changing block	1
Glencraig IPS	Entrance and teaching remodel	1
Groomsport Alternative Education Provider (AEP) (Special Needs)	Window replacement	1
Our Lady & St Patrick's PS	New school meals kitchen	1
Parkview School SS	New classroom block	1
Rathmore PS	Entrance and office remodel	1
St Anne's PS Donaghadee	Boiler replacement	1
St Anne's PS Donaghadee	Double doors and associated works	2
St Columbanus' College	Rewiring of school	1
St Columbanus' College	Refurbishment of changing facilities	1
St Columbanus' College	Concrete repairs	1
St Columbanus' College	Boiler replacement	1
St Columbanus' College	Roofing works	1
St Comgall's PS	Boiler replacement	1
St Malachy's PS	Traffic management improvements	1
St Malachy's PS	Replacement sink units / worktops and screeds	2
St Patrick's PS, Hollywood	Improvements to school entrance & offices	1
Sullivan Upper School	Continued window replacement & upgrade windows	2
Sullivan Upper School	Refurbishment of general classrooms	1
Sullivan Upper School	Medical inspection room	1
Sullivan Upper School	Upgrade of pumps & pipes at 6th form centre	2
Sullivan Upper School	Security measures - pupil safety	1
Sullivan Upper School	Refurbishment of general circulation & locker areas	2
Sullivan Upper School	Replacement of roofs (assembly hall & Grant wing)	1
Tonagh PS	New extension in lieu of mobile	1
New schemes 2015/16 year		
Belvoir Park PS	Installation of a lift	1
Priory IC	Provision of a double mobile building	1
Priory IC	Internal remodelling and toilet refurbishment	1

*Priority

- 1 Inescapable statutory requirements / obligations under Health & Safety / Disability Discrimination Act
- 2 Essential Minor Works

Mr Campbell asked the Minister of Education what progress has been made in developing Shared Education since he came into office on 16 May 2011.

(AQW 49226/11-16)

Mr O'Dowd: Considerable progress has been made in developing Shared Education since I came into office. This includes:

Up to December 2013, twenty-two Sharing in Education pilot projects in schools and youth settings with International Fund for Ireland and Atlantic Philanthropies funding of £16m. Lessons learned have helped shape Shared Education policy going forward;

a Ministerial Advisory Group on advancing shared education was appointed in 2012 and reported in 2015;

after a period of civic reflection during which views on the Ministerial Advisory Group's recommendations were considered, I outlined my plans to advance shared education in a statement to the Assembly in October 2014;

a Shared Education Campuses programme that will commence ten new innovative projects by 2018 that involve the need for shared facilities as part of Together: Building a United Community commitments was launched in January 2014. Three campuses have been announced to date, with a further six applications being considered;

I am pleased to advise that the Lisanelly Shared Education Campus is making significant progress. Construction of the first school Arvalee School and Resource Centre has commenced and is due to open in September 2016. The procurement of the next design team for the next phase of construction is underway and the main campus is due to open in September 2020.

A four year £25m Delivering Social Change Shared Education Signature Project was developed and launched by the First and Deputy First Ministers on 17th September 2014. A total of 316 schools have applied for funding, of which 249 have been approved in principle and 73 currently in receipt of funding with funding offers being made to the remaining schools; a third and final call for applications will be made shortly; work has progressed on a capacity building strategy to provide practitioners with the knowledge and skills to deliver high quality shared education; guidance on establishing a jointly managed schools was published in April 2015; a Shared Education policy was launched in September 2015; a Shared Education Bill has been drafted and is awaiting agreement for its introduction to the Assembly; and agreement that will secure €30m Peace IV funding (subject to final endorsement by the European Commission) has been achieved.

Mr Campbell asked the Minister of Education whether he intends to bring anti-bullying legislation proposals to the Executive before the end of the current Assembly mandate.

(AQW 49229/11-16)

Mr O'Dowd: On 23 June 2014, I announced my intention to introduce new Anti-Bullying Legislation in the current Assembly mandate. This was the subject of a public consultation which launched in January 2015 and attracted 4,860 responses, over 4,000 of which came from pupils and young people.

My officials have been working with the Office of Legislative Counsel (OLC) to prepare a Bill reflecting our original proposals and the views expressed during the consultation. Our aim has been to ensure the legislation is legally robust, easy for pupils, parents and schools to understand and as straightforward to implement as possible.

I agreed the final wording of the Bill on 29 September. The legislation will:

- Provide a common definition of bullying;
- Require all schools to centrally record incidents of bullying, their motivation and their outcome; and
- Require Boards of Governors to play an active role in the preparation and implementation of anti-bullying policies and measures within their school.

I have now sought confirmation of legislative competence from the Departmental Solicitors Office and the Office of the Attorney General and will, at the earliest opportunity, be seeking Executive consent for its introduction to the Assembly.

It remains my full intention not only to see this Bill introduced, but to have it complete its legislative passage before the end of the current Assembly Mandate.

Mr Campbell asked the Minister of Education, pursuant to AQW 48819/11-16, given one unannounced school inspection has taken place since the 2013-14 academic year, whether he intends to consult on the necessity of continuing unannounced school inspections visits.

(AQW 49232/11-16)

Mr O'Dowd: The Education Reform Order 1986 states that "every relevant establishment shall be open at all reasonable times to inspection". It is, however, a matter for the Education and Training Inspectorate (ETI) to determine notification periods for inspections, including giving little or no notification in the case of unannounced inspections. Currently unannounced inspections only apply to pastoral care and safeguarding. There are no plans at present to consult on introducing unannounced inspections more widely.

Mrs Overend asked the Minister of Education whether there are compulsory hours for the school day at Key Stages 1,2,3 and 4.

(AQW 49238/11-16)

Mr O'Dowd: There are no compulsory hours set for the school day.

The Department's policy is to allow school Boards of Governors and their principals to set the daily operational hours of the school, subject to certain prescribed minimum levels and arrangements for transporting pupils to and from school.

Legislation states that a pupil 'attendance' means an attendance on any day under instruction, other than religious education, for a period of not less than:

- 3 hours in the case of a pupil enrolled in a class composed mainly of pupils who, at the beginning of the school year, had not attained the age of 8 years;
- 4.5 hours in the case of any other pupil.

Mrs Dobson asked the Minister of Education what arrangements are in place to help schools meet their statutory obligation to provide a full-time, age appropriate curriculum for pupils with special educational needs, given one-to-one SEN assistance ends before the end of the school day.

(AQW 49239/11-16)

Mr O'Dowd: The Board of Governors and principal of every grant-aided school have a statutory duty to secure that 'the minimum content for each area of learning is taught'. Article 13 of the Education (Northern Ireland) Order 2006 refers.

A statement of special educational needs may provide for the curriculum to apply with modifications or for the curriculum not to apply. A principal may direct that due to temporary circumstances it is not appropriate for the curriculum to apply to a child or that the curriculum should not apply while a child is being assessed with a view to making or amending a statement of special educational needs.

Mrs Overend asked the Minister of Education how many letters of offer have been rescinded for the Shared Education Signature Project.

(AQW 49240/11-16)

Mr O'Dowd: To date no letters of offer have been "rescinded" for the Shared Education Project.

Twelve partnerships, comprising twenty six schools, have formally responded to the Education Authority's letter of offer stating that they are unable to meet the conditions for receipt of DSC Shared Education Signature Project funding. As a consequence, the Education Authority has had to withdraw their letter of offer. As there was no formal contract in place, these have not been "rescinded". Funding offers can of course be re-instated should their situation change.

Mr McKinney asked the Minister of Education to detail the discussions he has had with the Minister of Health, Social Services and Public Safety on the current waiting lists for autism diagnosis.

(AQW 49241/11-16)

Mr O'Dowd: The responsibility for diagnosis of autism in children rests with the Department of Health, Social Services and Public Safety (DHSSPS).

I have not, to date, been approached by the Minister of Health, Social Services and Public Safety to specifically discuss current waiting lists for autism diagnosis.

I remain committed, however, to the close collaboration between the Education and Health sectors and other Departments in supporting pupils with special educational needs, including those with autism.

My Department will continue to work closely with the Department of Health, Social Services and Public Safety and other key Departments/Agencies to ensure that joined up working is effective for those children and young people with autism who rely on the services of more than one sector.

There is currently a great deal of effective collaboration between Health and Education Autism Spectrum Disorder Services, ongoing and developing, in respect of diagnostic assessment clinics, support for pupils with autism and joint training programmes.

Mr McKinney asked the Minister of Education for his assessment of the waiting times for autism diagnosis; and the impact this is having on children being assessed for Special Educational Needs statements.

(AQW 49242/11-16)

Mr O'Dowd: The responsibility for diagnosis of autism in children rests with the Department of Health, Social Services and Public Safety (DHSSPS). Addressing the individual special educational needs (SEN) of a child with autism is not, however, dependent upon receipt of a diagnosis. The identification, assessment and provision for children with SEN, including those with autism, will be addressed in line with the procedures outlined in the Code of Practice on the Identification and Assessment of Special Educational Needs. A non-diagnosis does not preclude a child with special educational needs from receiving appropriate support including, if required, a formal assessment or statement of his or her SEN.

Mr McKinney asked the Minister of Education for his assessment of the effectiveness of Special Educational Needs statements in facilitating future employment or further study for children.

(AQW 49243/11-16)

Mr O'Dowd: I am content that there is an effective and well embedded statutory transition planning process in all of our schools for young persons aged 14+ with statements of SEN. The Education Authority's Transition Service helps young people with statements and their parents/carers access appropriate information, guidance and support to allow them to make informed choices for the future.

Depending on the nature of an individual's needs, a young person with a statement of SEN may opt to progress to further or higher education, training or employment. Young people with particularly complex learning difficulties may also move to health and social care provision.

The Transition Service works in conjunction with the Department for Employment and Learning's Careers Service and Health and Social Care Trust professionals to ensure the provision of comprehensive and co-ordinated information about the range of post-school options available to young people with statements of SEN.

Mr Weir asked the Minister of Education how much money was withheld from the Shared Education Signature Project as a result of letters of offer being rescinded.

(AQW 49248/11-16)

Mr O'Dowd: To date no funds have been withheld as a result of letters of offer being "rescinded".

Twelve partnerships, comprising twenty six schools, have formally responded to the Education Authority's letter of offer stating that they are unable to meet the conditions for receipt of DSC Shared Education Signature Project funding.

As a consequence, the Education Authority has had to withdraw their letter of offer. As there was no formal contract in place, these have not been "rescinded". Funding offers can of course be re-instated should their situation change. The total value of the twelve letters of offer is £264,741 for year one of the project.

The total budget for the Shared Education Signature Project is £25 million.

Mr Weir asked the Minister of Education to detail the total budget for the Shared Education Signature Project.

(AQW 49249/11-16)

Mr O'Dowd: To date no funds have been withheld as a result of letters of offer being "rescinded".

Twelve partnerships, comprising twenty six schools, have formally responded to the Education Authority's letter of offer stating that they are unable to meet the conditions for receipt of DSC Shared Education Signature Project funding.

As a consequence, the Education Authority has had to withdraw their letter of offer. As there was no formal contract in place, these have not been "rescinded". Funding offers can of course be re-instated should their situation change. The total value of the twelve letters of offer is £264,741 for year one of the project.

The total budget for the Shared Education Signature Project is £25 million.

Mr Weir asked the Minister of Education to detail any discussions he has had with the Department for Employment and Learning on extending the upper age limit for Special Educational Needs statements.

(AQW 49252/11-16)

Mr O'Dowd: Department of Education (DE) and Department for Employment and Learning (DEL) officials met in October 2012 to consider whether there was merit in DEL extending the age of statements beyond 19 years of age. In subsequent correspondence with me, the Minister for DEL confirmed in March 2013 that, following consideration of the issue, DEL had no plans to extend the current age limit for SEN statements.

On 10 March 2015, during the debate at second stage on the Special Educational Needs and Disability (SEND) Bill, several MLAs again raised the issue of extending the age of statements beyond 19 years of age and I undertook to raise this issue again with the Minister for DEL.

DEL officials have, however, since confirmed that they are content with the current arrangements for young people with SEN who are in training, Further Education or Higher Education and do not believe that statements are necessary to enable appropriate supports to be made.

Mr Flanagan asked the Minister of Education (i) for an update on his Departments efforts to expand the provision of Sure Start to include the top 25 per cent most disadvantaged wards; and (ii) to list the additional wards that would be included following this change.

(AQW 49258/11-16)

Mr O'Dowd: Implementation of the phased expansion of Sure Start to the top most 25% most disadvantaged wards, as defined by the Multiple Deprivation Measures 2010 (NIMDM 2010), is almost complete.

There are now a total of 39 Sure Start projects throughout the north of Ireland, four of which have been created under the Sure Start Expansion Programme. 14 projects have expanded their catchment areas to an additional 19 wards with work ongoing to be effect expansion into two remaining identified wards.

The additional wards, to which Sure Start services have been extended as a result of the Sure Start Expansion Programme are listed in the table below:

Sure Start Project		Ward Area(s)
1	Antrim (New Project)	Farranshane, Ballycraigy and Steeple wards
2	Ards	Expansion to Central ward
3	Banbridge (New Project)	Cut and Edenderry
4	Bangor (New Project)	Dufferin / Whitehill wards and Conlig and Harbour 1 SOAs, re-configured from the Ards Sure Start project
5	Coleraine	Royal Portrush (Coleraine)
6	Dalriada Sure Start	Newhill ward (Ballymoney)
7	Downpatrick	Expansion to Murlough ward (Down)
8	Dungiven	Roeside (Limavady)
9	Dungiven / G-Old	Maghera ward (Magherafelt)
10	East Belfast	Expansion to Cregagh
11	Glenbrook	Chichester Park (ongoing)
12	Horizon	Killycrot ward (Carrickfergus)
13	Kilkeel	Kilkeel Centre (2) and South (2) SOAs added to project catchment
14	L.A.S.T.	Gortrush Ward (Omagh)
15	Lisburn (New Project)	Tonagh, Hillhall* and Old Warren* (*realignment from Colin project)
16	South Belfast	Expansion to Minnowburn ward (Belvoir Estate)
17	Splash	Expansion into Mourneview ward (ongoing)
18	Waterside	Caw (Derry)

Mr Flanagan asked the Minister of Education to detail (i) how his Department intends to improve the data collected on the parental employment status of Sure Start participants; including the work undertaken to date; (ii) whether his Department has analysed the reasons behind the variation in project costs for Sure Start; and (iii) the number of four year olds registered but not eligible for services.

(AQW 49260/11-16)

Mr O'Dowd:

- (i) Information on the parental employment status of families registered with Sure Start is collected by local projects when a family registers with a Sure Start project. This information is used locally by projects to inform home visiting schedules for example, but is not collated regionally through the Sure Start Play database into a regional report because the many family variations would result in an inaccurate reflection of the actual position. For example, where both parents register, one might be employed, the other unemployed. Alternatively only one parent may register and the parents have different employment status.
- (ii) The independent review of Sure Start considered the variation in Sure Start project costs. The review noted that a number of factors impacted upon the costs to deliver the services, including location, the numbers of staff and the management charges applied by organisations involved in the delivery of each project. Work is underway to ensure regional consistency in respect of management charges. Funding is allocated to projects by DE according to the available budget, the areas requiring Sure Start coverage, population profile and needs and the services that can be provided.
- (iii) Children aged 0-3 inclusive are eligible to access Sure Start services. Four year olds may remain on the database where there are extenuating family circumstances, details of which will be recorded by the relevant Sure Start project. Families that receive support from Sure Start may have a child of age four as well as children under four years. The family will therefore remain entitled to receive support from the project. Children on the database are therefore those of families that are registered and eligible to receive services. In September 2015 the Sure Start Play database shows that 33,555 children are registered with Sure Start here, of which 1989 are aged four.

Mr Flanagan asked the Minister of Education, given the evidence that early intervention for children from disadvantaged backgrounds can reduce social problems and provide long-term savings in public spending, whether any work has been

carried out to assess (i) the possible savings that have been made as a result of the Sure Start programme; and (ii) any potential future savings as a result of the universal provision of Sure Start to all children.

(AQW 49261/11-16)

Mr O'Dowd: The independent review of Sure Start found that there is qualitative evidence to suggest that Sure Start is helping to secure improved outcomes for children and parents in disadvantaged areas.

The Sure Start Programme is delivered in the 20% most deprived areas, with expansion into the 25% most deprived areas almost complete. Findings from the independent review of Sure Start, together with existing research, indicate that targeting resource in this manner is likely to have greatest impact on those children and families that can benefit most from Sure Start services.

No specific calculations have been made on potential savings in relation to Sure Start here. However, in times of constrained finances it is increasingly important to ensure that money is spent on activities which are helping to secure improved well-being and developmental outcomes for children and families in the most disadvantaged areas and which provide the greatest possible social and economic return.

Given the evidence of the high return on investment of intervention with socially disadvantaged children in the early years, the focus of the Sure Start programme here will continue to be on the most disadvantaged areas, where the most positive and beneficial outcomes for children can be realised.

Ms Sugden asked the Minister of Education to detail how his Department is working with the Department for Employment and Learning to provide options and support for young people that have Special Educational Needs but who are not statemented, during the transition between school and further education.

(AQW 49268/11-16)

Mr O'Dowd: The statutory responsibility for securing provision for school aged pupils with Special Educational Needs (SEN) rests with both schools and the Education Authority (EA).

Paragraph 6.51 of the Code of Practice on the Identification and Assessment of SEN (CoP) recognises that, in some instances, a pupil approaching the age of 16 may have SEN which do not call for a statement, but which are nevertheless likely to require some support during the transition process.

The Code makes clear that schools should seek to provide appropriate help and guidance for these young people. This may include the provision of school/FE college link courses or work placements. In some cases, such pupils may benefit from having a transition plan and schools should consider preparation of their own transition plans for non-statemented pupils with SEN who require additional support if going on to further or higher education or training.

The Department for Employment and Learning's Careers Service has Partnership Agreements in place with post-primary schools to support the schools' careers education programmes and to provide advice and guidance on post-school options. These agreements allow schools, in consultation with qualified careers advisers, the opportunity to avail of impartial guidance services appropriate to the needs of their pupils, whether or not they are statemented, and to support them in their career decision making and the transition planning process.

I am satisfied that the CoP, which is underpinned by legislation, together with the intervention of DEL's Careers Service, provide appropriate guidance and support during the transition period for those young people with SEN who do not have a statement and who wish to progress to further education.

Ms Sugden asked the Minister of Education to detail how his Department is working with the Department for Employment and Learning to provide options and support for young people with statements of Special Educational Needs during the transition between school and further education.

(AQW 49270/11-16)

Mr O'Dowd: The statutory responsibility for securing provision for school aged pupils with Special Educational Needs (SEN) rests with both schools and the Education Authority (EA).

The EA's Transition Service works in conjunction with the Department for Employment and Learning's Careers Service and Health and Social Care Trust professionals to ensure the provision of comprehensive and co-ordinated information about the range of post-school options available to young people with statements of SEN.

DE is currently working with other key departments, including DEL, and the EA on improving and strengthening the transition planning process and has been actively involved with the cross-departmental focus group on Post-19 Transitions which was set up to identify gaps in the provision of transition services for young people with severe learning difficulties.

Ms Sugden asked the Minister of Education to detail any discussions his Department has had with the Department for Employment and Learning regarding the extension of Special Educational Needs statements to 21 years of age, for young people who require a longer period of time to achieve their educational goals.

(AQW 49271/11-16)

Mr O'Dowd: Department of Education (DE) and Department for Employment and Learning (DEL) officials met in October 2012 to consider whether there was merit in DEL extending the age of statements beyond 19 years of age. In subsequent

correspondence with me, the Minister for DEL confirmed in March 2013 that, following consideration of the issue, DEL had no plans to extend the current age limit for SEN statements.

On 10 March 2015, during the debate at second stage on the Special Educational Needs and Disability (SEND) Bill, several MLAs again raised the issue of extending the age of statements beyond 19 years of age and I undertook to raise this issue again with the Minister for DEL.

DEL officials have, however, since confirmed that they are content with the current arrangements for young people with SEN who are in training, Further Education or Higher Education and do not believe that statements are necessary to enable appropriate supports to be made.

Mr Agnew asked the Minister of Education (i) when he intends on bringing the Bullying Bill before the Assembly; and (ii) whether he is considering accelerated passage for the Bill.

(AQW 49307/11-16)

Mr O'Dowd: My officials have been working closely with the Office of Legislative Counsel (OLC) to prepare the Addressing Bullying in Schools Bill. Our aim has been to ensure the legislation is legally robust, easy for pupils, parents and schools to understand and as straightforward to implement as possible.

I agreed the final wording of the Bill on 29 September. The legislation will:

- Provide a common definition of bullying;
- Require all schools to centrally record incidents of bullying, their motivation and their outcome; and
- Require Boards of Governors to play an active role in the preparation and implementation of anti-bullying policies and measures within their school.

I have now received confirmation of legislative competence from the Departmental Solicitors Office and the Office of the Attorney General and have circulated a paper seeking Executive consent for its introduction to the Assembly.

If this can be secured in a timely manner, it should not be necessary to seek accelerated passage; and my preference would be for the Education Committee to have the time it needs to scrutinise this important Bill.

This Bill is, however, a priority for my Department and I will consider any steps, including accelerated passage, to ensure it passes into law before the end of the current Assembly mandate.

The proposed definition of Bullying contained in the Bill does not differentiate between forms of bullying. My Department's position remains that no form of bullying is acceptable in our schools. We do recognise, however, that certain groups of pupils, such as those coming from the LGBT and Irish Travelling communities may be more likely to experience bullying.

In requiring schools to record the motivation of each bullying incident, the Bill provides a non-exhaustive list of possible motivating factors which schools are required to consider. This includes all of the criteria recognised under Section 75 of the Northern Ireland Act 1998.

Understanding the frequency and common motivations for bullying within their school will strengthen each Board of Governors' ability to ensure effective measures are in place to protect all of their pupils.

Mr Agnew asked the Minister of Education what provisions are given to the LGBTQ and Irish Travelling communities in relation to the Bullying Bill, to ensure they are given adequate protections within our schools under the law.

(AQW 49308/11-16)

Mr O'Dowd: My officials have been working closely with the Office of Legislative Counsel (OLC) to prepare the Addressing Bullying in Schools Bill. Our aim has been to ensure the legislation is legally robust, easy for pupils, parents and schools to understand and as straightforward to implement as possible.

I agreed the final wording of the Bill on 29 September. The legislation will:

- Provide a common definition of bullying;
- Require all schools to centrally record incidents of bullying, their motivation and their outcome; and
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In requiring schools to record the motivation of each bullying incident, the Bill provides a non-exhaustive list of possible motivating factors which schools are required to consider. This includes all of the criteria recognised under Section 75 of the Northern Ireland Act 1998.

Understanding the frequency and common motivations for bullying within their school will strengthen each Board of Governors' ability to ensure effective measures are in place to protect all of their pupils.

Mr Weir asked the Minister of Education to detail the number of children that have to travel (i) more than three miles; (ii) more than five miles; and (iii) more than ten miles to attend their pre-school nursery.

(AQW 49363/11-16)

Mr O'Dowd: Analysis on distance from pupil residence to schools is based on the distance "as the crow flies" from the central point of the postcode in which the pupil lives.

Distance from school	Number of pupils	% of all pupils
More than three miles	2,887	12.2%
More than five miles	1,029	4.3%
More than ten miles	187	0.8%

Source: NI school census

Notes: Figures include pupils in nursery schools and units and voluntary and private pre-schools.

The figures relate to purely the distance from pupil residence to the pre-school setting they attend. The process for admission to pre-school is preference based. Parents can apply to any setting they choose and are encouraged to list a number of preferences as it is not always possible to accommodate everyone's first choice. It is possible that there are closer pre-school settings that pupils could have been eligible for a place, however parents have chosen to send their child to a pre-school setting further away. The Department does not hold statistical data on factors influencing parental decisions underlying choice of pre-school setting.

Mr Agnew asked the Minister of Education, given the school term finishes at the end of June, to detail (i) why the cut off for children to start formal education includes children born on 1 July; and (ii) what consideration he has given to introducing flexibility to school starting ages.

(AQW 49367/11-16)

Mr O'Dowd: The date of commencement of compulsory school age was changed from five to four by the Education and Libraries (Northern Ireland) Order 1986. This was to take account of the fact that many parents enrolled their children at four years of age and was to ensure that all children had access to an equal number of years of school. A cut off date of 1 July, provided clarity for parents and schools on the beginning of compulsory school age that was common to all children rather than relying on the date of birth of the individual child.

Following consultation on deferral of school starting age in exceptional circumstances earlier this year, I decided not to proceed with legislation in this Assembly mandate. As a result of calls from parents for clarity on this issue, I have asked the Education Authority to produce guidance for parents. I remain keen for legislation to be brought forward to address this issue in the next Assembly mandate.

Mr Swann asked the Minister of Education how many of his departmental staff have a registered disability, broken down (i) by full time equivalent; and (ii) as a percentage of the workforce.

(AQW 49368/11-16)

Mr O'Dowd: At 1st July 2015, 32 departmental staff had declared a disability, representing 5.0% of DE staff. In terms of full-time equivalent staff this equates to 29.1 staff or 4.8% of DE staff.

Lord Morrow asked the Minister of Education, pursuant to AQW 49005/11-16, to detail (i) why the figures for the number of children (a) waiting on the statementing process to begin in the North East Region; and (b) undergoing the statementing process in the Southern Region are higher compared to the other regions; and (ii) why the figures for the Belfast Region are lower compared to the other regions.

(AQW 49386/11-16)

Mr O'Dowd: Special educational provision is matched to the individual needs of the child. If a child's special educational needs (SEN) are such that the Education Authority (EA), working in conjunction with the school, parents and any other agencies, considers that it is appropriate to address the child's special educational provision by making a statement then this process will commence regardless of how many other children are either waiting for the process to begin or undergoing the process. There will, therefore, always be variances in numbers across the regions of the EA depending on the number of children presenting with SEN.

The EA has also advised that, with effect from 1 September 2015, all statutory assessment requests are managed through a regional statutory assessment panel.

Ms Fearon asked the Minister of Education for an update on work to mobile classrooms at Clonalig Primary School.
(AQW 49443/11-16)

Mr O'Dowd: A minor works application for the replacement of 3 mobile classrooms was received by my Department in May 2015 and, in their report received on 21 September 2015, the Education Authority has recommended the replacement of this accommodation, estimated at a capital cost of £344,400 plus fees.

The Executive's budget was reduced by the Westminster Government by £1.5bn over the last 5 years. As a direct result of this reduction there is significantly reduced money to spend on frontline services such as education funding and those frontline services within the Department of Education's remit.

I should explain therefore, that the carryover of expenditure for minor works from the 2014/15 financial year, together with the substantial reduction in capital budget from 15/16 onwards means that the capital minor works budget is now fully committed.

In moving forward, I am and will continue to endeavour to reallocate funding where possible to minor works, and to bid for additional funding at each monitoring round throughout the year to enable as many schemes as possible to be released.

Mr Agnew asked the Minister of Education to detail the integrated education review; and whether the review will be independent of his Department.
(AQW 49447/11-16)

Mr O'Dowd: I have agreed to commission a review of the planning, growth and development of integrated education.

The review will be carried out by an independent panel of experts. I am currently considering membership of the panel and the timeframe for the review.

Mr Agnew asked the Minister of Education to detail what representation his Department has on the board of the (i) Council for Catholic Maintained Schools; (ii) Northern Ireland Commission for Catholic Education; (iii) Northern Ireland Council for Integrated Education; (iv) Comhairle na Gaelscolaíochta; and (v) new body for Controlled schools.
(AQW 49449/11-16)

Mr O'Dowd: The Departmental representation on each board is as follows:

	Number of DE Posts
Council for Catholic Maintained Schools	8
NI Commission for Catholic Education	0
NI Council for Integrated Education	4
Comhairle na Gaelscolaíochta	2

There are no plans for the Department to be represented on the board of the new body for controlled schools (the Controlled Schools' Support Council).

Ms Lo asked the Minister of Education, following the announcement that he would be conducting a review of integrated education, to detail (i) when the review will take place; (ii) how long it will last; (iii) whether it be independent of his Department; and (iv) whether it will involve members of the integrated education sector.
(AQW 49512/11-16)

Mr O'Dowd: I have agreed to commission a review of the planning, growth and development of integrated education.

The review will be carried out by an independent panel of experts. I am currently considering membership of the panel and the timeframe for the review.

Mr McGimpsey asked the Minister of Education for an update on the status of the proposal to provide a new amalgamated primary school in inner South Belfast.
(AQW 49514/11-16)

Mr O'Dowd: The responsibility for planning the controlled schools' estate in Belfast lies, in the first instance, with the Education Authority (EA). It is a matter for the EA to publish a statutory development proposal (DP) in order to effect any significant change to controlled schools, including an amalgamation.

The EA has confirmed to my Department that initial pre-consultation on the proposed amalgamation of Fane Street, Blythfield and Donegall Road Primary Schools has been completed with the Governors, staff and parents of these schools and also local political and community representatives.

However, as the outcome of that consultation highlighted very little support for the amalgamation of the three schools, the EA began to engage with local parents' groups in late June 2015 regarding the way forward. As these discussions are ongoing, I understand from the EA that it has no plans to bring forward a DP in relation to these schools at this time.

Mr Hussey asked the Minister of Education for an update on the Lisanelly Shared Education Campus in Omagh.
(AQO 8814/11-16)

Mr O'Dowd: I am pleased to advise that steady progress is being made in the delivery of the Lisanelly Shared Education Campus and the programme remains on track for planned opening in September 2020.

Construction of the first school on site, Arvalee School & Resource Centre, which began in March, is well underway and the school is expected to open in September 2016.

Site wide demolition is also underway and will be completed by the end of the year.

I intend holding an event on site later in October to mark the significant progress made to date.

Alongside the work on site my Department is in the process of appointing an Integrated Consultancy Team to develop detailed designs and manage the construction of the remaining five schools and shared education centres.

Work is also underway: to develop and agree ownership, governance and management arrangements with managing authorities; to develop an educational model for the campus; and to explore opportunities to deliver a range of coordinated services on the campus.

Mr Flanagan asked the Minister of Education to outline the importance of parental involvement in a child's education as highlighted in the Education Works advertising campaign.
(AQO 8815/11-16)

Mr O'Dowd: The 'Education Works' campaign is aimed at raising awareness of the importance of educational achievement and promoting the value of a good education whilst encouraging all parents to aspire to a better education and future for their children.

The campaign highlights the vital role parents can play in helping their child do well at school and improve their life chances. Local and international evidence tells us that early involvement can have a positive and ongoing impact.

The campaign aims to support parents, to become more involved in their child's education.

One of the key messages of this campaign is that parents don't need to go to great lengths to make a difference for their child. Some very simple activities can make a huge difference.

This year's Education Works campaign launched on 21st September and continues the multi-media format with advertisements on television, radio, outdoor posters, local press and social media sites. The campaign is supported by a dedicated website on NI Direct which provides a wealth of information and practical tips parents can use to get involved in their child's education.

Mr McCartney asked the Minister of Education to outline how much funding St Columb's College will receive as part of the £14 million School Enhancement Programme.
(AQO 8816/11-16)

Mr O'Dowd: I have committed £2.469m to the SEP project at St Columb's College. The college has also committed £200k of its own money to fund additional items bringing the total investment at the school to £2.669m.

The SEP project will replace the existing sports hall and associated support and ancillary accommodation with new build provision, and convert the existing changing accommodation to a Drama classroom suite.

The appointment of the Contractor has commenced and it is expected that site works will commence early in the new calendar year.

Mr B McCrea asked the Minister of Education, given the current financial impasse, how his Department will ensure that funding for Science, Technology, Engineering and Mathematics projects will continue.
(AQO 8817/11-16)

Mr O'Dowd: As you know, the Executive's Budget has been reduced by the Westminster Government by £1.5bn over the last five years. As a direct result of this reduction, there is significantly reduced money to spend on frontline services such as Education. I have taken every action possible to protect Education funding and those frontline services within the Department of Education's (DE's) remit. However, it is simply not possible to protect everything, hence my decision to reduce funding to some STEM programmes.

I acknowledge that investment in STEM is vital to our economy and despite this reduction, it is an indication of the importance that I attach to this work that a considerable proportion of that funding has been protected in the context of the most challenging budget yet faced by this Executive.

I would encourage any organisation or school interested in developing a project to promote STEM to young people to consider applying for Erasmus+ funding. My officials have met with Sentinus, DE's frontline STEM delivery partner, and others to discuss the potential for an Erasmus+ application in the forthcoming year.

I will continue to promote STEM throughout the education sector and promote opportunities such as Erasmus+ that could be used to develop new initiatives to promote STEM.

Mr Sheehan asked the Minister of Education to outline the benefits of the Irish-medium schools that were recently granted capital viability status.

(AQO 8818/11-16)

Mr O'Dowd: When a developing Irish-medium school is granted capital viability status it will be vested into the Schools Estate which will enable the school to receive capital grant aid.

This process is subject to the availability of capital funding.

Ms Fearon asked the Minister of Education for an update on the future of Anamar Primary School.

(AQO 8819/11-16)

Mr O'Dowd: I have been advised that the Council for Catholic Maintained Schools, as the managing authority for Anamar Primary School, have requested the Education Authority (EA) to publish a Development Proposal (DP) proposing the closure of Anamar Primary School. The EA is currently consulting with those local schools which may be affected by the proposal. Following this consultation the EA will then publish the DP which will initiate a statutory two-month objection period for any comments and/or objections to be submitted to the Department.

Any school which is subject to a DP will be assessed on the basis of its own particular circumstances against the six criteria in the Sustainable Schools Policy. I will consider all the information and comments pertinent to the proposal prior to making a decision on the proposed change. Each DP is assessed on its own merits and my overriding consideration in each proposal is to ensure that pupils have access to a high quality education.

Mr Lynch asked the Minister of Education when he intends to introduce legislation on Shared Education.

(AQO 8820/11-16)

Mr O'Dowd: My Shared Education Bill is ready for introduction to the Assembly.

I have written to the First and deputy First Ministers seeking urgent decision to introduce my Shared Education Bill at the earliest opportunity.

Mr Lunn asked the Minister of Education for an update on the aspects of Together: Building a United Community that fall within his departmental remit, including shared education facilities and youth programmes.

(AQO 8821/11-16)

Mr O'Dowd: The Together: Building a United Community (T:BUC) strategy includes a headline action to commence 10 new shared education campuses by 2018. To date, I have announced 3 projects – in Moy, Limavady and Ballycastle – to proceed in planning under the Shared Education Campuses Programme. Feasibility studies and business cases are well underway for all 3 projects.

I hope to make an announcement on the next round of shared education campuses over the coming months.

In addition, my Department continues to enhance the quality and extension of shared education provision through both policy and legislation.

My officials have also drafted a business case to support the implementation of the T:BUC commitment to roll out a "buddy scheme" in publicly run nursery and primary schools which includes the potential development of pilot schemes. No funding has, however, been provided to my Department to allow this commitment to progress beyond the draft business case stage.

With regards to youth, none of the youth programmes within T:BUC fall within my Department's remit. My officials have however been involved in the design of the OFMDFM led T:BUC Summer Camps Pilot Programme delivered through the Education Authority and the design of the Department for Employment and Learning's led T:BUC United Youth programme.

Department for Employment and Learning

Ms Sugden asked the Minister for Employment and Learning for his assessment of the impact of closing the Modern Language School at Ulster University Coleraine on students beginning their studies in 2015/2016, if staff redundancies are to begin before the completion of their degrees.

(AQW 48909/11-16)

Dr Farry (The Minister for Employment and Learning): The University has confirmed that it is in the process of developing a detailed plan to ensure that students beginning their studies in Modern Languages in 2015/2016 will continue to avail of the learning opportunities provided to other current students. This will include:

- The continued delivery and assessment of modules as per the current course documentation;
- Appropriate arrangements for course management and study advice;
- Continued international partnerships to facilitate study or placement abroad during the intercalary year;
- Native speaker presence; and appropriate library and media provision.

This will continue until students in the last cohort of Modern Languages programmes complete their degrees in 2019.

Mr Easton asked the Minister for Employment and Learning to detail how many students currently attend Stranmillis College. (AQW 48948/11-16)

Dr Farry: As the enrolment process for 2015/16 is ongoing the current information is not yet available. However, for the 2014/15 Academic Year the number of students enrolled at Stranmillis University College was as follows:

Full-time Undergraduate	840	Postgraduate Certificate in Education International	5
Part-time Undergraduate	206	Full-time Foundation Degree	101*
Masters Degree Full-time	18	Part-time Foundation Degree	112*
Masters Degree Part-time	254	Professional Development (Short Courses).....	392
Postgraduate Certificate in Education (Early Years).....	15	Lifelong Learning (Short Courses).....	2421

* Please note that the Foundation Degree students are taught in the Further Education Colleges. Stranmillis, however, is responsible for their registration, student support in relation to learning and examination and graduation.

Mr Hazzard asked the Minister for Employment and Learning to detail why English for Speakers of Other Languages is not considered an Essential Skill at Further Education colleges. (AQW 48978/11-16)

Dr Farry: The Essential Skills Strategy was introduced in 2002 and is designed for people whose first language is English to develop their literacy, numeracy and ICT skills. It is a key component of my Department's wider Skills Strategy and, in recognition of its importance to the economy, it is funded at the highest level and delivered free of charge to learners. Over 173,375 individuals have enrolled on these courses to date.

English for Speakers of Other Languages (ESOL) is not regarded as an Essential Skill as English is not the first language of those who undertake courses. However, ESOL provision is also given the highest weighting within the further education funding formula. However, colleges, as non-departmental public bodies, have their own fee policies and reserve the right to make a charge for ESOL provision to cover enrolment, tuition and examination costs.

At present, the only exception to this fee policy is for asylum seekers. In August 2012, I introduced free ESOL provision for asylum seekers and their dependents in recognition of their vulnerable position in society. Those who attain refugee status during their course are permitted to complete their studies without charge. The cost of waiving ESOL fees for this group is met from within the colleges' existing budgets. Since its introduction, 347 asylum seekers have availed of this provision.

Furthermore, even if ESOL were designated an Essential Skill it would not follow that every learner would be able to access the course free of charge. As with all college provision, including Essential Skills, those individuals who do not meet UK residency requirements do not qualify for DEL funded courses and are charged at a full cost recovery rate.

My Department also provides a range of financial assistance to eligible individuals who are undertaking accredited courses, including ESOL, at further education colleges. In some cases, concession fees may be available to those on means tested benefits.

However, I am reviewing how my Department can respond positively to the unfolding migrant crisis in Europe with the potential for a number of Syrian asylum seekers and refugees coming to Northern Ireland who may require ESOL provision.

Mr Hazzard asked the Minister for Employment and Learning whether his Department has given consideration to making English for Speakers of Other Languages an Essential Skill. (AQW 48981/11-16)

Dr Farry: The Essential Skills Strategy was introduced in 2002 and is designed for people whose first language is English to develop their literacy, numeracy and ICT skills. It is a key component of my Department's wider Skills Strategy and, in recognition of its importance to the economy, it is funded at the highest level and delivered free of charge to learners. Over 173,375 individuals have enrolled on these courses to date.

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However, I am reviewing how my Department can respond positively to the unfolding migrant crisis in Europe with the potential for a number of Syrian asylum seekers and refugees coming to Northern Ireland who may require ESOL provision.

Ms Sugden asked the Minister for Employment and Learning to detail discussions with the Vice Chancellor and/or senior management of Ulster University about plans to introduce a modern language academy under his Department's Assured Skills Programme.

(AQW 48996/11-16)

Dr Farry: To date there have been no discussions between my Assured Skills Branch with either the Vice Chancellor or senior management of Ulster University, with a view to introducing a modern language academy.

However, my Department is willing to give consideration to any proposals that Ulster University may submit. Any proposals received will be given consideration under the Assured Skills 'Change Fund' programme.

If the proposal meets the necessary criteria, the academy could be pursued by the relevant further education college/s, who currently offer a range of modern language courses.

Mrs Dobson asked the Minister for Employment and Learning to detail (i) the number; (ii) make and model; and (iii) individual cost of all new vehicles purchased in each of the last three years by his Department and any of its arm's-length bodies.

(AQW 49023/11-16)

Dr Farry: My Department has not purchased any vehicles over the past three years.

With regards to the arm's length bodies, the information requested is detailed below:

Academic year 2014/15

Northern Regional College	1 Vauxhall Movano Minibus	£32,320.00
North West Regional College	1 Ford Transit Connect 90 T200 Van	£10,516.00
Southern Regional College	2 Toyota Auris Hybrid MY14 Excel 5 dr 1.8CVT	£20,038.03 each
	1 Toyota Prius MY15 Excel 1.8 CVT	£26,559.38
South West College	2 Mercedes Benz Sprinter 513 Minibus	£60,706.63 each
Stranmillis University College	1 Kubota L5740H-C Tractor	£33,906.00

Academic year 2013/14

Belfast Metropolitan College	1 Renault Trafic LL29 dci	£18,415.66
	1 Renault Master Luton Lo-Loader LL35 dci 125	£25,641.93
North West Regional College	2 Ford Transit 100 Minibus	£16,290.84 each
South Eastern Regional College	2 Ford Transit 17 Seat Minibus	£25,658.60 each
	1 Ford Transit 17 Seat Minibus	£34,171.50
	1 Isuzu 4 Wheel Drive Pick Up Truck	£22,481.25
South West College	2 Citroen Berlingo 625 Enterprise HDI Van	£12,057.47 each
	1 Ford Transit 135 T460 Minibus	£49,790.04
Stranmillis University College	1 Citroen Dispatch Van	£13,827.92

Academic year 2012/13

Belfast Metropolitan College	1 VW Crafter 17 Seat Minibus	£45,703.70
	1 VW Crafter 17 Seat Minibus with wheelchair access	£54,443.11

Southern Regional College	3 Ford Transit 7 Seat Minibus	£24,615.77 each
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Mrs Cochrane asked the Minister for Employment and Learning whether his Department recognises electronic signatures, in place of hand written signatures, when receiving written authority, letters or petitions.

(AQW 49034/11-16)

Dr Farry: My Department has no blanket policy on this matter but rather treats each circumstance on a case by case basis. In general, electronic signatures are accepted where there is no legal or regulatory reason to require a hand written signature, such as on letters of offer, contracts, or claims for payment.

Ms Sugden asked the Minister for Employment and Learning how his Department is working with the Department of Enterprise, Trade and Investment to assess the skills need of companies based outside of Belfast and Londonderry.

(AQW 49049/11-16)

Dr Farry: Meeting the skills needs of employers remains crucial to ensuring a strong and vibrant economy in Northern Ireland.

My Department works closely with the Department of Enterprise, Trade and Investment (DETI) and its related non-Departmental public bodies to ensure that programmes offered are complementary and provide a service to employers across Northern Ireland that meets their skills needs, helping them to increase their productivity and competitiveness.

This is clearly demonstrated by the close working relationship my Department has with Invest Northern Ireland, across a range of common interests. Examples of this are shared work on research, management and leadership needs and also the Assured Skills programme which works in collaboration with indigenous and foreign direct investment companies throughout Northern Ireland to deliver the skills they need.

DETI is also represented on the Advanced Manufacturing and Engineering Services, Food and Drink Industry and Information and Communications Technology Working Groups which I chair. These groups include employers, further and higher education representatives, officials and others with relevant interests. They provide a valuable forum through which employers from across Northern Ireland can articulate their skills needs and interact directly with service and programme providers.

In addition, my Department is directly engaged with DETI on a wide range of policy and strategic matters with a Northern Ireland-wide focus, including the Executive's Economic Strategy, the Innovation Strategy and the Science, Technology, Engineering and Maths (STEM) Strategy. My Department also works closely with DETI on the gathering and interpretation of key statistical data, for example, on labour market information. Both Departments are also heavily engaged in preparations for the creation of the Department of the Economy.

A range of both formal and informal meetings is in place to ensure proper co-ordination of activity between both Departments. These range from strategic liaison meetings between senior officials to regular operational oversight meetings on particular issues through to day-to-day liaison between individual branches.

Ms Sugden asked the Minister for Employment and Learning to detail the number of university students leaving Northern Ireland to study elsewhere in the United Kingdom, in each of the last 5 years; and how budgetary pressures within the higher education sector are likely to impact upon this.

(AQW 49051/11-16)

Dr Farry: The table below shows the number of Northern Ireland domiciled first year students enrolled in undergraduate and postgraduate courses at Higher Education Institutions in Great Britain.

Year	Number of NI students in GB HEIs
2009/10	6,370
2010/11	6,690
2011/12	7,185
2012/13	5,585
2013/14	5,980

As a result of the 2015-16 Budget, this academic year, our universities and university colleges will be taking cuts of over £16 million, and our further education colleges about £12 million, with an obvious impact on their higher education provision. As a consequence, we are witnessing a very real impact in terms of student places and staff posts. Queen's and Ulster University, our two largest universities, are taking over 500 less local students this year, rising to nearly 2,000 over the next few years.

More students will now likely go to study in Great Britain. Northern Ireland is already the only net exporter of students in the UK, with almost a third of our young people choosing to go to England, Scotland or Wales every year and far fewer coming the other way.

When these students leave they take with them a whole host of socio-economic benefits, and the figures show that about two thirds of them do not return to Northern Ireland for employment.

More regrettably than that, others who do not gain a higher education place here may simply decide not to enter higher education at all, and the evidence suggests that people from disadvantaged backgrounds will be affected most of all.

Mr Swann asked the Minister for Employment and Learning, pursuant to AQW 48535/11-16, how many of those 150 places were taken up by European Social Fund course tutors.

(AQW 49056/11-16)

Dr Farry: It is not possible to extract figures distinguishing European Social Fund tutors from other candidates enrolled on the Certificate in Teaching course at Ulster University. The University has confirmed, however, that all applicants for the course commencing in October 2015, who met the entry requirements, were enrolled.

Ms Sugden asked the Minister for Employment and Learning to detail the number of groups, whose client groups included those with ill mental health, learning and physical disabilities, lone parents and disadvantaged young people, that applied to the latest European Social Fund and were unsuccessful.

(AQW 49086/11-16)

Dr Farry: The total number of organisations that applied to the ESF 2014-2020 Programme, but were unsuccessful, was 69. These organisations can be broken down according to the following strands of the ESF 2014-2020 Programme to which they applied:

- Community and Family Support: 4
- Disability: 9
- Unemployed and Economically Inactive: 27
- Not in Employment, Education or Training: 29

Many of these organisations have multiple client groups. Of these 69 organisations, the Department has been able to ascertain that 23 have a client group with mental health issues; 36 have a client group with learning/physical disabilities; 24 have a client group of lone parents; and 46 have a client group of disadvantaged young people.

Ms Sugden asked the Minister for Employment and Learning whether further education students who are currently in receipt of an Education Maintenance Allowance will continue to receive this; and for his assessment of the Education Maintenance Allowance as an incentive for young people to remain in full time education.

(AQW 49087/11-16)

Dr Farry: There are no current plans to remove the Education Maintenance Allowance from eligible Northern Ireland students studying at Further Education Colleges or Schools.

Following a public consultation and review of the Education Maintenance Allowance in 2012, carried out by my Department and our joint partner the Department of Education, it was agreed to better target resources to those

students in most need. From academic year 2013/14 eligible students have received £30 per week if their household income is £20,500 or less where there is one dependent child, or £22,500 or less where there are two or more dependent children. Two £100 bonus payments are also payable each year on achievement of the student's learning objectives.

The review showed, and both Departments accept, that the Educational Maintenance Allowance does offer a positive incentive to young people from lower income families to stay in full time education.

Ms Sugden asked the Minister for Employment and Learning to detail how the productive output of further and higher education courses are evaluated each year; and to what extent courses are evaluated in respect of the changing needs of employment sectors.

(AQW 49088/11-16)

Dr Farry: My Department's further and higher education sectors play a key role in supporting the Northern Ireland economy. It is therefore vital that all provision delivered is regularly reviewed and evaluated to ensure that it is of the highest quality and is responsive in meeting the needs of employers and learners.

While my Department sets the strategic direction for the higher and further education sectors, each university and college, as an independent body, is responsible for its own course provision and any changes made to the curriculum offer.

Reviewing and evaluating course provision in universities and colleges is part of the normal annual cycle and is good business practice.

Each year further education colleges present and agree their planned provision for the next academic year with my Department. This process ensures that courses are delivered in line with Departmental priorities and in turn deliver on the Northern Ireland Economic Strategy. When making decisions regarding course provision, the colleges take a number of factors into account including, for example; the growing need for higher level skills, with a particular focus on subjects of Science, Technology, Engineering and Mathematics (STEM), student demand and indeed value for money. The process also helps in determining the overall amount of funding required. However, as you are well aware funding for colleges and universities this year was significantly reduced and required a number of very difficult decisions to be made regarding provision.

The Education Training Inspectorate (ETI), which is part of the Department of Education, provides inspection services in the colleges to ensure that all learners receive a high quality learning experience and to highlight best practice as well as identify and address poor provision.

A cycle of whole college inspections has just been completed across the six FE colleges in Northern Ireland for provision up to level 3 including full and part time courses and work based learning. These inspections were carried out by ETI's teams of inspectors with expertise in the relevant professional and technical areas. Each college received ratings and detailed feedback against the quality indicators described in 'Improving Quality: Raising Standards' (IQ:RS). The IQ:RS is also used by providers in an annual cycle of self evaluation that is validated by a short scrutiny inspection, again led by the ETI.

The IQ:RS focuses on a range of quality indicators covering leadership and management, quality of provision for learning and quality of achievements and standards. A number of the indicators require colleges to demonstrate employer links and partnerships; use of labour market information and regular review of provision to ensure the relevance of programmes and services to local and regional economies, employers and communities.

Where poor provision is identified this is addressed by monitoring and follow up visits.

The productive output of courses in your question I am considering to be performance and this is measured across three indicators which are retention, achievement and success. The definitions of these measurements in further education are as follow:

- **Retention rate** is defined as the proportion of the number of enrolments who complete their final year of study to the number of final year enrolments. Since 2012/13, those who complete their course early (and recorded in the data as a withdrawal) and who have subsequently achieved their programme of study qualification have been regarded as a 'completer'.
- **Achievement rate** relates to the percentage of the number of enrolments who complete their final year of study and achieve their qualification to the number of enrolments who complete their final year of study.
- **Success rate** is the overall measure of performance, which is the proportion of the number of enrolments who complete their final year of study and achieve their qualification to the number of final year enrolments.

In 2013/14, the retention rate in FE Colleges ranged from 86.1% in Northern Regional College to 93.0% in Southern Regional College. The success rate ranged from 72.7% in Belfast Metropolitan College to 82.6% in Southern Regional College.

My Department's Assured Skills programme is designed to help attract new foreign direct investment companies and the expansion of indigenous businesses by assuring them that the skills they need to be successful are available in Northern Ireland. Assured Skills support is also available to encourage existing companies who are considering expansion.

Regarding the evaluation of courses for the changing needs of employers through the Assured Skills programme, interim evaluations are conducted upon completion of an Academy. The Academy model is part of the Assured Skills programme providing tailored training to help employers find staff with the skills they need or support to develop the necessary expertise within their existing team. In discussions with the relevant further/higher education provider and employers, the lessons learned from the evaluation are used to shape and improve future academies. The flexibility of the Assured Skills programme enables the changing business needs of employers to be addressed, by developing bespoke training through the Academy model, in partnership with DEL and further/higher education.

In addition to the above, statisticians within my Department have recently developed Northern Ireland's first survey of FE college leavers. The fieldwork, which surveyed individuals who completed and achieved a regulated qualification course at a further education college in the 2013/14 year, has recently completed and a report of the findings is expected to be released in November 2015.

The survey examines the economic and non-economic benefits of completing a course within the further education sector and also examines the destinations of students completing and achieving courses.

The published analysis of Performance Indicators in higher education 2013/14, which monitors and reports on performance, reports that for all full-time first degree entrants to Higher Education Institutions (HEI), 6.5% of students were no longer in higher education in 2013/14 following entry in 2012/13, compared to the UK average of 7.0%.

Full-time leavers from Ulster University (UU), Stranmillis, and St Mary's were more likely to be in employment six months after leaving than those from Queen's University (QUB). Additionally QUB and St Mary's full-time leavers were more likely to undertake full-time study than those from Stranmillis and UU.

The unemployment rate of full-time leavers was highest at UU (6.6%). St Mary's (2.5%) and Stranmillis (1.9%) experienced low rates while QUB was slightly higher at 4.3%.

I trust this provides the assurance that colleges and universities alike are evaluating provision to ensure that it meets the needs of learners for employment of today and in the future.

Ms Sugden asked the Minister for Employment and Learning for his assessment of the rate of post-qualification employment for students studying and training in the local advanced manufacturing and engineering services sector.
(AQW 49092/11-16)

Dr Farry: The tables on the attached Annex A contain post-qualification employment rate data for the advanced manufacturing and engineering services sector for 2011 to 2014. The latest available destination data is for the 2013/14

academic year. This information is supplied by the Higher Education Statistics Agency (HESA), which is the official agency for the collection of information on publicly funded HE institutions in the UK.

The data shows that the post-qualification employment rate for this sector increased by 5.7% from 2011 to 2014 - this is an encouraging trend.

Annex A

2011/12

Subject	Employed	Employed %
General engineering	35	70.2
Safety engineering	5	100
Fire safety engineering	10	50
Engineering design	5	38.5
Civil engineering	100	71.7
Structural engineering	5	60
Environmental engineering	20	76.9
Mechanical engineering	60	80.3
Aerospace engineering	15	63
Electronic & electrical engineering	25	88.9
Electronic engineering	10	72.7
Production & manufacturing engineering	20	75
Manufacturing systems engineering	0	-
Chemical, process & energy engineering	0	-
Chemical engineering	10	52.6
Biotechnology	5	71.4
Energy technologies	15	81.3
Musical instrument technology	10	61.1
Total	340	71.1

2012/13

Subject	Employed	Employed %
General engineering	50	78.8
Safety engineering	0	-
Fire safety engineering	5	85.7
Engineering design	5	85.7
Civil engineering	80	73.4
Structural engineering	5	71.4
Environmental engineering	20	76
Mechanical engineering	90	75.8
Aerospace engineering	10	57.1
Aeronautical engineering	5	60
Electronic & electrical engineering	20	66.7
Electronic engineering	15	84.2
Telecommunications engineering	5	100
Electronic & electrical engineering not elsewhere classified	5	60

Subject	Employed	Employed %
Production & manufacturing engineering	10	64.3
Chemical, process & energy engineering	0	-
Chemical engineering	20	54.1
Others in engineering	0	-
Engineering not elsewhere classified	0	-
Biotechnology	5	42.9
Energy technologies	10	81.8
Total	340	71.1

2013/14

Subject	Employed	Employed %
General engineering	50	77.4
Fire safety engineering	10	91.7
Engineering design	15	59.3
Civil engineering	110	81.2
Structural engineering	10	88.9
Environmental engineering	20	94.7
Mechanical engineering	85	67.5
Aerospace engineering	5	43.8
Aeronautical engineering	0	-
Electronic & electrical engineering	45	90
Electronic engineering	10	61.1
Electronic & electrical engineering not elsewhere classified	10	88.9
Production & manufacturing engineering	15	100
Chemical, process & energy engineering	0	-
Chemical engineering	15	68
Others in engineering	0	-
Biotechnology	0	-
Energy technologies	5	100
Transport logistics	10	100
Total	415	76.8

Mr Ross asked the Minister for Employment and Learning to detail which language courses will be dropped by Ulster University for the 2016/17 academic year.

(AQW 49094/11-16)

Dr Farry: The following Ulster University language courses had their last intake of students in 2015/16:

- BA/MA Hons in Applied Languages & Translation; and
- All combinations involving Chinese, French, German, Spanish and English as a Second Language.

As well as this, the Belfast campus will no longer offer BA Hons in Irish Language and Literature as a full-time course but will continue to teach this as a part-time course. The full time course will now be taught at Magee.

Mr Ross asked the Minister for Employment and Learning to detail how many students had signed up to the language courses which Ulster University propose to drop in each of the past five years, broken down by specific course.

(AQW 49096/11-16)

Dr Farry: The table below shows the first year intake of students in each of the last five academic years for language courses where applied languages (French, German or Spanish) are the main or major subjects.

	2010/11	2011/12	2012/13	2013/14	2014/15
French	9	12	9	9	14
German	5	3	2	5	4
Spanish	11	5	13	8	9
Applied Languages and Translation	16	9	9	3	9
Total	41	29	33	25	36

Mr McKinney asked the Minister for Employment and Learning to detail the discussions his Department has had with Queen's University Belfast over voluntary redundancies.

(AQW 49097/11-16)

Dr Farry: I have had ongoing discussions with Queen's University in relation to the possible implications of the budget reductions to the higher education sector including impacts on staffing budgets.

However, while my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous and responsible for their own personnel policies and procedures including those regarding redundancies.

Mr Flanagan asked the Minister for Employment and Learning to detail at what length of unemployment does Steps to Success become a compulsory programme for people on Jobseeker's Allowance.

(AQW 49112/11-16)

Dr Farry:

- 1 Jobseeker's Allowance claimants, aged 18-24 years old, will be mandated to Steps 2 Success after nine months on benefit. Jobseeker's Allowance claimants, aged 25+, will be mandated to Steps 2 Success after 12 months on benefit.
- 2 The current official statistics for the programme at June 2015 are:

Number and percentage of participants broken down (a) region and (b) those who participated before and after it was compulsory for them to do so:

Region	Number of Participants	Number before compulsory	Number after compulsory
Belfast Region: Ingeus UK Ltd	7,317	626 (9%)	6,691(91%)
Northern Region: EOS NI:	7,582	650 (9%)	6,932 (91%)
Southern Region: Reed in Partnership	6,390	440 (7%)	5,950 (93%)

The total number who commenced the Steps 2 Success programme from October 2014 to June 2015 is 21,289.

The key performance indicators for S2S focus on moving people into employment and sustaining employment for 3, 6, 9 and 12 months. Steps 2 Success performance is based on monthly cohorts and the first monthly cohort of starts will not finish the programme until October 2015. Official statistics on employment outcomes will be derived from outcome payments made to Lead Contractors, which can be claimed within three months of the participant leaving the programme. Before publishing data on employment outcomes, the data must be validated to ensure accuracy. Therefore, statistical information on employment outcomes will not be available until Spring 2016.

Official statistics on the numbers gaining an accredited qualification is linked to employment outcome payments made to Lead Contractors. Therefore, statistical information on the numbers gaining an accredited qualification will also not be available until Spring 2016.

- 3 The total spend on the programme (at end August 2015) is £14,008,250. This is broken down by region:
 - Belfast Region - £4,760,125
 - Northern Region - £4,926,749
 - Southern Region - £4,321,376

Mr Flanagan asked the Minister for Employment and Learning to detail the number of and percentage of participants, broken down (a) region and (b) by those who participated before and after it was compulsory for them to do so, that have

(i) commenced a Steps to Success programme; (ii) successfully completed a Steps to Success programme; (iii) gained an accredited qualification and (iv) secured employment.

(AQW 49113/11-16)

Dr Farry:

- 1 Jobseeker's Allowance claimants, aged 18-24 years old, will be mandated to Steps 2 Success after nine months on benefit. Jobseeker's Allowance claimants, aged 25+, will be mandated to Steps 2 Success after 12 months on benefit.
- 2 The current official statistics for the programme at June 2015 are:

Number and percentage of participants broken down (a) region and (b) those who participated before and after it was compulsory for them to do so:

Region	Number of Participants	Number before compulsory	Number after compulsory
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- 3 The total spend on the programme (at end August 2015) is £14,008,250. This is broken down by region:
 - Belfast Region - £4,760,125
 - Northern Region - £4,926,749
 - Southern Region - £4,321,376

Mr Flanagan asked the Minister for Employment and Learning for a breakdown of the spend on the Steps to Success programme to date.

(AQW 49115/11-16)

Dr Farry:

- 1 Jobseeker's Allowance claimants, aged 18-24 years old, will be mandated to Steps 2 Success after nine months on benefit. Jobseeker's Allowance claimants, aged 25+, will be mandated to Steps 2 Success after 12 months on benefit.
- 2 The current official statistics for the programme at June 2015 are:

Number and percentage of participants broken down (a) region and (b) those who participated before and after it was compulsory for them to do so:

Region	Number of Participants	Number before compulsory	Number after compulsory
Belfast Region: Ingeus UK Ltd	7,317	626 (9%)	6,691(91%)
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the programme. Before publishing data on employment outcomes, the data must be validated to ensure accuracy. Therefore, statistical information on employment outcomes will not be available until Spring 2016.

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3 The total spend on the programme (at end August 2015) is £14,008,250. This is broken down by region:

- Belfast Region - £4,760,125
- Northern Region - £4,926,749
- Southern Region - £4,321,376

Mr Weir asked the Minister for Employment and Learning to detail the full time equivalent number of students at (i) Queen's University Belfast; and (ii) Ulster University over each of the last ten years.

(AQW 49130/11-16)

Dr Farry: The number of full time equivalent students at the two universities over each of the last ten years is shown in the table below. These figures include all student enrolments, including Northern Ireland domiciled, GB, EU and international.

Year	Queen's University of Belfast	Ulster University
2004/05	17,150	19,970
2005/06	17,316	19,500
2006/07	17,530	18,726
2007/08	17,792	18,442
2008/09	17,541	18,647
2009/10	17,445	19,733
2010/11	17,819	18,732
2011/12	17,613	20,068
2012/13	17,941	19,622
2013/14	18,340	20,365

The information is drawn from the Higher Education Information Database for Institutions maintained by the Higher Education Statistics Agency. It is supplied by the institutions and student full-time equivalent data represents the institutions' assessment of the full-time equivalence of the student during the academic year. 2013-14 is the last year for which this information is available.

Department of the Environment

Mr Agnew asked the Minister of the Environment to detail the reasoning behind the significant reduction in the estimated clean up costs for the Mobuoy Road illegal landfill site from £140 million to £50 million and whether this is due to a change in the strategy for the remediation of the site; and if this complies with EU environmental and waste directives.

(AQW 46886/11-15)

Mr Durkan (The Minister of the Environment): I have directed my officials to set up a project team to consider the management of the site and the longer term options for its remediation. On this basis the Northern Ireland Environment Agency has commenced a detailed investigation of the illegal waste at the Mobuoy Road illegal waste sites.

The outcome of this work will produce a comprehensive picture of the potential impacts of this waste and identify sustainable remediation solutions to address these. Therefore at this stage, a range of options are expected for consideration and no options have been eliminated on the future management of this waste. Costs therefore cannot be provided for any options at this time.

At this time any projected costs are purely indicative and it is necessary to await the final recommendations of the above project which will detail costed options for consideration. All options will clearly meet the waste and environmental legislative requirements.

Mrs Hale asked the Minister of the Environment to detail (i) the annual local consumption, by tonnage, of Greywacke; and (ii) how much of that is supplied by local quarries.

(AQW 48493/11-16)

Mr Durkan: From the 1 April 2015, the operational responsibility for local planning transferred from my Department to the eleven newly established councils as part of the new two tier planning system. Typically planning application files for extraction will include tonnage information in the form of estimated annual extraction and the proposed life expectancy of the extraction sites.

Following any planning approval, these figures will be influenced by market forces in the construction industry in terms of supply and demand for the material. Figures for ongoing 'banked' reserves of material are not held by my Department. I understand that DETINI receive annual quarry returns data from minerals operators you may wish to approach that Department for the information you request.

Lord Morrow asked the Minister of the Environment (i) why his Department has not yet announced implementation dates for taxi meters and printers; and (ii) the reason behind the delay.

(AQW 48554/11-16)

Mr Durkan: The regulations that will introduce the new taximeter and maximum fare requirements are dependent on the making of the Taxi Licensing regulations that will govern the new licensing regime.

Following the annulment of the Taxi Regulations laid before the Assembly early in 2015, the Minister agreed a compromise arrangement with members of the Environment Committee. This arrangement involves a part time dual tier system within Belfast which will be known as "the Belfast Zone" which covers an area of roughly two miles in diameter centred on Castle Junction, as well as those individual routes used by the two Belfast taxibus operators.

The implementation of this zone into legislation has proven challenging in respect of both the legislative vires available to the Department and in the practical provision of clarity for taxi drivers as to where the zone begins and ends. This issue has delayed the making of the Taxi Licensing regulations which has had a subsequent impact on the making of the Taximeter Regulations.

The Department, however, has addressed all outstanding issues and is confident in making regulations in the coming months, with the new requirements coming into force from May 2016. Information relating to the implementation of the remaining elements of the Taxis Act was published last week and is being circulated to taxi operators.

Mr Agnew asked the Minister of the Environment to detail all applications for permitted development rights for minerals exploration that were (i) approved; and (ii) declined by his Department in the last five years.

(AQW 48584/11-16)

Mr Durkan: My Department has a record of 39 minerals exploration notifications over the last five years. This list is provided below.

Reference Number	Proposal	Location
B/2010/0284/Q	PD borehole drilling notification enquiry -- NIRE-05/08-0001	lands to the south of no. 66 Ballyavelin Road, Limavady
B/2010/0285/Q	PD borehole notification enquiry -- NIRE-05/08-0002	lands at Windyhill Road (B201), Ballyhanna Forest, Bolea, Limavady
C/2010/0485	PD borehole drilling notification enquiry -- NIRE-04/08-0001	Lands to the west of Gortnamoyagh Hill, ternamuck, Gortnamoyagh Road, Garvagh
G/2010/0568/Q	PD borehole drilling notification enquiry	Lands opposite No. 60 Ballybogy Road, Ballybogy Hill, Ballymoney
C/2010/0469/Q	PD borehole drilling notification enquiry NIRE-09/08-0002	Lands to the north of no. 158 Ballybogy Road, Coleraine
D/2010/0331/PREAPP	borehole drilling for mineral exploration licence -- within licence area issued to Lonmin (NI) Ltd by DETI	land approximately 670m SW of Cloughmills in agricultural pasture land
D/2011/0051/PREAPP	Notification of borehole drilling	Station Road, Dunloy
G/2012/0122/PREAPP	Drilling of borehole at a depth of c.450m below surface using an Atlas Copco CS14 drilling rig	Lands approx 1.5km NE of no 115 Longmore Road, Broughshane, BT43 7HR
D/2011/0099/PREAPP	Exploratory borehole drilling notification	Corkey Quarry, Loughguile, Ballymena
D/2011/0100/PREAPP	Exploratory borehole drilling notification	Lands to the South of 62 Shelton Road and approximately 500m East of Loughguile
F/2011/0143/PREAPP	Exploratory borehole with associated site works including tree removal	Approx 150m ne of no 66 Waterfall Road, Larne, BT40 3NB
G/2011/0345/PREAPP	Exploratory borehole drilling notification	Lands approx. 500m west of no. 60 Ballybogy Road, Clough, BT44 9SD

Reference Number	Proposal	Location
C/2011/0467/PREAPP	Borehole Drilling notification	Lands opposite 10 Ballyclogh Road, Bushmills BT57 9TU
G/2011/0476/PREAPP	Exploratory borehole drilling notification	1760m SSW of 31 Shilnavogie Road, Glenarm BT44 0BP
C/2012/0020/PREAPP	Exploratory borehole drilling notification	Lands adjacent to 95 Edenbane Road, Garvagh, BT51 5XE
F/2012/0013/PREAPP	Exploratory borehole drilling notification	Lands located to the west of the Drumcrow Road, Glenarm
D/2012/0089/PREAPP	Exploratory borehole drilling to test geological structures and lithology beneath this locality and search for minerals including base and precious metals	lands adjacent to and north of 30 Altarichard Road, Ballymoney, BT53 8XS
F/2012/0074/PREAPP	Borehole Drilling	Lands adjacent to 30 Dickeystown Road, Glenarm, BT44 0BA
E/2012/0078/PREAPP	Proposed Seismic Testing	Land adjacent to 68 Ballinlea Road, Maghernahar, Ballycastle, BT54 6JL
F/2013/0064/PREAPP	Proposed Geological Borehole	Carnduff No. 1 Central Ward, Carnduff (PO), Larne, Co. Antrim
F/2013/0160/PREAPP	Proposed geological borehole , Carnduff No. 2, drilling operation and associated works	Central Ward, Carnduff (PO), Co Antrim
B/2013/0169/PREAPP	Borehole drilling	150m north east of 38 Tircrevan Road, Magilligan, Limavady.
V/2013/0127/PREAPP	proposed petroleum exploration well and access lane	350m east of Woodburn North Reservoir Woodburn Forest, north-west of Carrickfergus
O/2014/0041/PREAPP	drill hole within C1 licence area (Clay Lake gold target)	CY-04-14, C1 licence area, Clay Lake gold target, Clay Lake, Castleblaney, Armagh, BT60 3LQ
O/2014/0042/PREAPP	drill hole CY-03-14 within C1 licence area (Clay Lake gold target)	CY-03-14, C1 licence area, Clay Lake gold target, Clay Lake, Castleblaney, Armagh, BT60 3LQ
O/2014/0043/PREAPP	drill hole CY-02-14 within C1 licence area (Clay Lake gold target)	CY-02-14 C1 licence area, Clay Lake gold target, Clay Lake, Castleblaney, Armagh, BT60 3LQ
O/2014/0044/PREAPP	drill hole CY-05-14 within C1 licence area (Clay Lake gold target)	CY-05-14, C1 licence area, Clay Lake gold target, Clay Lake, Castleblaney, Armagh, BT60 3LQ
O/2014/0045/PREAPP	drill hole CY-01-14 within C1 licence area (Clay Lake gold target)	CY-01-14, C1 licence area, Clay Lake gold target, Clay Lake, Castleblaney, Armagh, BT60 3LQ
O/2014/0046/PREAPP	drill hole CY-06-14 within C1 licence area (Clay Lake gold target)	CY-06-14, C1 licence area, Clay Lake gold target, Clay Lake, Castleblaney, Armagh, BT60 3LQ
K/2014/0323/PREAPP	12 exploration drill holes as part of proposed mineral exploration drilling programme	Lands at Curraghinalt, Gortin, Co Tyrone
K/2014/0335/PREAPP	Proposed Mineral Exploration Drilling Program	Curraghinalt, Gortin, Co Tyrone
L/2014/0349/PREAPP	Geological borehole	Cleggan Quarry, Belcoo, Co Fermanagh

Reference Number	Proposal	Location
L/2014/0350/PREAPP	Borehole	Cleggan Quarry, Belcoo, Co Fermanagh
D/2014/0153/PREAPP	Proposed Boreholes	Land approximately 1.2-2.2km E of 40 Coolkeeran Road, Armoy, Ballymoney, BT53 8XL
B/2014/0188/PREAPP	Borehole drilling	Land near 36 Point Road, Limavady, BT49 0LP
I/2014/0329/PREAPP	Borehole Operation	Camlough Road Evishanoran Pomeroy
K/2015/0026/PREAPP	Mineral exploration associated with Dalradian Gold's Mineral Prospecting Licenses DG1, DG2, DG3 and DG4	Land east of Attagh Bridge within the Owenkillew SAC, north-east of Omagh

Mr Weir asked the Minister of the Environment (i) what legal effect does Section 3 of the Local Government (Northern Ireland) Act 2014 have currently; and (ii) whether any commencement provision has been made in respect of Section 3.
(AQW 48636/11-16)

Mr Durkan: Part 2 of the Local Government Act (Northern Ireland) Act 2014 (the 2014 Act) makes provisions in relation to the disqualification of individuals for being a councillor.

Section 3 of Part 2 of the 2014 Act, introduces a bar on MLAs, MPs, MEPs, members of the House of Lords and members of the legislature of any other country, for being councillors in Northern Ireland.

Section 3 of the 2014 Act was commenced on 1 April 2015 by the Local Government (2014 Act) (Commencement No.4) Order (Northern Ireland) 2015 (the 2015 Commencement Order).

Lord Morrow asked the Minister of the Environment whether his Department (i) is at an impasse as to how to proceed with the implementation of taxi meters and printers: and if so, (ii) will engage with people in the taxi industry for guidance on the issue.
(AQW 48729/11-16)

Mr Durkan: The regulations that will introduce the new taximeter and maximum fare requirements are dependent on the making of the Taxi Licensing regulations that will govern the new licensing regime.

Following the annulment of the Taxi Regulations laid before the Assembly early in 2015, the Minister agreed a compromise arrangement with members of the Environment Committee. This arrangement involves a part time dual tier system within Belfast which will be known as "the Belfast Zone" which covers an area of roughly two miles in diameter centred on Castle Junction, as well as those individual routes used by the two Belfast taxibus operators.

The implementation of this zone into legislation has proven challenging in respect of both the legislative vires available to the Department and in the practical provision of clarity for taxi drivers as to where the zone begins and ends. This issue has delayed the making of the Taxi Licensing regulations which has had a subsequent impact on the making of the Taximeter Regulations.

The Department, however, has addressed all outstanding issues and is confident in making regulations in the coming months, with the new requirements coming into force from May 2016. Information relating to the implementation of the remaining elements of the Taxis Act was published last week and is being circulated to taxi operators.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48146/11-15, whether (i) his Department has now provided its report to the European Commission in relation to infraction proceedings relating to Lough Neagh Special Protection Area; and (ii) the European directives are no longer being breached in relation to this Nature 2000 site.
(AQW 48744/11-16)

Mr Durkan: An EU Pilot request is used when clarification is required from a Member State on the factual or legal position for each case. It is not the instigation of infraction proceedings.

Correspondence between the Commission and the Member State on such cases is regarded by both parties as confidential between them. Any requests from the Commission for supplementary information shall be provided in full.

Lord Morrow asked the Minister of the Environment, AQW 36475/11-16, whether he can provide assurances that all objections to Centralised Anaerobic Digestion (CAD) plants are fully considered, including the placement of any plant and the impact on local residents.
(AQW 48782/11-16)

Mr Durkan: Following the transfer of powers to local government on the 1 April 2015, the majority of Anaerobic Digestion plants will be dealt with by local councils as such proposals are unlikely to be of regional significance. My Department currently does not have any planning applications for Centralised Anaerobic Digestion plants with it for determination.

When considering an application for a Centralised Anaerobic Digestion plant, all aspects of the proposed development should be assessed in planning terms, including the potential impact on residential amenity. The assessment should take into account all relevant planning considerations in so far as they are material to the application. These considerations would take account of comments from third parties, the relevant development plan, planning policies and other material considerations.

Each planning application is assessed on a case by case basis and it is a matter for the decision maker to give weight and relevance to all material considerations prior to reaching a decision.

Mr Agnew asked the Minister of the Environment, in relation to enforcement appeal 2012/E044, to detail (i) which European case law his Department was referring to; (ii) why it failed to include this in its statement of case and didn't clarify when asked to by the Planning Appeals Commission; (iii) for his assessment of the Commission's criticism of how his Department defended this case; and (iv) how he intends to address these shortcomings.

(AQW 48801/11-16)

Mr Durkan: I am aware of the legal issues raised and my officials are considering them in consultation with the Department's legal advisers. It would not be appropriate to comment further.

Mr Weir asked the Minister of the Environment to detail how many complaints have been made under the High Hedges Act 2011 in each of the last five years, broken down by council area; and in how many instances were the complaints (a) resolved by agreement between the parties; (b) adjudicated in favour of the complainant; and (iii) adjudicated against the complainant.

(AQW 48816/11-16)

Mr Durkan: The High Hedges Act (Northern Ireland) 2011 came into operation on March 2012 and, whilst the legislation was introduced by my Department, responsibility for its implementation rests with councils. Accordingly, the information you have requested is not held by DOE.

However, I am aware of a number of issues which have been raised in relation to the High Hedges Act and I have, therefore, asked my officials to undertake a review of this legislation as soon as possible. I would anticipate that the information you seek will form part of that review as an important consideration of the public usage of the legislation and its effectiveness at helping to resolve neighbour disputes.

I am currently undertaking a reprioritisation exercise to take account of current financial constraints and as a result of the Voluntary Exit Scheme. Subject to the outcome of this exercise and the reallocation of staff as a result, it is my hope that the review can commence in the Autumn.

Mr Flanagan asked the Minister of the Environment (i) to list the public appointments processes initiated by his Department for its arm's-length bodies and Non Departmental Public Bodies since May 2011; and for each appointment (ii) whether he chose to be presented with the list of those judged suitable for appointment in a ranked or an unranked order, based on the candidates' scores at interview against an agreed pass mark.

(AQW 48857/11-16)

Mr Durkan: My Department has initiated the following public appointment competitions since May 2011:

Name of Public Body	Year	Positions appointed
Northern Ireland Local Government Officers' Superannuation Committee	2011	6 members
	2012	2 members
	2013	Chair and 4 members
	2015	1 member (ongoing competition)
Local Government Staff Commission	2013	2 members
	2014	Chair and 11 members
Council for Nature Conservation and the Countryside	2011	8 members
	2014	Chair
	2015	Deputy Chair and 6 members
Historic Monuments Council	2011	6 members
Historic Buildings Council	2013	7 members
Northern Ireland Coastal Marine Forum	2013	Chair
Councillors' Remuneration Panel	2013	Chair and 4 members

In each case, my predecessor and I chose to be presented with the list of those judged suitable for appointment in an unranked order.

Mr Hazzard asked the Minister of the Environment to detail what actions his Department has taken in the last five years to (i) assess; and (ii) improve the environmental health of beaches in South Down.

(AQW 48921/11-16)

Mr Durkan: In June 2011, my Department hosted the first Good Beach Summit bringing together all relevant bodies with a interest in or responsibility for all of our designated beaches, including industry, local authorities, Northern Ireland Water and community groups.

An Action Plan was devised to:

- improve water quality;
- improve beach cleanliness, facilities management and signage;
- keep the public and media better informed; and
- support the coastal economy.

At the eleventh Summit held on 21 September, we released the “Better Beaches Report which sets out how we have progressed against the above objectives. I am pleased to attach this report for your information.

As regards the designated beaches in South Down, you will see from the table at Figure 3 in the Report that as regards compliance with the new tighter standards of the EU Bathing Water Directive 2006/7/EC , Newcastle was rated as ‘good’ and Tyrella, Murlough and Cranfield were all rated as ‘excellent’.

Going forward, the Department will continue to work with its partners and through the Good Beach Summits to ensure that our bathing waters remain clean and healthy.

Mr Hazzard asked the Minister of the Environment what actions his Department has taken in the last 5 years to improve the bathing quality of beaches in South Down.

(AQW 48922/11-16)

Mr Durkan: In June 2011, my Department hosted the first Good Beach Summit bringing together all relevant bodies with a interest in or responsibility for all of our designated beaches, including industry, local authorities, Northern Ireland Water and community groups.

An Action Plan was devised to:

- improve water quality;
- improve beach cleanliness, facilities management and signage;
- keep the public and media better informed; and
- support the coastal economy.

At the eleventh Summit held on 21 September, we released the “Better Beaches Report which sets out how we have progressed against the above objectives. I am pleased to attach this report for your information.

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Going forward, the Department will continue to work with its partners and through the Good Beach Summits to ensure that our bathing waters remain clean and healthy.

Mr Weir asked the Minister of the Environment to detail the voluntary and community organisations in North Down that received funding from his Department, in each of the last three years.

(AQW 48949/11-16)

Mr Durkan: The attached table details the voluntary and community organisations in North Down that have received funding from my Department in the period 2012-13 to 2014-15.

Group Funded

- | | |
|---------------------------------|--------------------------------|
| ■ British Trust for Ornithology | ■ Millisle Youth Forum |
| ■ Camphill Community Glencraig | ■ National Trust |
| ■ Conservation Volunteers | ■ Natural Copeland |
| ■ Copeland Bird Observatory | ■ North Down Community Network |
| ■ FABB (For a better Bangor) | ■ Ulster Wildlife Trust |
| ■ Girlguiding Ulster | ■ Woodland Trust |

Mr Agnew asked the Minister of the Environment for his assessment of planning application LA04/2015/0301/F, given the drawing entitled Environmental Setting describes the major Liquid Petroleum Gas storage depot immediately adjacent to the proposed waste incinerator at Airport Road, Belfast as an unknown storage yard.

(AQW 48954/11-16)

Mr Durkan: My consideration of planning application LA04/2015/0301/F is still ongoing. However, I have previously made it clear that I and my officials are fully aware of the presence of the LPG storage depot. The LPG storage depot does not form part of the application site.

Mr Weir asked the Minister of the Environment for an update on (i) decisions taken; and (ii) proposed actions following the Good Beach Summit.

(AQW 48966/11-16)

Mr Durkan: In June 2011, my Department hosted the first Good Beach Summit bringing together all relevant bodies with a interest in or responsibility for all of our designated beaches, including industry, local authorities, Northern Ireland Water and community groups.

An Action Plan was devised to:

- improve water quality;
- improve beach cleanliness, facilities management and signage;
- keep the public and media better informed; and
- support the coastal economy.

At the eleventh Summit held on 21 September, we released the “Better Beaches Report which sets out how we have progressed against the above objectives. I am pleased to attach this report for your information.

As regards the designated beaches in North Down, you will see from the table at Figure 3 in the Report that as regards compliance with the new tighter standards of the EU Bathing Water Directive 2006/7/EC , Ballyholme was rated as ‘sufficient’, Millisle and Ballywalter as ‘good’ and Helens Bay and Crawfordsburn as ‘excellent’.

Going forward, the Department will continue to work with its partners and through the Good Beach Summits to ensure that our bathing waters remain clean and healthy. Under funding provided by Interreg VA, we are proposing to develop a prediction model for our bathing waters and to develop a programme of digital warnings which may include texting and electronic signage.

Mr Weir asked the Minister of the Environment to detail what actions his Department has taken to (i) assess; and (ii) improve the environmental health of beaches in North Down, in each of the last five years.

(AQW 48969/11-16)

Mr Durkan: In June 2011, my Department hosted the first Good Beach Summit bringing together all relevant bodies with a interest in or responsibility for all of our designated beaches, including industry, local authorities, Northern Ireland Water and community groups.

An Action Plan was devised to:

- improve water quality;
- improve beach cleanliness, facilities management and signage;
- keep the public and media better informed; and
- support the coastal economy.

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Going forward, the Department will continue to work with its partners and through the Good Beach Summits to ensure that our bathing waters remain clean and healthy. Under funding provided by Interreg VA, we are proposing to develop a prediction model for our bathing waters and to develop a programme of digital warnings which may include texting and electronic signage.

Mr Weir asked the Minister of the Environment what actions his Department has taken to improve the bathing quality of beaches in North Down, in the last five years.

(AQW 48970/11-16)

Mr Durkan: In June 2011, my Department hosted the first Good Beach Summit bringing together all relevant bodies with a interest in or responsibility for all of our designated beaches, including industry, local authorities, Northern Ireland Water and community groups.

An Action Plan was devised to:

- improve water quality;
- improve beach cleanliness, facilities management and signage;
- keep the public and media better informed; and
- support the coastal economy.

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Going forward, the Department will continue to work with its partners and through the Good Beach Summits to ensure that our bathing waters remain clean and healthy. Under funding provided by Interreg VA, we are proposing to develop a prediction model for our bathing waters and to develop a programme of digital warnings which may include texting and electronic signage.

Mr McKay asked the Minister of the Environment, in light of NI Water's long term water strategy that provides for the better protection of areas designated for drinking water, whether he will reverse the planning permission granted for shale gas exploration at Ballinlea.

(AQO 8690/11-16)

Mr Durkan: Planning permission has not been granted for shale gas exploration at Ballinlea. The undetermined planning application currently before my Department seeks permission for the temporary works of drilling an exploratory borehole to approx 2700m depth to investigate underground strata for hydrocarbon exploration under a DETI license previously issued to Rathlin Energy Ltd. The proposed development also includes road widening of the Kilmahamogue Road and ancillary site works.

Following the completion of an Environmental Impact Assessment determination, officials requested an environmental statement (ES) to be submitted with the application. The ES was submitted on the 23 December 2014 and includes assessments on air quality, noise, lighting, hydrology, traffic and wildlife. The Department has consulted with a number of relevant bodies including NIEA, Environmental Health, Transport NI, the Health and Safety Executive for NI, DETI: Geological Survey NI, Public Health Agency, RSPB, NI Water and the Tourist Board.

Following a review of the ES and taking into account feedback from consultees and the concerns raised by third parties, my officials have requested that further environmental information be submitted for consideration. The information requested includes: clarification on potential noise impact, hours of operation, timescales, lighting assessment, air quality, wildlife, hydrology and traffic. This information is to be with the Department on or by 25 November 2015. Upon receipt of this information, a further period of consultation will take place.

To date 2760 letters of objection have been received in relation to the proposed development. The issues raised are wide ranging and include concerns regarding the potential impact to public health, traffic impact, implications to air quality, potential for water contamination and the visual impact of this form of development in the countryside. I am fully aware of the concerns and have met with interested parties and local residents.

I can assure you that the application will be subject to the full scrutiny of the planning process and when assessing the application, officials will consider all relevant planning policy, public representations and all other material considerations before submitting a report and recommendation to me. I can also assure you that I will carefully consider all aspects of this application before taking any final decision.

Lord Morrow asked the Minister of the Environment to (i) place in the Assembly library a copy of the letter sent to the taxi drivers, depots and others within the industry detailing the forthcoming changes and when they will be introduced; and (ii) detail the dates of departmental discussions relating to this correspondence reflecting when (a) the content was agreed; (b) any amendments were made; and (c) the letter was cleared for issue.

(AQW 49015/11-16)

Mr Durkan: A copy of the notification to the industry, dated 22 September 2015, has been placed in the Assembly library.

The preparation of this notification was a normal part of Departmental business and there are no records of any routine discussions that may have occurred among officials. I cleared the notification for issue on 21 September 2015.

Mr Allister asked the Minister of the Environment whether he referred his decision to ban the cultivation of GM crops to the Executive and, if not, to detail the reasoning behind his decision.

(AQW 49026/11-16)

Mr Durkan: I did not refer my decision to the Executive. Responsibility for all matters relating to the deliberate release of GM material into the environment rests with me, and this includes the growing of GM crops. Nevertheless, I recognised that this is a matter of interest to the Agriculture Minister I was aware that the Agriculture Minister shared my views on GM crops. I wrote to her to inform her of my decision.

I did not consider my decision controversial in that the foreseeable impact of my decision relates to eight varieties of maize which are not commercially attractive to growers here.

In the future there could be a GM crop which would be commercially attractive to growers here. In that event, I recognise that a decision could be potentially controversial and this might require Executive approval. However that could only be determined in the particular circumstances at the time.

Mr Allister asked the Minister of the Environment to list and place in the Assembly Library copies of the advices he took before banning the cultivation of GM crops.

(AQW 49027/11-16)

Mr Durkan: My decision to prohibit the cultivation of GM crops was taken in the context of the EU deadline of 2 October 2015 for Member States and their regions to take advantage of transitional arrangements for opting out of GM cultivation. This opt out relates to eight specific maize varieties that are not commercially attractive to growers here.

Leading up to my decision, I received representations from GeneWatch UK which takes a precautionary approach to GM issues. I received no representations in favour of permitting GM cultivation, in spite of the deadline being widely reported in the national press following a previous announcement by the Scottish Minister.

Following further discussions with my officials, I decided that it was right to adopt a precautionary approach in the present circumstances, particularly since I knew that my decision would have no material impact on growers here for the foreseeable future. I therefore decided to exercise the right to opt out of growing GM crops by announcing a prohibition on cultivation. My decision, and that of my counterparts in Scotland and Wales, to exercise the GM opt out has now been conveyed to the EU Commission by Defra.

Mr Agnew asked the Minister of the Environment to detail which actions of the Mills Report (i) were delivered within the target R1.1 of the Department's 2014-2015 Business Plan; (ii) were not delivered; and (iii) why targets were not fully met.

(AQW 49038/11-16)

Mr Durkan: There were 14 recommendations, with 25 associated actions made in the Mills report, all of which were accepted by DOE. The DOE and NIEA 2014/15 Balanced Scorecards state the target, 'To deliver all actions in the Minister's Implementation Response to the Mills Report by 31 March 2015'.

Of the 14 key recommendations and 25 associated actions made in the Mills report 5 actions had been implemented and 20 actions have been partially implemented by 31 March 2015.

Appendix A details a summary of all recommendations, associated actions and progress made towards implementation of the recommendations.

Following inclusion of the Mills target in the DOE and NIEA Balanced Scorecards it soon became apparent that it would be extremely unlikely that "all actions" in the Minister's Implementation Response to the Mills Report could be delivered by 31 March 2015. Because of the complex nature and interdependencies of the recommendations it is now widely recognised that delivery of all actions will take a number of years to complete.

Appendix A

Key recommendation 1

The DOE should make the outcome of a waste sector that complies with the law, protects the environment and underpins resource efficiency, a priority.

Recommendation components

4.30 It is recommended that the outcome of creating a waste sector in Northern Ireland - that complies with the law, protects the environment and underpins resource efficiency - is made a corporate priority for the Department.

Actions	Lead	Date	Progress @ 30 January 2015
Secure endorsement of this priority by Departmental Board	Permanent Secretary	Target: 14 April	COMPLETED 'Waste' identified as priority in Department of the Environment (DOE) 2014-15 Balanced Scorecard. More detailed waste priorities included in 2014-15 Northern Ireland Environment Agency (NIEA) Balanced Scorecard. The Minister has approved both business plans.
Incorporate relevant actions in all relevant forward plans	Permanent Secretary	Target: 14 April	COMPLETED Permanent Secretary and Chief Executive of NIEA have ensured all actions are included in 2014-15 DOE and NIEA Business Plans, Budgets and Balanced Scorecards.

Actions	Lead	Date	Progress @ 30 January 2015
Plan restructuring of resources as necessary	Permanent Secretary	Target: 31 March	PARTIALLY COMPLETED Phase 1 completed. Restructuring of teams being made as part of Minister's 'root and branch' review of NIEA. These structural changes took effect from 12 May 2014. Recruitment process for new Head of Assessment Unit progressing. Subject to resources, external recruitment of new Head of ECU to commence.

Key recommendation 2

Develop a comprehensive strategy, with a detailed action plan, to achieve this outcome, which initially focuses on preventing waste crime.

Recommendation components

- 4.13 A separate and comprehensive strategy, with a detailed action plan, to prevent, deter and combat waste crime should be developed as soon as is practicable. The strategy should also encompass consideration of creating the right climate and incentives for legitimate waste operators. This strategy should be reviewed on an annual basis using an updated summary of intelligence concerning waste crime.

Actions	Lead	Date	Progress @ 30 January 2015
Establish a project team to develop the strategy, reporting progress and draft outcomes to the Waste Steering Group.	CE NIEA	Target: 30 June	PARTIALLY COMPLETED An Operational Plan has been developed and launched at a meeting of CIWM on the 21st October 2014. A Strategy Group has been created and a strategy for creating a circular economy will be produced by 31 May 2015.

Key recommendation 3

Create a new single Directorate within NIEA, to bring together the existing regulatory and enforcement teams along with a new Intelligence Unit, to achieve this outcome.

Recommendation components

- 4.31 A single Executive Director should be responsible for delivering this outcome [i.e. 4.30]. LRM, the ECU and the new Intelligence Unit [see 4.41] should all form part of this new Directorate. It is critically important to ensure that those appointed to the key leadership posts within this new Directorate are of the right calibre.
- 4.40 A number of recommendations which are relevant to structure are made in other sections:
- (Section 4.15). Create a dedicated resource within LRM and ECU to develop operational policy and input to strategic policy
- (Section 4.31). Place the ECU, LRM and Intelligence Unit under one Director.
- (Section 4.56). Lead Inspectors for all major waste sites.
- (Section 4.57). Phase out the LRM Enforcement Team.
- (Section 6.48). Consider the employment of in-house legal expertise and sharing a Waste Industry Analyst with sister Agencies.
- 4.41 Within the new Directorate responsible for waste regulation and enforcement, a new Intelligence Unit should be created. It would gather and analyse intelligence both from within and outside the NIEA on behalf of both LRM and the ECU. Whilst a large part of this intelligence might be used to combat criminality, the Unit should also have a role in aiding legitimate waste operators and promoting good practice. The Intelligence Unit could also help prioritise and track enforcement activity as well as audit regulatory standards.
- 4.42 With the probable introduction of integrated permitting, consideration should be given as to whether WMU should be included in the same Directorate as LRM, ECU and the Intelligence Unit. It also needs to be decided whether the inspection regimes of LRM and WMU should, as is currently the case, remain separate or whether they should be integrated.
- 4.56 Every major waste site should have a Lead Inspector who has overall accountability for that site. If that Lead Inspector leaves, there should be a formal handover process to the next accountable officer.

- 4.57 There should be no separate Enforcement Team in LRM. Instead, all Inspectors should be capable of carrying out the necessary enforcement work to ensure site compliance and should be selected and trained accordingly.
- 4.58 With respect to enforcement, the relative roles of LRM, WMU and the ECU should be reviewed with the aim of establishing absolute clarity as to who is responsible for what and how matters are passed from one unit to another and are recorded and accounted for.
- 4.59 All cases where enforcement action is started should be logged and reviewed on a regular basis by an Enforcement Panel. Any cases that are not progressed should be formally closed down with a written record as to why no further action was proposed or possible.
- 5.31 It is recommended that adequate resource is put into the continued gathering and analysis of intelligence on waste crime in collaboration with the PSNI. This will be a key role for the new Intelligence Unit.
- 6.48 The relationship between the Environmental Crime Teams and Operational Teams is particularly important to the successful combating of waste crime. It is recommended that the NIEA adopts good practice outlined in:
- Section 6.24 Working to common outcomes.
- Section 6.26 Breaking down potential barriers.
- Section 6.23 The involvement of operational staff in major investigations.
- 6.51 Within the NIEA, it is recommended that LRM should review how it prioritises inspections and should look again to the OPRA and DREAM models to see if these could help NIEA target inspections more effectively on non-compliant and failing waste sites.

Actions	Lead	Date	Progress @ 30 January 2015
Appoint a new Director of Resource Efficiency Division	Permanent Secretary/CE NIEA	Completed	COMPLETED Chris Mills commenced as Director of Resource Efficiency Division on 21st July 2014.
Create the new Unit and define clear roles and responsibilities under the new structure	CE NIEA	31 May	PARTIALLY COMPLETED A new Assessment Unit will be created ASAP. The process of appointing a Unit Head (Grade 7) as an interim temporary position has been started. A job spec for the Head of the new Assessment Unit is now with HR with a view to advertising early in 2015.
Review all inspection, permitting and enforcement regimes to define common outcomes, improve integration and remove barriers	Head of Waste Management	30 June	ON GOING Work is ongoing in the development of a compliance model for all waste authorisations due for completion in Mar 15. A draft model has been developed and is currently undergoing testing. A review of licence/permit format is planned as part of this. Enforcement process will be reviewed as part of the model development. WM currently has a number of procedures, in different formats, for managing authorisations; a review is currently underway due for completion in Feb 15.

Key recommendation 4

Adopt and develop the concept of "intelligent regulation" in order to be sufficiently adaptive to deal with a range of operators, from the criminal to the compliant

Recommendation components

- 4.16 Problematic sites such as Mobuoy should be identified and action plans put in place to deal with them.
- 4.17 A new concept of 'intelligent regulation' should be considered. This would build on an earlier approach formalised in 1992 by I. Ayres and J. Braithwaite which suggested that regulators should adopt a differentiated enforcement strategy based on the behaviour and history of the businesses they deal with. However, in the case of Northern Ireland, where criminal infiltration into the waste sector may be significant, the regulatory approach needs to be supported by a structured intelligence framework. This should help establish who the regulator is dealing with and how they might be operating. The term 'intelligent' is used because it can cover both the use of intelligence and the necessary

responsiveness to deal with a range of operators from the criminal who has no intention of compliance to the legitimate operator who is prepared to go beyond regulation

- 6.49 It is also recommended that the DOE considers the employment of in-house legal expertise, widely adopted by the other Agencies, and the possible sharing of a Waste Industry Analyst with SEPA and other Agencies.

Actions	Lead	Date	Progress @ 30 January 2015
Define the principles of 'intelligent regulation' and incorporate in Regulatory Transformation Programme work packages	CE NIEA	Target: Completed	PARTIALLY COMPLETED This work has been progressed as part of the broader Better Regulation Bill and regulatory reform package approved by the Minister and Executive. The principles were included in the final Regulatory Transformation Programme material provided to all NIEA staff on 17 Feb.
Identify problem sites for action	Head of Waste Management	Target: 30 June	ON GOING Monthly strategic and /weekly tactical planning meetings between Environmental Crime Unit (ECU) and WM are occurring. Significant sites for regulation have been identified and action plans are being developed to tackle regulation issues. Strategies for priority sub-sectors and sites are continuing based on operational meetings.
Establish a task and finish group to progress the adoption of legal and Waste Industry analyst expertise.	Director of Resource Efficiency Division	Target: 30 June	PARTIALLY COMPLETED The task and finish group will discuss the identified options with the new Director of Resource Efficiency Division. Legal Expertise - Mark has engaged with DSO and awaits a response. Internal solution involving a move of a staff member from ISD is planned. Waste Analyst – No funding currently available.

Key recommendation 5

Change the current appointment and recruitment processes to allow the targeted recruitment and appointment of staff with the right aptitudes, skills and experience to carry out regulatory work. This should be supported by structured training, professional development and a defined career structure.

Recommendation components

- 4.77 It is critical to change the recruitment process for regulator posts. Any new process must facilitate the selection of people with the right aptitudes for a regulatory role.
- 4.78 All regulatory officers should receive structured initial training. NIEA should consider the type of programme that all Environment Officers in the Environment Agency undertake before becoming operational.
- 4.79 A Technical Development Framework should be drawn up and used to guide on-going training and professional development.
- 4.80 All officers in the new Directorate should receive basic training on the use of intelligence systems. The requirement for regular inputting of intelligence should form part of everyone's job description.
- 4.81 Consideration should be given to creating a career structure for regulators within the Department. This should include the opportunity to move freely between LRM, the ECU and the new Intelligence Unit, as well as EPD and WMU.

Actions	Lead	Date	Progress @ 30 January 2015
Undertake skills analysis and run a selection / recruitment exercise accordingly.	Head of Waste Management & HR Business Partner	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>Needs analysis completed and provided to the new Director of Resource Efficiency Division by 31 October 2014.</p> <p>Waste Management skills analysis completed by 31 January 2015. Next steps are to address training needs with DOEHR by March 15.</p> <p>ECU engaging with Skills for Justice to introduce National Occupational Standards training for criminal investigators to ensure excellence in skills and professional standing for staff.</p> <p>ECU has developed, in conjunction with PSNI Training, courses covering investigative and PEACE 11. Training delivery began in November 2014.</p> <p>Financial investigators Continuous Personal Development represents sufficient and challenging ongoing training for staff accredited in ECU for this work.</p> <p>WM has completed the following actions:</p> <p>Gathering best practice evidence for training regulatory staff from Environment Agencies across the UK and the police ombudsman</p> <p>Developing/reviewing roles and responsibilities for all staff members in WM Licensing.</p> <p>Developing skills matrix for authorisations and compliance teams initially</p>
			<p>Formulating Senior Scientific Officer and Higher Scientific Officer eligibility criteria for new recruitment processes based on findings</p> <p>This approach was shared with local Trade Union Side in June. Training requirements are currently being added to the revised Learning Plan for delivery.</p>
Undertake a training needs analysis for the new directorate and new role definitions to form the basis of a Technical Development Framework.	Head of Waste Management & HR Business Partner	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>WM have developed a learning and development plan based on analysis of outputs from action 1, which will include training requirements and programme of delivery. Next steps are to address training needs with DOEHR by 31 March 15.</p>

Key recommendation 6

Review in an integrated way the need for additional powers to carry out this work by means of a Task and Finish Group and involving all relevant DOE units including Planning with legal support and input from the PSNI.

Recommendation components

- 3.23 The need for additional powers should be reviewed in an integrated way. It is recommended that a Task and Finish Group be established within the Department to carry out a comprehensive review of both the effectiveness of existing statutory and regulatory powers and identify options for any further powers considered necessary. This review exercise should include legal support and inputs from the Police Service. The review should start with where and why the current regulatory and enforcement regimes are weak or failing; evaluate whether powers already exist to address these weaknesses and if so how these might be applied; and finally, and only then, identify any proposals for new powers. This exercise should be carried out immediately and when completed its recommendations presented to the Environment Minister for consideration.

- 3.29 This legislation has not been considered since its inception and it is strongly recommended that the exemptions system is thoroughly reviewed in line with changing legislation and waste trends with the aim of reducing abuse of the system.
- 3.38 This has not yet happened and it is recommended that the Department identifies whether these sanctions [civil powers] are needed and if so how they might be applied.
- 3.42 It is recommended that these suggestions are considered by the Task and Finish Group examining the need for additional powers (see Section 3.23)
- 4.14 When the Department is developing new waste legislation and policies, these need to be 'crime-proofed' in order to understand fully how criminals might react to or exploit the proposed changes. This will require closer working between various branches within the Department.

Actions	Lead	Date	Progress @ 30 January 2015
Propose structure, format and outcomes for the Group, based on recommendation components, for approval	Director Environmental Policy	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>The task and finish group completed its review of the needs for additional powers by the 30 June and the draft report is being finalised, with a series of recommendations covering operational, policy and legislative improvements being presented for the Deputy Secretary's consideration.</p> <p>Environmental Policy Division (EPD) has begun a complete review of the exemptions system, supported by evidential input from Resource Efficiency Division. This Group has prioritised the review of those exemptions most likely to be abused.</p>

Key recommendation 7

Make it harder for waste to fall into the hands of criminal operators by strengthening the Duty of Care provisions, Fit & Proper Person Test and systems for monitoring and analysing waste flows

Recommendation components

- 5.16 A mandatory electronic system for tracking waste transfer notes that is fit for purpose should be created. This should include a requirement for recording SIC code and weight. Note – NIEA are currently supporting Zero Waste Scotland initial Project scoping into this issue.
- 5.17 All site operators of exempt sites should report on a quarterly basis.
- 5.18 Data on materials meeting quality protocols should be recorded quarterly to address a current information gap.
- 5.19 An early review should be carried out to ascertain what management information is required by the DOE to enable the desired outcome of a resource efficient Northern Ireland. There is also an urgent need to overhaul the NIEA's waste data collection processes and systems.

Actions	Lead	Date	Progress @ 30 January 2015
Propose how DoC and FPP should be strengthened	Director Environmental Policy	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>The task and finish group completed its review by the 30 June and the draft report is being finalised, with a series of recommendations covering operational, policy and legislative improvements being presented for the Deputy Secretary's consideration.</p>
Establish group to determine additional business intelligence needs for the new structure	Director of Resource Efficiency Division	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>The Group will be led by the new Head of Unit when appointed. Preliminary scoping of the Unit is ongoing including investigating the Scottish Environment Protection Agency model.</p>

Actions	Lead	Date	Progress @ 30 January 2015
Improve the process for information flow from councils and their role in waste contracts.	Head of Waste Management	On-going	<p>ON GOING</p> <p>A Joint Local /Central Government group has been established with the aims of developing a holistic approach to the control and monitoring of municipal waste including procurement, contract management and regulatory activities.</p> <p>The key outcomes the Group hopes to deliver include;</p> <p>Best practice Contract Procurement/Contract Management;</p> <p>Effective application of Duty of Care;</p> <p>High quality data reporting and Auditing;</p> <p>Recovery / Disposal of waste across all jurisdictions and reporting.</p> <p>Combined delivery of regulatory functions where possible</p> <p>An action plan has been drafted for 2015 to deliver against the TOR's. Delivery to be agreed by Feb 15.</p>

Key recommendation 8

Limit the number of waste authorisations to the number necessary to meet Northern Ireland's projected waste needs and create the necessary new strategic waste infrastructure which can be more easily regulated and monitored.

Recommendation components

5.42 Restricting the number and type of waste authorisations and creating new waste infrastructure that can be more easily regulated and monitored, could be an effective way of preventing waste getting into the hands of criminals. It is therefore recommended that these matters are given urgent consideration.

Actions	Lead	Date	Progress @ 30 January 2015
Investigate mechanisms and implications of capacity control measures and evidence for appropriate limits	Director Environmental Policy	Target: 30 June	<p>ON GOING</p> <p>The task and finish group's review makes some recommendations on this issue. These will be examined further with Department Solicitor's Office to determine what actions are permissible under law and possible to put into operation. This will be discussed with the Director of Resource Efficiency Division.</p> <p>Arc21 is continuing to progress its strategic waste infrastructure project through its procurement process.</p> <p>Arc21's current projected date for contract signing is late 2015.</p>

Key recommendation 9

Make changes to the current planning enforcement policy to no longer allow the granting of retrospective planning permission for sand and gravel workings.

Recommendation components

5.51 It is recommended that changes are made to Planning Policy Statement (PPS) 9 in order to no longer allow the granting of retrospective planning permission for sand and gravel workings.

5.52 A significant issue is how any changes in policy might be enforced, as the current allocation of 4 enforcement officers to deal with over 400 minerals cases does not appear to be sufficient.

Actions	Lead	Date	Progress @ 30 January 2015
Develop proposals for what would be required to implement this recommendation and the implications, including for Review of Public Administration.	Chief Planner	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>The Planning Enforcement Strategy has been updated and a final draft circulated to staff for comment. It includes a section on the enforcement of planning control over minerals working and waste disposal adopting a more proactive response.</p> <p>Going forward, Councils as statutory planning authorities in their own right will be responsible for enforcement independent of the Department and will have to consider their own priorities and strategy for dealing with all enforcement cases. The Department's revised Enforcement Strategy should be used as a model for Council's to develop their own strategy.</p> <p>A final draft of the Strategy is being considered.</p>
Progress proactive enforcement for retrospective planning cases.	Chief Planner	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>It would be important to note that the new 11 Councils will assume responsibility for enforcement from the 1 April 2015 and 141 files will be allocated to the 11 new Councils on a phased basis up to 31 March 2015.</p>

Key recommendation 10

Work through the Department of Justice to persuade the Judiciary of the seriousness of waste crime, not just to the environment but to the economy of Northern Ireland, and to encourage them to ensure that sentencing for these offences is comparable to that of the rest of the UK.

Recommendation components

- 3.31 It is recommended that the DOE continues to use POCA to increase the financial penalties for carrying out waste crime. In addition, the money laundering powers under POCA should be used to provide additional sentencing power.
- 3.32 However, whilst the large financial penalties which can be obtained under POCA are important, custodial sentences are also needed to give a clear message about the seriousness of this type of crime.
- 5.69 Professor Turner's findings need to be fully considered by the Department of the Environment (DOE) and it is recommended that options are explored with the Department of Justice (DOJ) to raise the profile of waste crime with the Judiciary and to find ways of increasing the sanctions to at least the level imposed for similar cases in England and Wales.
- 5.70 Once the full costs of the illegal dumping at Mobuoy are recognised, this should raise the profile of waste crime in Northern Ireland very considerably. This case should be used to publicise widely the seriousness of waste crime and that it doesn't only harm the environment but also has very significant financial implications for the state.
- 5.71 In particular, it will be important to raise the general public's awareness about this type of crime and to explain how the costs of it will have an effect on society as a whole. Public support could influence the views of the judiciary and of the DOE's role in regulating the waste industry.

Actions	Lead	Date	Progress @ 30 January 2015
Discuss with DOJ to persuade the Judiciary of the seriousness of waste crime.	CE NIEA	Target: on-going	<p>ON-GOING</p> <p>No resource currently available to progress.</p>
Propose measures to raise public awareness	CE NIEA	Target: on-going	<p>ON-GOING</p> <p>ECU partnership with Crimestoppers to raise awareness of the need to report anonymously information about those involved in waste crime ongoing.</p> <p>ECU receive and assess reports received regarding allegations of waste crime from a range of sources.</p>

Key recommendation 11

Create a new sanction in the legislation to make the polluter pay to remediate or remove illegally deposited waste.

Recommendation components

- 3.34 Unfortunately, this issue has not been addressed meaning that the legacy of illegally dumped waste and its associated costs continues to grow. It is recommended that this issue is now addressed as a matter of urgency starting with the adoption of a policy position followed by an action plan to address the problem of legacy sites. This plan should set out how the polluter pays principle could be incorporated into the waste legislation and how the legacy problem of illegal dumps should be risk assessed, funded and removed.
- 3.35 In the meantime, a possible mechanism to get the polluter to pay could be through the use of the Environmental Liability (Prevention and Remediation) Regulations (NI) 2009 (see Sections 3.37-3.38)

Actions	Lead	Date	Progress @ 30 January 2015
Investigate alternative 'fast track mechanisms' to Environmental Liability Directive that might act as a deterrent to illegal dumping	Director Environmental Policy	Target: 30 June	<p>PARTIALLY COMPLETED</p> <p>The task and finish group's work will now be discussed with the new Director of Resource Efficiency Division.</p> <p>Financial provision paper is currently being drafted, due March 15. In the interim WM are implementing agreed financial provision for major risks, i.e landfills, with support from DSO.</p> <p>Payment of Land Fill Tax for illegal waste deposits to be considered. SEPA to be consulted.</p>

Key recommendation 12

Ensure that the DOE works more closely with other Government Departments and Agencies in Northern Ireland, with the other Environment Agencies in the UK and Ireland and through relevant European organisations and initiatives, in order to combat waste crime and create a resource efficient Northern Ireland.

Recommendation components

- 4.14 When the Department is developing new waste legislation and policies, these need to be 'crime-proofed' in order to understand fully how criminals might react to or exploit the proposed changes. This will require closer working between various branches within the Department.
- 4.15 There needs to be dedicated resource within the Department to develop operational policy and to input to strategic policy on waste and waste crime.
- 6.47 There is much that can be learnt from sharing information about the way in which the different Agencies are addressing these issues and these visits were extremely valuable. As waste crime crosses national borders it is recommended that more formal mechanisms for ongoing liaison and sharing of good practice are considered.
- 6.50 It is recommended that the DOE considers how the other Agencies operate their regulatory teams particularly in relation to local delivery and efficiency (e.g. the 'one, few, many' model adopted by EA and NRW).

Actions	Lead	Date	Progress @ 30 January 2015
Bring forward appropriate proposals through existing fora	CE NIEA	Target: on-going	<p>ON-GOING</p> <p>Actions likely to be on-going over the next two years. CE NIEA to speak with relevant managers, especially Director of Resource Efficiency Division and Director of Environmental Policy to co-ordinate this activity.</p> <p>SEPA visited to discuss lessons learnt setting up ECU and experience of operating their Intelligence Unit (Sept 2014)</p> <p>Agreed to hold monthly meetings between EPD, WM and ECU to discuss existing and new policies.</p> <p>Liaison meetings to be set up with Environment Agency England.</p> <p>New PSNI lead has been agreed for the PSNI/NIEA Strategic Partnership.</p>

Key recommendation 13

With respect to the incident outlined in Section 4.48, an independent investigation is required to establish the facts.

Actions	Lead	Date	Progress @ 30 January 2015
Launch investigation	Secretary		COMPLETED Investigation completed and CE NIEA is implementing recommended improvements.

Key recommendation 14

It is recommended that the official internal whistleblower system is actively promoted to ensure that anyone who believes that another staff member is acting improperly or failing to carry out their duties properly can report the matter in a confidential manner. In addition, there is a structured mechanism to investigate allegations made against staff by members of the public or those who are regulated. This is to ensure both proper accountability of Government employees and to protect staff from spurious allegations.

Actions	Lead	Date	Progress @ 30 January 2015
Review applicability and effectiveness of existing system for this specific purpose	CE NIEA	Target: 30 April	COMPLETED CE NIEA has approved plan to effectively promote the whistleblower system.

Ms Maeve McLaughlin asked the Minister of the Environment whether he will consider amending the online MOT booking system to incorporate Derry as an option in the City field.

(AQO 8695/11-16)

Mr Durkan: The online system has been in place since January 2007 and currently allows customers the option to enter 'Derry' into the town or town/city field at both the notification stage and payment stage.

On the notification details screen the customer is able to enter the address where their appointment letter should be sent to. On the payment screen the customer is able to enter their debit/credit card details including their card billing address. The 'Town' or 'Town/City' field on these screens is formatted to accept free text; therefore the customer can enter any town/city.

There is therefore no need to change the MOT online booking system to allow this option.

Mr Moutray asked the Minister of the Environment to outline the progress made in relation to planning approval for sand dredging from Lough Neagh.

(AQO 8697/11-16)

Mr Durkan: Statutory responsibility for determining whether planning permission should be granted for sand extraction from Lough Neagh is now a matter for the Planning Appeals Commission (PAC). Responsibility passed from my Department to the PAC when the sand traders appealed the enforcement notices which were issued by my Department in May 2015.

The notices were served following an enforcement investigation and instructed the operators to cease activities by 30 June 2015. The notices were appealed to the Commission on 26 June 2015 and as a result of the appeal the enforcement notices ceased to take effect pending the PAC's determination. The grounds of the appeal also had the effect of passing responsibility from my Department to the PAC for determining whether planning permission should be granted.

The timing and outcome of the appeal hearing is a matter for the PAC.

Mr G Kelly asked the Minister of the Environment whether he plans to examine current methods of waste management to allow a zero waste policy to be achieved.

(AQO 8698/11-16)

Mr Durkan: I published the Waste Management Strategy "Delivering Resource Efficiency" in October 2013 to initiate a step-change in the focus of waste management from one of resource management to one of resource efficiency. This will help to maximise the value of resources and minimise the impact of their use on the environment.

Greater resource efficiency, and the innovative reuse and recycling of materials, will improve business competitiveness and help our society to move to a more circular economy, an economic system in which no materials are wasted; where materials and products are recovered and regenerated, rather than the 'take, use and dispose' mentality we have become accustomed to.

The Waste Management Strategy sets out a coherent framework of policies that will contribute towards reducing the amount of waste we produce, promoting re-use and recycling, and thus supporting progress towards a zero-waste society.

Examples of the outworking of this approach include the publication last year of the Northern Ireland Waste Prevention Programme "The Road to Zero Waste" which sets out actions to drive waste up the waste hierarchy and deliver improved resource efficiency.

This year, the introduction of the Food Waste Regulations (NI) 2015 will see restrictions on the landfilling of food waste and our Councils providing receptacles to householders for the separate collection of food waste from 2017. As a result much greater value will be obtained from food waste through its conversion to an energy source or as compost.

I believe that this approach can contribute to my vision of a better environment, a stronger economy. My Department will therefore continue to work with Councils and other key stakeholders to implement these and other changes we need in waste management to support progress towards a zero waste society.

Ms Lo asked the Minister of the Environment for his assessment of the value of the inaugural Northern Ireland Environment Week. **(AQO 8699/11-16)**

Mr Durkan: I welcome the member's question and congratulate the Environment Committee for sponsoring last night's reception to launch Environment Week. I was very happy to be involved in this worthwhile event and to use the opportunity to share some of my ideas on what is required to safeguard our natural environment.

I also commend the workshop today for looking at various environmental policies and am particularly interested in this afternoon's session on developing a land strategy. I have asked officials to brief me on the outcome of discussions.

This event reinforces the advantages of having a specific focus on environmental matters and hopefully this will encourage other organisations and individuals to consider ways of preserving and protecting our environment.

Mr Swann asked the Minister of the Environment whether he has had with any discussion with the previous Minister of Enterprise, Trade and Investment in regards to the strategic importance of lignite as Northern Ireland's only indigenous source of fuel. **(AQW 49079/11-16)**

Mr Durkan: I have had no discussions with the previous Minister of Enterprise, Trade and Investment in regards to the strategic importance of lignite as Northern Ireland's only indigenous source of fuel.

Mrs Dobson asked the Minister of the Environment (i) to detail all consultation undertaken, particularly with farmers and farming representatives prior to making the decision to ban the cultivation of GM crops; and (ii) whether he received any correspondence from individuals or groups who opposed the banning of GM Crops, and if so, to provide details of such correspondence. **(AQW 49081/11-16)**

Mr Durkan: My decision to prohibit the cultivation of GM crops was taken in the context of the EU deadline of 2 October 2015 for Member States and their regions to take advantage of transitional arrangements for opting out of GM cultivation. This opt out relates to eight specific maize varieties that are not commercially attractive to growers here. As I knew that my decision would have no material impact on growers here for the foreseeable future, I did not consider there was a need to formally consult with them or their representatives on this occasion.

In the future there could be a GM crop which would be commercially attractive to growers here. In that event I would, of course, consult with growers or their representatives before making a decision.

I received no correspondence from any group or individual opposing the banning of GM crops. I did receive a request for a meeting from GeneWatch UK, which takes a precautionary approach to GM issues and I met with their representatives on 19 August.

Mrs Dobson asked the Minister of the Environment to detail all the discussions (i) he had with the Minister of Agriculture and Rural Development; and (ii) he or his officials had with officials in the Department of Agriculture and Rural Development prior to his decision to ban the cultivation of GM crops. **(AQW 49083/11-16)**

Mr Durkan: Responsibility for all matters relating to the deliberate release of GM material into the environment rests with me, and this includes the growing of GM crops. I had no discussions with the Minister for Agriculture and Rural Development prior to making my decision to prohibit GM cultivation here. However I wrote to inform her of my decision.

There was no formal discussion at official level in relation to this matter. However, my officials are in regular contact with Minister O'Neill's officials on GM matters, and I was aware from those contacts that Minister O'Neill's views on the cultivation of GM crops were similar to my own.

Mrs Cameron asked the Minister of the Environment to detail the number of reported fish kills in each of the last five years, broken down by constituency. **(AQW 49262/11-16)**

Mr Durkan: Table A provides the number of reported fish kills in each of the last five years broken down by constituency.

Table B shows the data for the year 2015 to date.

Table A

Constituency	2010	2011	2012	2013	2014
Belfast North	0	0	0	0	1
Belfast South	0	0	0	1	0
East Antrim	0	2	0	0	1
East Londonderry	0	0	0	3	1
Fermanagh & South Tyrone	2	1	1	5	4
Foyle	1	0	0	0	0
Lagan Valley	4	1	1	2	2
Mid Ulster	1	1	0	1	2
Newry & Armagh	2	3	1	3	4
North Antrim	2	1	0	1	1
North Down	1	1	0	1	0
South Antrim	3	2	4	2	6
South Down	0	4	0	0	2
Strangford	1	2	0	2	0
Upper Bann	3	4	1	0	0
West Tyrone	2	2	0	0	1
Total	22	24	8	21	25

Table B

Constituency	2015 to date
Belfast North	0
Belfast South	0
East Antrim	0
East Londonderry	0
Fermanagh & South Tyrone	0
Lagan Valley	0
Mid Ulster	1
Newry & Armagh	0
North Antrim	0
North Down	0
South Antrim	3
South Down	3
Strangford	0
Upper Bann	1
West Tyrone	3
Total	11

Mr McCarthy asked the Minister of the Environment whether his Department has set its own rulings regarding permanent MOT exemptions for old vehicles, as was directed under the EU Directive 2014/45/Eu of 3 April 2014 on Periodic Road Worthiness Tests for Motor Vehicles.

(AQW 49330/11-16)

Mr Durkan: EU Directive 2014/45/EU is one of a suite of roadworthiness Directives which have to be transposed into domestic law. These relate to roadworthiness periodic testing, technical roadside inspections and vehicle registration

documents and include provision for exemptions from testing for certain vehicles. To give effect to the Directives, relevant legislation in Northern Ireland will have to be amended by 2017.

To date, no decisions have been made on how any of these Directives will be introduced across the UK Member State.

Although the Department for Transport in Britain has consulted on this issue, road safety and vehicle regulatory matters are devolved to my Department. Currently my officials are scoping the work involved in transposing the Directives into Northern Ireland law. I anticipate that consultation on our proposals will take place in the coming months.

Department of Finance and Personnel

Mr McNarry asked the Minister of Finance and Personnel to outline any discussions she or any of her departmental officials have had with NAMA in relation to the disposal of any local NAMA property assets to Cerberus
(AQW 48232/11-15)

Mrs Foster (The Minister of Finance and Personnel): I have not met with NAMA, nor are there any records of departmental officials having specific discussions with NAMA in relation to the disposal of property assets to Cerberus.

Mr Allister asked the Minister of Finance and Personnel whether references in the letter of 24 June 2013 from the Minister to Michael Noonan TD on the subject of NAMA to the Executive, means the subject matter of the correspondence had been discussed within and by the Executive.
(AQW 48319/11-16)

Mrs Foster: There is no record of the sale of NAMA's Northern Ireland loan portfolio having been tabled as an agenda item for discussion at Executive meetings around the time in question, nor the content of any wider briefings provided to Executive colleagues.

Mr Allister asked the Minister of Finance and Personnel to list the date and purpose of all ministerial and/or departmental meetings held in the last five years with a) Mr Ian Coulter; b) Mr Frank Cushnahan; and c) Mr Gareth Robinson.
(AQW 48344/11-16)

Mrs Foster: This information is not held centrally and the cost involved in collating it would be disproportionate.

Mr Allister asked the Minister of Finance and Personnel to outline how and when the former Minister of Finance and Personnel briefed Executive colleagues on the attempt by PIMCO to purchase the NAMA loan book.
(AQW 48560/11-16)

Mrs Foster: There is no record of the sale of NAMA's Northern Ireland loan portfolio having been tabled as an agenda item for discussion at Executive meetings around the time in question, nor the content of any wider briefings provided to Executive colleagues.

Mr Nesbitt asked the Minister of Finance and Personnel for an update on the Consultation on Defamation, conducted by the Northern Ireland Law Commission.
(AQW 48758/11-16)

Mrs Foster: The Northern Ireland Law Commission ceased operations on 31 March 2015, before it had completed its review of the law of defamation. DFP had commissioned the review and I have asked Dr Andrew Scott, who was undertaking the review on behalf of the Commission, to complete the review and produce a final report, with recommendations.

Mr Allister asked the Minister of Finance and Personnel for her assessment of whether the budget is in a balanced condition.
(AQW 48914/11-16)

Mrs Foster: Following the June Monitoring technical exercise there is a Resource DEL overcommitment of £1.5 million and unallocated Capital DEL of £10.3 million. Departments have a range of pressures but I have warned Ministers not to exceed their allocated Budgets.

If Stormont House Agreement flexibilities can be accessed then it will balance.

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQW 48343/11-16, to detail the purpose of the ministerial meeting in March 2014 with Cerberus.
(AQW 48919/11-16)

Mrs Foster: My Department does not hold records on the content of this meeting.

Mr Allister asked the Minister of Finance and Personnel to detail whether any financial termination packages are payable to any Special Advisers in consequence of ministerial resignations in various Departments in September 2015.

(AQW 48924/11-16)

Mrs Foster: The severance payment criteria for Special Advisers are contained in the 'Code Governing the Appointment of Special Advisers'.

Mr Allister asked the Minister of Finance and Personnel to detail the percentage of imports from Great Britain.

(AQW 48926/11-16)

Mrs Foster: As Great Britain is part of the United Kingdom, I do not classify goods coming from Great Britain as imports.

Mr Allister asked the Minister of Finance and Personnel to detail the percentage of exports to Great Britain.

(AQW 48974/11-16)

Mrs Foster: I do not classify the movement of goods to Great Britain as exports.

Table 1 presents sales by Northern Ireland manufacturing companies to Great Britain as a proportion of all external sales, that is, sales to all destinations outside Northern Ireland.

Table 1: Sales by Northern Ireland manufacturing companies to Great Britain as a percentage of all external sales

	2009/10	2010/11	2011/12	2012/13	2013/14
All External Sales ¹ (£bn)	12.1	12.1	12.9	13.6	14.3
Sales to Great Britain as a percentage of all external sales ¹	58%	60%	57%	58%	57%

Source: Northern Ireland Statistics and Research Agency

1 All External sales include all sales outside Northern Ireland.

Mr Swann asked the Minister of Finance and Personnel for her assessment of the pressure on farming families and farmers by the re-evaluation of the income from individuals who currently benefit from Agricultural Rate Relief.

(AQW 48992/11-16)

Mrs Foster: The domestic rating system provides relief to the farming community through a 20% reduction in the rateable capital value of farmhouses. This continues to be applied where the primary occupation of the occupier is farming and the farmhouse is held with agricultural land. The District Valuer has a duty to maintain the Valuation List and to check that the information on which assessments are made is accurate. Any decision to deny relief may be appealed to the Commissioner of Valuation and, if necessary, to the Northern Ireland Valuation Tribunal. This will ensure that all ratepayers entitled to the relief do benefit financially from it.

Mr Allister asked the Minister of Finance and Personnel what steps has her Department taken to advance the provision of a Helicopter Emergency Medical Service, including its adequate funding.

(AQW 49032/11-16)

Mrs Foster: I have been in discussion with the Health Minister on the issue of Air Ambulances and am considering the options for funding such a scheme, including utilising funding from the UK banking fines.

On the 19 August my officials had a discussion with the promoters of the Northern Ireland Air Ambulance (NIAA) Campaign.

In this discussion my officials outlined the background behind the Chancellor's funding announcement and a number of 'next steps' were agreed.

Mr Allister asked the Minister of Finance and Personnel to detail her Department's position on the provision of capital to acquire and equip an air ambulance.

(AQW 49033/11-16)

Mrs Foster: I have been in discussion with the Health Minister on the issue of Air Ambulances and am considering the options for funding such a scheme, including utilising funding from the UK banking fines.

Mrs Cochrane asked the Minister of Finance and Personnel if her Department recognises electronic signatures, in place of handwritten signatures, when receiving written authority, letters or petitions.

(AQW 49035/11-16)

Mrs Foster: The Department does not have a general policy on the recognition of electronic signatures in place of handwritten signatures, at present.

Mr Weir asked the Minister of Finance and Personnel to detail the level of funding in rates conversion grants in 2015-16, broken down by council area.

(AQW 49047/11-16)

Mrs Foster: The attached table provides details of the estimated total amount of rates reduction being awarded to ratepayers in each of the affected (old) council areas in 2015-16.

Actual amounts of funding awarded will not become available until the close of rating year due to routine changes in the tax base which will affect the award.

Old Council Area	£1
Ards	£362,000
Ballymena	£93,000
Ballymoney	£36,000
Banbridge	£210,000
Carrickfergus	£284,000
Castlereagh	£3,027,000
Coleraine	£1,234,000
Craigavon	£676,000
Dungannon	£542,000
Fermanagh	£1,442,000
Larne	£29,000
Limavady	£1,000
Lisburn	£911,000
Magherafelt	£78,000
Newry & Mourne	£193,000
Newtownabbey	£281,000
North Down	£149,000
Strabane	£584,000
Total	£10,130,000

- 1 The figures provided are estimated and have been rounded to the nearest 1000. The subsidy adjustments apply automatically to individual rate bills for both domestic and non-domestic ratepayers, though in a few areas only one sector is eligible.

Mr Allister asked the Minister of Finance and Personnel to detail the community background breakdown of those civil servants who have accepted voluntary exit under the current scheme.

(AQW 49069/11-16)

Mrs Foster: The information you seek is not readily available at this stage. However, an analysis profile, including community background, of those who have left the NICS as a result of the Scheme will be carried out by the Northern Ireland Statistics and Research Agency after all exits have been made and the Scheme has closed. It is intended to publish this analysis on the Voluntary Exit Scheme website once completed.

Mr Allister asked the Minister of Finance and Personnel how many government contracts are currently held by Estate Services Limited.

(AQW 49070/11-16)

Mrs Foster: There is no record of any government contract awarded to Estate Services Limited through the Central Procurement Directorate within the Department of Finance and Personnel.

Mr Allister asked the Minister of Finance and Personnel to detail all local organisations, premises and office holders benefiting from exemptions under the International Organisations Act 1968.

(AQW 49106/11-16)

Mrs Foster: My Department does not hold this information.

Mr Weir asked the Minister of Finance and Personnel to detail (i) the outstanding appeals payable on domestic properties in North Down and (ii) how many properties are affected.

(AQW 49134/11-16)

Mrs Foster: The information requested is not available.

Mr Lyttle asked the Minister of Finance and Personnel, pursuant to AQW 49052/11-16, whether making recommendations for alternative service delivery that will reduce the cost of division is within the terms of reference of the Ulster University Economic Policy Centre's independent audit of the cost of division.

(AQW 49253/11-16)

Mrs Foster: The report will include a comparison of the relative cost of delivering public services in Northern Ireland and other comparable areas of GB, serving to illustrate the magnitude of potential savings that may be possible if division in society was removed.

This report will provide the basis for further consideration of any detailed work which may then be required on the reconfiguration of service delivery. This will be for the Executive to consider how to take forward.

Mr Swann asked the Minister of Finance and Personnel to detail her plans to enable Research and Development spend to be designated as Capital spend rather than Resource spend.

(AQW 49509/11-16)

Mrs Foster: The reclassification of Research and Development is a matter for HM Treasury and HM Treasury Spending Review guidance has indicated that eligible R&D budgets will be reclassified during 2016-17.

Department of Justice

Lord Morrow asked the Minister of Justice, in respect to the 18 cases listed at Dungannon Magistrates Court under Fine Default Review on 18 September 2015, whether the decision to order these fines as remitted will require a review of the current fine default process; and how many cases are likely to be affected.

(AQW 49046/11-16)

Mr Ford (The Minister of Justice): The remittal of a fine at court is a judicial decision. In view of this I do not consider it necessary to conduct a review of the current Fine Default Process.

Subject to the Assembly's consideration, the Justice (No. 2) Bill will provide, under the authority of the court, a range of additional collection and enforcement powers in relation to fine default.

Mr Allister asked the Minister of Justice whether Estates Services Limited staff working on government premises and projects hold enhanced Access NI clearance.

(AQW 49065/11-16)

Mr Ford: My Department can only confirm the level of Access NI clearance for individuals employed on a Department of Justice contract. I can confirm that my Department does not have a contract with Estate Services Ltd.

Other Departments will be able to confirm if they have a contract with Estate Services and the level of clearance required for that particular contract.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48486/11-16, what is the status of the remaining 250 committal warrants; and how many relate to each relevant court office in the division.

(AQW 49076/11-16)

Mr Ford: My response to AQW/48486/11-16 reported a total of 389 committal warrants issued in the Magistrates' Court in the Division of Fermanagh and Tyrone in the six month period ending 31 August 2015. Of those 159 had been executed by PSNI leaving an outstanding balance of 230 committal warrants.

The table below sets out the status of the outstanding warrants on 28 September 2015 by Court Office in the Division of Fermanagh and Tyrone.

Court Office	Outstanding at 31/08/15	Executed ² or Cleared	Outstanding ³ at 28/09/15
Dungannon Court Office	117	15	102
Enniskillen Court Office	56	10	46
Omagh Court Office	30	8	22

Court Office	Outstanding at 31/08/15	Executed ² or Cleared	Outstanding ³ at 28/09/15
Strabane Court Office	27	3	24
Total	230	36	194

2 Our records indicate this is the number of committal warrants which PSNI have recorded as executed.

3 Includes warrants issued for execution by PSNI and warrants to be re-issued by NICTS.

Mr McKinney asked the Minister of Justice what action his Department is taking to tackle heroin abuse in South Belfast. (AQW 49091/11-16)

Mr Ford: It is clear that within South Belfast and wider afield, the misuse of illicit substances, including heroin, can pose a substantial health risk to individuals and the wider community.

Reducing the harm caused by their misuse is the central tenet of the Executive's New Strategic Direction on Alcohol and Drugs and, whilst it is led by the Department of Health, Social Services and Public Safety, my Department will continue to play its part in reducing harm within the community in partnership with other Departments, the PSNI and others.

For example, at a local level PCSPs have raised awareness of the risks associated with substance misuse and also supported regional initiatives such as the "Drug Dealers Don't Care" campaign. I am confident that they will continue to concentrate their efforts on tackling the issues identified within the local community.

It is equally important that work to reduce the demand for illicit substances and the harm caused, is complemented by work to reduce their supply.

My Department will continue to support the work of the PSNI in their ongoing efforts, alongside other enforcement organisations, to intercept and seize shipments intended for distribution in Northern Ireland.

We will continue to support all efforts both to apprehend the individuals responsible and remove the dangerous substances they supply in South Belfast and across Northern Ireland.

Mr Weir asked the Minister of Justice what strategies or actions his Department is pursuing to address the problem of crime committed in schools. (AQW 49120/11-16)

Mr Ford: My Department introduced Building Safer, Shared and Confident Communities: A Community Safety Strategy for Northern Ireland 2012-2017, which sets out my vision of a safer, shared and cohesive Northern Ireland with less crime and anti-social behaviour. It aims to help address the challenges of crime in communities more broadly.

My Department contributes to a range of other strategies which may help to address crime in schools. These include: our contribution towards the delivery of an e-Safety strategy, led by the Safeguarding Board for Northern Ireland; involvement in the delivery of the Executive's New Strategic Direction on Alcohol and Drugs (Phase 2); and joint working with the Department of Education on the development of a Regional Strategy on Child Sexual Exploitation, led by the Department of Health, Social Services and Public Safety.

At a local level Policing and Community Safety Partnerships (PCSPs) deliver a range of initiatives to make our communities safer which include engagement with young people both within and outside the school environment. Examples include:

The development and delivery of the 'Internet Thingy' play, supported by Lisburn and Castlereagh PCSP, which highlighted the dangers of social media to Year 9 and 10 pupils;

Development of the 'Night Safe and Street Scene' educational resource pack by Armagh, Craigavon and Banbridge PCSP, addressing issues related to the night-time economy and young people;

Promotion of the safe use of mobile phones and internet via the "Chat Share Think" programme by Mid and East Antrim PCSP; and 'Bee Safe' events, run across a number of PCSPs, targeted at local schools and including elements around drug and alcohol misuse.

I understand that the PSNI deliver the Citizenship and Safety Education (CASE) programme to local schools, and that this aims to engage young people around responsible citizenship, crime prevention, the consequences of crime and personal safety.

Locally, the Youth Justice Agency can deliver workshops and facilitate discussions in schools to promote the benefits of a restorative approach in resolving conflict.

It is important that all those within the school environment feel that they are in a safe and supportive environment. Crime, regardless of where it is committed, can have a significant impact on those who are unfortunate enough to become a victim, and I and my Department will continue to work with those who are focussed on making the communities within which we live safer for all.

Lord Morrow asked the Minister of Justice what is the average turnaround time, for the six month period ending 31 August 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the Courts and Tribunal Service in the Craigavon court division; and what is the average time taken to execute a warrant on the defaulter, broken down by court house.

(AQW 49136/11-16)

Mr Ford: In the six month period ending 31 August 2015 there have been 321 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Craigavon. Records indicate that within this Division the PSNI has recorded the execution of 129 committal warrants in this period within an average of 17 days.

The table below sets out the information by court office with the Division of Craigavon.

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Craigavon Court Office	190	85	19
Lisburn Court Office	131	44	14
	321	129	17

Lord Morrow asked the Minister of Justice whether his Department, or arm's-length bodies, documented support for the extension to Edward Street Hostel, Portadown; and if so to place a copy in the Assembly library.

(AQW 49137/11-16)

Mr Ford: Probation Board for Northern Ireland (PBNI) was represented on the project team established to take forward the proposal for Edward Street. This involved contributing to the drafting of the business case which will be considered by Supporting People. No separate documents have been submitted by the Department or PBNI in support of the extension to Edward Street.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48725/11-16, whether these figures indicate a more pro-active approach by some court offices, or whether there are more fine defaults in these specific jurisdictions than their divisional counterparts.

(AQW 49138/11-16)

Mr Ford: Dungannon has a proportionately higher volume of active fine default cases. The process that underpins the management of fine default proceedings is applied consistently across the Division. There are also a number of variables throughout proceedings that influence the progression of individual cases.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48676/11-16, what action was brought against each prisoner who failed to return from leave.

(AQW 49139/11-16)

Mr Ford:

Year	No of prisoners	Action brought against individual prisoner at adjudication
2012	1	Charge withdrawn
2013	1	7 days loss of earnings, 7 days loss of tuckshop, 2 days cellular confinement, 7 days loss of gym and sports
2014	3	Award for failing Breathalyzer test:-21 days loss of evening association (for all purposes including telephone), 21 days loss of tuck shop. Award for failing to return from CTR 42 days loss of telephone, 42 days loss of tuckshop, 42 days loss of gym and sports. Charge withdrawn Charge withdrawn

Lord Morrow asked the Minister of Justice, pursuant to AQW 48676/11-16, why the figures of prisoners travelling unescorted from prison facilities increased from 53 to 250 in three years.

(AQW 49140/11-16)

Mr Ford: There are a number of influencing factors in respect of the volume of prisoners travelling unescorted. It is not possible to provide a definitive explanation for the increase without reviewing each case to establish the individual circumstances. However, the introduction of the Criminal Justice Order (NI) 2008 has established new categories of prisoner whose release is recommended by the Parole Commissioners.

In particular, NIPS is now managing increased numbers of recalled prisoners who have increased from 117 prisoners recalled in 2012 to 170 prisoners in 2014.

As this type of prisoner is being assessed for final release the Parole Commissioners request periods of community testing before approving release. With prisoners having more than one period of UTR approved before release on licence, the increase in recalls will account for much of the cumulative 2014 data.

It should be noted that in these circumstances robust management plans and risk assessments are developed for all prisoners travelling unescorted on temporary release or other unescorted visits.

The level of abuse of the temporary release schemes is small as the majority of prisoners abide by the temporary release conditions. However, NIPS has committed to reviewing the arrangements for the temporary release of prisoners this year.

Mrs Cameron asked the Minister of Justice, pursuant with AQW 34635/11-15, what progress his Department has made on the introduction of legislation since the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence Treaty came into force in August 2014.

(AQW 49147/11-16)

Mr Ford: To date 18 countries have ratified this Treaty, which came into force on 1 August 2014. However, whilst the United Kingdom is a signatory to the Treaty, it has yet to ratify it.

Nonetheless, in tackling domestic and sexual violence and abuse my Department continues to take measures to prevent such violence, protect and support victims (the majority of whom are women) and prosecute the perpetrators.

In this regard, sections 70 to 73 of the Serious Crime Act 2015 have recently commenced in England, Wales and Northern Ireland aimed at preventing Female Genital Mutilation and protecting women from this horrendous crime.

Additionally the Justice Act (Northern Ireland) 2015 makes provisions for initiatives relating to domestic and sexual violence and abuse such as: Domestic Violence Protection Notices and Orders; the Victim Charter; the Witness Charter and Violent Offences Prevention Orders.

Mr McGlone asked the Minister of Justice to detail, for each of the last three years, (i) the number of arrests for drink driving in Mid-Ulster; (ii) the number of arrests that resulted in the individual being charged; (iii) the number of cases in which these charges were later dropped; (iv) the number of successful convictions.

(AQW 49148/11-16)

Mr Ford: Drink driving offences may be prosecuted under the Road Traffic (Northern Ireland) Order 1995. The specific information requested in parts (i), (ii) and (iii) is not available from databases held by my Department. However, the Police Service for Northern Ireland may be able to provide information in relation to parts (i) and (ii) of the question.

In relation to part (iv) of the question, departmental databases do not contain information on the location of an offence. Therefore, information in relation to convictions at Dungannon and Magherafelt courts has been provided. The most recent convictions data available relate to 2014.

Convictions at Dungannon and Magherafelt courts for drink driving offences, 2010 - 2014

	2012	2013	2014
Convictions	187	159	185

Note: Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included. The figures provided relate to convictions for all classifications of the offences specified.

Lord Morrow asked the Minister of Justice what is the average turnaround time, for the six month period ending 31 August 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the Courts and Tribunal Service in the Antrim court division; and what is the average time taken to execute a warrant on the defaulter, broken down by court house.

(AQW 49176/11-16)

Mr Ford: In the six month period ending 31 August 2015 there have been 302 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Antrim. Records indicate that within this Division the PSNI has recorded the execution of 123 committal warrants in this period within an average of 27 days.

The table below sets out the information by court office within the Division of Antrim.

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Antrim Court Office	58	25	11
Ballymena Court Office	59	21	36

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Coleraine Court Office	161	69	31
Larne Court Office	24	8	20
Total	302	123	27

Lord Morrow asked the Minister of Justice what consideration has been given to the potential for the clustering of sex offenders by the existence in its current location and proposed extension of Edward Street Hostel, Portadown; and whether a consultation, investigation and comprehensive risk assessment have been or will be held on this proposal.

(AQW 49177/11-16)

Mr Ford: All offenders who are resident in Edward Street Hostel, Portadown, are subject to close monitoring and supervision by both hostel staff and their supervising Probation Officers.

Decisions as to whether offenders are accepted at a specific hostel are made at regular meetings between all the Approved Hostel managers and Probation Board for Northern Ireland. These decisions will take into account of a range of factors, including action to avoid an over representation of a certain type of offender in a particular hostel.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48676/11-16, of the figures relating to prisoners travelling unescorted, to which specific prison facilities do the figures for each year relate.

(AQW 49178/11-16)

Mr Ford: The number of prisoners who were permitted to travel unescorted from Prison facilities, broken down by establishment were:

Year	Maghaberry Prison	Magilligan Prison	Hydebank College	Total Prisoners
2012	17	29	7	53
2013	19	71	9	99
2014	165	71	14	250

Lord Morrow asked the Minister of Justice, pursuant to AQW 48676/11-16, of prisoners granted temporary compassionate leave who failed to return, to which specific prison facilities do the figures for each year relate.

(AQW 49179/11-16)

Mr Ford: The number of prisoners who failed to return from unescorted compassionate temporary release is shown in the table below:-

Year	Number of prisoners	Establishment
2012	1	Magilligan Prison
2013	1	Maghaberry Prison
2014	3	2 X Maghaberry Prison 1 X Magilligan Prison

Lord Morrow asked the Minister of Justice, pursuant to AQW 48837/11-16, whether hostel staff are trained, equipped and insured to carry out the necessary monitoring; and whether this a pre-condition of prisoner placement.

(AQW 49180/11-16)

Mr Ford: All hostel staff receive appropriate training both at their induction and also on an ongoing basis. The supervision of hostel staff, and the provision of appropriate training specific to their role, is the responsibility of the management of the hostel. Approved hostels are required to have public liability insurance.

Lord Morrow asked the Minister of Justice what is the average turnaround time, for the six month period ending 31 August 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the Courts and Tribunal Service in the Ards court division; and what is the average time taken to execute a warrant on the defaulter, broken down by courthouse.

(AQW 49209/11-16)

Mr Ford: In the six month period ending 31 August 2015 there have been 338 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Ards. Records indicate that within this Division the PSNI has recorded the execution of 103 committal warrants in this period within an average of 24 days.

The table below sets out the information by court office within the Division of Ards.

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Bangor Court Office	6	2	66
Downpatrick Court Office	255	67	15
Newtownards Court Office	77	34	39
Total	338	103	24

Lord Morrow asked the Minister of Justice, pursuant to AQW 48837/11-16, to outline the procedure for hostel staff monitoring residents and reporting issues of non-compliance of residence conditions or bail terms.

(AQW 49214/11-16)

Mr Ford: Hostel staff monitor offenders in approved premises through the use of supervision, drug and alcohol testing and curfews. Hostel staff are provided with copies of any court orders (including bail conditions) and post-release prison licences applicable to hostel residents. Staff are required to report any instances of non-compliance with these orders and licences to the relevant enforcement agency.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48895/11-16, whether he will review this answer in light of comments made by the investigating officer in case number 15/065212 at Dungannon Magistrates Court; and when the forensics for this case will be complete.

(AQW 49216/11-16)

Mr Ford: Not all forensic examinations of material from criminal investigations are carried out by Forensic Science Northern Ireland. Depending on the case, some forensic examinations are conducted by the PSNI or submitted directly to other forensic providers by the PSNI.

In case number 15/065212 no items were submitted to Forensic Science Northern Ireland. A review of the previous answer is not therefore required.

Mr Campbell asked the Minister of Justice, pursuant to AQW 44747/11-15, to outline the reoffending rates for 2012/13.

(AQW 49227/11-16)

Mr Ford: As an update to AQW/44747/11-15, of those aged 18-25 included in the 2012/13 cohort, 24.1% reoffended within one year of receipt of a non-custodial disposal or release from custody.

Since the offending-related characteristics of those included in each cohort may differ in extent or severity, great care needs to be taken in making comparison across years and this should not be done without taking account of these underlying characteristics. This is a major statistical exercise and there is currently no such analysis for those aged 18-25 from these cohorts. However, statistical analyses already undertaken on the overall cohorts (i.e. all ages) for these three years suggests that there is no real difference in the rates of reoffending between the 2010/11, 2011/12 and 2012/13 cohorts (where the initial overall reoffending rates were 16.7%, 18.7% and 18.5% respectively).

Due to the time delay needed to establish if reoffending has occurred (i.e. up to twelve months for any subsequent offence to have occurred and a further six months for disposal), the most up to date information available is based on the 2012/13 cohort. It is planned that information on the 2013/14 cohort should become available by summer 2016.

Note: The methodology used to compare overall reoffending rates has been published on the DOJ website.

Mr Weir asked the Minister of Justice to detail his Department's strategies to reduce reoffending.

(AQW 49245/11-16)

Mr Ford: Reducing reoffending is central to the work of my Department; in fact most of what we do is tailored towards addressing offending behaviour, reducing victimhood and creating safer communities.

In May 2013, I published The Strategic Framework for Reducing Offending which sets out how the Executive can build a safer Northern Ireland through a long term reduction in offending behaviour. The Strategic Framework clearly recognised the need for an increased emphasis on supporting the effective rehabilitation, supervision and resettlement of offenders and on 28 September I announced the publication of Supporting Change, a new strategic approach to supporting desistance from crime.

Supporting Change outlines how my Department will work to support people who have offended to change their lives and move away from further offending. It includes a comprehensive action plan that seeks to improve our evidence base on what

works, develop the capacity of our staff to support desistance, deliver targeted interventions and support and enhance how we engage with our stakeholders.

Through the Strategic Framework and the implementation of the desistance action plan, my Department is committed to reducing the risk of reoffending and to ensuring that fewer people become victims of crime.

Lord Morrow asked the Minister of Justice what is the average turnaround time, for the six month period ending 31 August 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the Courts and Tribunal Service in the Londonderry court division; and what is the average time taken to execute a warrant on the defaulter, broken down by courthouse.

(AQW 49246/11-16)

Mr Ford: In the six month period ending 31 August 2015 there have been 172 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Londonderry. Records indicate that within this Division the PSNI has recorded the execution of 77 committal warrants in this period within an average of 20 days.

The table below sets out the information by court office within the Division of Londonderry.

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Limavady Court Office	32	21	18
Londonderry Court Office	123	43	22
Magherafelt Court Office	17	13	15
Total	172	77	20

Lord Morrow asked the Minister of Justice, pursuant to AQW 48676/11-16, what criteria has to be met for a prisoner to qualify for, or be granted, unescorted leave from a prison facility; and whether a risk assessment is mandatory.

(AQW 49251/11-16)

Mr Ford: Only sentenced prisoners are eligible to qualify for unescorted leave from a prison facility. A risk assessment is mandatory and will take account of:

- the risks posed by the prisoner;
- the likelihood of reoffending;
- the risk of serious harm presented by the prisoner; and
- the risk of absconding.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48896/11-15, what action was taken as to why this officer was not alerted in advance to his requirement to arrive by an alternative entrance; and whether there was appropriate staffing in place prior to and at the time of this incident.

(AQW 49256/11-16)

Mr Ford: Normal arrangements were in place to inform all staff reporting for duty that they were to report to an alternative entrance. Sufficient staffing was in place prior to and at the time of the incident.

Mr Lyttle asked the Minister of Justice whether there are proposals for amnesties contained in the Haass or Stormont House Agreements.

(AQW 49278/11-16)

Mr Ford: There are no proposals for amnesties contained within the Haass Agreement or in the Stormont House Agreement.

In relation to the Independent Commission on Information Retrieval (ICIR), the Stormont House Agreement outlines that the information received by the ICIR will be inadmissible in criminal and civil proceedings, and the ICIR will not disclose this information to law enforcement or intelligence agencies (paragraph 46 of the Agreement). However, paragraph 49 makes it clear that no individual who provides information to the body will be immune from prosecution for any crime committed should the required evidential test be satisfied by other means.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48896/11-16, why this report is not being published, even in redacted form.

(AQW 49343/11-16)

Mr Ford: I refer the Member to my previous response. Given the content of this review report it would not be practicable to publish it, even in a redacted form.

Mr Allister asked the Minister of Justice for his assessment of the scale of paramilitary-linked organised crime.
(AQW 49348/11-16)

Mr Ford: It is a matter of record that paramilitary groups are involved in organised crime. The recently commissioned factual assessment of paramilitary organisations will cover their structure, role and purpose in Northern Ireland and it would not be appropriate for me to pre-empt the results of this work.

An assessment of the threat from organised crime in Northern Ireland and the successes in fighting it can be found at:
www.octf.gov.uk

On the OCTF homepage, click on Publications across the top menu. On the left hand side, click on OCTF Annual Reports & Threat Assessments, and then click on Annual Report 2015 to download the document.

Mr Allister asked the Minister of Justice which paramilitary organisations are involved in cross-border organised crime.
(AQW 49350/11-16)

Mr Ford: It is a matter of record that paramilitary groups are involved in organised crime. The recently commissioned factual assessment of paramilitary organisations will cover their structure, role and purpose in Northern Ireland and it would not be appropriate for me to pre-empt the results of this work.

An assessment of the threat from organised crime in Northern Ireland and the successes in fighting it can be found at:
www.octf.gov.uk

On the OCTF homepage, click on Publications across the top menu. On the left hand side, click on OCTF Annual Reports & Threat Assessments, and then click on Annual Report 2015 to download the document.

Mr Allister asked the Minister of Justice for his assessment of the scale of the links between organised crime and paramilitarism.
(AQW 49351/11-16)

Mr Ford: It is a matter of record that paramilitary groups are involved in organised crime. The recently commissioned factual assessment of paramilitary organisations will cover their structure, role and purpose in Northern Ireland and it would not be appropriate for me to pre-empt the results of this work.

An assessment of the threat from organised crime in Northern Ireland and the successes in fighting it can be found at:
www.octf.gov.uk

On the OCTF homepage, click on Publications across the top menu. On the left hand side, click on OCTF Annual Reports & Threat Assessments, and then click on Annual Report 2015 to download the document.

Mr Allister asked the Minister of Justice what success has been achieved in dismantling paramilitary-linked organised crime.
(AQW 49352/11-16)

Mr Ford: It is a matter of record that paramilitary groups are involved in organised crime. The recently commissioned factual assessment of paramilitary organisations will cover their structure, role and purpose in Northern Ireland and it would not be appropriate for me to pre-empt the results of this work.

An assessment of the threat from organised crime in Northern Ireland and the successes in fighting it can be found at:
www.octf.gov.uk

On the OCTF homepage, click on Publications across the top menu. On the left hand side, click on OCTF Annual Reports & Threat Assessments, and then click on Annual Report 2015 to download the document.

Mr Swann asked the Minister of Justice how many of his departmental staff have a registered disability, broken down (i) by full time equivalent; and (ii) as a percentage of the workforce.
(AQW 49369/11-16)

Mr Ford: Staff in the Department of Justice are not obliged to declare any disabilities, and such information is provided on a voluntary basis only.

At 1 July 2015, 131.9 full time equivalent staff had declared a disability, which equates to 3.8% of staff in the Department.

Mr Ramsey asked the Minister of Justice what statutory powers will be vested in the Historical investigations Unit.
(AQW 49375/11-16)

Mr Ford: On establishment, the Historical Investigations Unit (HIU) will be responsible for the investigation of all outstanding Troubles-related deaths from the Police Service of Northern Ireland and the Office of the Police Ombudsman for Northern Ireland.

To deliver that remit, it is the Department's intention that the HIU will have all the statutory powers it requires to conduct both its criminal investigation and misconduct investigation functions. The Secretary of State shared the draft Stormont House

Agreement Bill with the five main parties on Tuesday 29 September 2015. As the legislation remains in draft form and is subject to further political discussion, I am not in a position to specify individual powers at this stage.

Mr Allister asked the Minister of Justice whether there is an ongoing campaign of refusal of prison meals within Roe House in HM Prison Maghaberry.

(AQW 49402/11-16)

Mr Ford: Currently a number of prisoners housed within Roe House are refusing meals prepared by the prison kitchen.

Mr Allister asked the Minister of Justice, in light of the recent comments by Seamus Mallon, whether he is aware of any sanctioned IRA racketeering in Newry and Armagh.

(AQW 49403/11-16)

Mr Ford: The recently commissioned factual assessment of paramilitary organisations will cover their structure, role and purpose in Northern Ireland and it would not be appropriate to pre-empt the results of this work.

Mr Weir asked the Minister of Justice who has been awarded the coroner contracts in each policing district following the recent tender process.

(AQW 49421/11-16)

Mr Ford: For security reasons the Department of Justice does not release the names of its contractors.

Department for Social Development

Mr Dickson asked the Minister for Social Development to detail the number of installations of energy efficiency measures under the (i) Warm Homes Scheme; and (ii) Affordable Warmth Scheme, broken down by month since September 2014.

(AQW 47489/11-15)

Mr Storey (The Minister for Social Development): My Department's Affordable Warmth Scheme was launched in September 2014 to enable councils and Housing Executive to build up capacity to deliver the new scheme when it became fully operational in April 2015.

The tables below show the number of installations of energy efficiency measures under the (i) Warm Homes Scheme and (ii) Affordable Warmth Scheme from September 2014.

Warm Homes Installations by Month

	Warm Homes Scheme
September 2014	536
October 2014	534
November 2014	530
December 2014	565
January 2015	679
February 2015	747
March 2015	1253
	Scheme closed on 31st March 2015
April 2015	0
May 2015	0
June 2015	0
	4844

Affordable Warmth Installations by Month

	Affordable Warmth
September 2014	0
October 2014	0
November 2014	0

	Affordable Warmth
December 2014	0
January 2015	0
February 2015	3
March 2015	5
April 2015	12
May 2015	47
June 2015	56
	123

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.

Mr Dickson asked the Minister for Social Development whether the Northern Ireland Housing Executive Board has asked its acting Chief Executive to resign.
(Aqw 47492/11-15)

Mr Storey: I understand from correspondence I have seen between the former Chief Executive, Mags Lightbody, and the Chairman of the Housing Executive that Ms Lightbody voluntarily tendered her resignation on the 27 May 2015.

Mr Swann asked the Minister for Social Development to detail (i) the areas of North Antrim eligible for funding due to their designation as areas of deprivation; and (ii) the funding available to each area.
(Aqw 48270/11-16)

Mr Storey: The areas of North Antrim eligible for funding due to their designation as areas of deprivation are

Ballykeel and Ballee housing estates and a small part of the Harryville area (encompasses the Ballymena Neighbourhood Renewal Area); and Grange and Thornhill estates and a small portion of the Ollardale estate (encompasses the Ballyclare Neighbourhood Renewal Area).

The Neighbourhood Renewal Investment Fund (NRIF), a cross government strategy aiming to bring together the work of all Government Departments in partnership with local people to tackle disadvantage and deprivation in all aspects of everyday life, is available in these areas. Whilst there is not a ring fenced amount of NRIF funds available to these NRAs, since 2005 £7m has been provided for projects in these areas aimed at tackling disadvantage.

Mr Swann asked the Minister for Social Development to detail his role in relation to the Northern Ireland Housing Executive.
(Aqw 48271/11-16)

Mr Storey: The relationship between the Minister and the Housing Executive is defined at paragraph 3.1.1 of the Management Statement Financial Memorandum (MSFM). This document represents a formal statement by DSD of the standards it requires the Housing Executive to achieve in relation to the probity of activities and sets down the broad policies and related procedures of the Housing Executive, which are agreed by DSD and for which the Permanent Secretary, as Accounting Officer, is responsible and would answer accordingly to the Public Accounts Committee.

The key responsibilities of the Minister are:

Approving the Housing Executive's strategic objectives and the policy and performance framework within which the Housing Executive will operate; keeping the Assembly informed about the Housing Executive's performance; approving the amount of grant to be paid to the Housing Executive, and securing Assembly approval; and carrying out responsibilities specified in legislation, including appointments to the Housing Executive Board, and laying of the annual report and accounts before the Assembly.

Mrs Cochrane asked the Minister for Social Development what legislation his Department plans to bring forward by the end of the current Assembly mandate.
(Aqw 48293/11-16)

Mr Storey: As the Member is aware, my Department will be introducing a Bill to improve the existing system of regulation of Houses in Multiple Occupation in September. As the Member will also be aware, my Department currently has three other Bills which have been introduced in the Assembly and are undergoing the legislative process therein; Housing Amendment, Regeneration and Pensions Schemes.

I am also considering a draft Liquor Licensing Bill and draft Gambling Bill. I will announce how I plan to proceed on this issue in due course.

Mr Gardiner asked the Minister for Social Development to detail the (i) destination; (ii) duration; (iii) total cost; and (iv) purpose of each trip outside the United Kingdom and Ireland taken by (a) the Minister; (b) his Special Adviser; (c) his departmental officials; and (d) personnel in each of the departmental arm's-length bodies, in each of the last four years. (AQW 48296/11-16)

Mr Storey: The information requested is set out below in the following tables.

2011/12 DSD Business Traveller	Destination	Duration	Purpose	Total Cost 2011/12 £
Minister	USA	5th – 11th Nov 2011	DSD Business	6,308
Special Adviser	USA	5th – 11th Nov 2011	DSD Business	6,613
DSD Officials	USA	5th – 11th Nov 2011	DSD Business	9,053
DSD ALBs	Nil	Nil	Nil	Nil

2012/13 DSD Business Traveller	Destination	Duration	Purpose	Total Cost 2012/13 £
Minister	Belgium	18th – 20th Feb 2013	DSD Business	753
Special Adviser	Belgium	18th – 20th Feb 2013	DSD Business	866
DSD Officials	Belgium	18th – 20th Feb 2013	DSD Business	1,569
DSD ALBs	Nil	Nil	Nil	Nil

2013/14 DSD Business Traveller	Destination	Duration	Purpose	Total Cost 2013/14 £
Minister	Germany	3rd – 5th Dec 2013	DSD Business	1,847
Special Adviser	Germany	3rd – 5th Dec 2013	DSD Business	1,595
DSD Officials	Germany	3rd – 5th Dec 2013	DSD Business	3,259
DSD ALBs	Germany	3rd – 5th Dec 2013	DSD Business	760

2014/15 DSD Business Traveller	Destination	Duration	Purpose	Total Cost 2014/15 £
Minister	There was no travel outside the United Kingdom and Ireland in 2014/15.			Nil
Special Adviser				Nil
DSD Officials				Nil
DSD ALBs				

Mr Beggs asked the Minister for Social Development whether any of his departmental responsibilities have been affected by the actions of any proscribed organisations since 2011. (AQW 48307/11-16)

Mr Storey: Because of the very nature of proscribed organisations, it is impossible for my Department to determine whether its responsibilities have been affected by the actions of those organisations. However, since 2011 there have been occasions on which the activities of my Department and the Northern Ireland Housing Executive have been affected by the actions of individuals purporting to be or perceived to be members of proscribed organisations.

There are been three incidents where the activities of the Social Security Agency have been impacted by threats made by individuals purporting to be paramilitaries:

In April 2011, A threat was issued to PSNI by a group or individual purporting to be from a proscribed organisation in the Castlemara area of Carrickfergus against either the police or SSA fraud staff carrying out surveillance in the area;

In July 2014, a written threat was received by a local Councillor purporting to come from a proscribed organisation threatening claimants from Ballycastle signing at Ballymoney Jobs and Benefits Office; and

In November 2014, a series of letters were received by Larne Jobs and Benefits Office purporting to come from a proscribed organisation threatening staff and their families if there were any further sanctions to benefits. It was subsequently found that there was no paramilitary involvement in this threat.

The housing allocation system awards 200 points to people who require to be rehoused due to intimidation. The table below identifies the number of people rehoused due to intimidation by paramilitaries in each of the past four financial years.

Year	Total number rehoused due to intimidation	Number rehoused due to paramilitary intimidation
2011/12	257*	124*
2012/13	419	222
2013/14	429	236
2014/15	437	292

* due to the introduction of the NIHE's new Housing Management System the data available for 2011/12 is considered to be a significant undercount

The Northern Ireland Housing Executive operates the Special Purchase of Evacuated Dwellings scheme to buy the properties of people forced to move house due to acts of violence, threats to commit such acts or other intimidation. Details of the number of properties purchased and the amount spent under the scheme in each of the last four financial years is provided in the table below.

Year	SPED Acquisitions	Total Spent
2011/12	19	£3,179,450
2012/13	24	£2,686,000
2013/14	17	£1,725,180
2014/15	6	£734,250

It is important to note that not all purchases under the scheme result from intimidation by proscribed organisations as the acts of violence, threats and intimidation can come from any source. The figures in the table above relate to cases arising from violence or intimidation from all sources over the past four years. The source of the intimidation is not routinely recorded by the Housing Executive, so it is not possible to provide figures specifically relating to the activities of proscribed groups.

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.

Mr Agnew asked the Minister for Social Development whether any progress has been made on the NIHE feasibility study on the installation of solar panels on their housing stock; and if so, to outline any progress made.

(AQW 48317/11-16)

Mr Storey: The Housing Executive has advised that in April 2015, they tendered a pilot scheme for the privately financed installation of solar photovoltaic (PV) panels on 1,000 houses. The contract was awarded to Saliis Ltd on 22nd July 2015. In the interim, Saliis has been carrying out extensive preparatory work and it is anticipated that installations will begin in October 2015.

Mr Allister asked the Minister for Social Development whether his Department has any plans to compel social landlords to charge high income tenants a market rent, as is intended for England under the Budget of 8 July 2015.

(AQW 48391/11-16)

Mr Storey: My Department is giving consideration to whether this has any implications for the proposed social housing rent policy for Northern Ireland, and if so, what these may be. I am not in a position to provide any further information at this stage.

Mr Allister asked the Minister for Social Development whether there are any plans to reduce social housing rents by one per cent in each year between 2016-20, as is intended for England under the Budget of 8 July 2015.

(AQW 48392/11-16)

Mr Storey: My Department is giving consideration to whether this has any implications for the proposed social housing rent policy for Northern Ireland, and if so, what these may be. I am not in a position to provide any further information at this stage.

Mr Allister asked the Minister for Social Development what is the average age of those who have so far benefited from the early exit scheme operated within NIHE.

(AQW 48393/11-16)

Mr Storey: The Housing Executive has advised that the average age of those who have so far exited under their Early Release scheme is 60 years and 4 months.

Mr Agnew asked the Minister for Social Development (i) to outline the implications of the reclassification of the Housing Executive's Landlord Services from a Non Departmental Public Body to a Quasi-Public Corporation, which came into effect on 1st April 2014; and (ii) for his assessment of whether the reclassification increases the possibility that Landlord Services will be able to exercise prudential borrowing following an amendment to the Local Government Finance Act (Northern Ireland) 2011. (AQW 48398/11-16)

Mr Storey: The reclassification of the NIHE which took effect on the 1 April, 2014 moved it from a single classification to two classifications. Prior to 1 April, 2015, the Office of National Statistics (ONS) classified the Northern Ireland Housing Executive (NIHE) as a whole as a Public Corporation. After 1 April, 2015, ONS classifies the NIHE Landlord function as a Quasi-Public Corporation and otherwise classifies NIHE as an NDPB. This reclassification was the result of an ONS review and subsequent recommendation to HM Treasury. The major implication of this reclassification is that it has required within NIHE major changes to financial management systems for budgeting and accounting.

Fundamental structural changes have recently been taken forward within NIHE – the establishment of two new directorates (Regional Services and Landlord Services) and the 'Journey to Excellence' improvement programme, aimed at improving all business areas while allowing distinct focus on landlord and regional activity. These complement the ONS-led re-classification but were not prompted by it. They were the result of directions from the NIHE Board in the interests of business improvement.

The prudential borrowing that is available to NI councils under the Local Government Finance Act (NI), 2011 is not available to the NIHE Landlord Service as a quasi-public corporation, nor to the NIHE otherwise as an NDPB.

Mr Ó Muilleoir asked the Minister for Social Development to detail the number of Housing Executive properties where the gas supply has been disconnected in the last twelve months, broken down by district office area. (AQW 48407/11-16)

Mr Storey: The Housing Executive has advised that the table attached details the number of properties disconnected from the gas supply in the last twelve months by District Office either as a result of no access where the Housing Executive was unable to carry out the annual planned service to meet its statutory obligations as a landlord under the Gas Safety (Installation and Use) Regulations 1998 or as a result of termination of tenancy.

District Office	No. of disconnections as a result of no access for annual planned service	No. of disconnections as a result of termination of tenancy
North - District 4	19	58
North - District 6	27	71
Shankill District	40	234
Castlereagh	24	223
East Belfast District	27	163
Lisburn Antrim Street	65	226
Lisburn Dairy Farm	1	153
South Belfast	54	244
West Belfast - District 3	21	65
West Belfast - District 1	23	96
Antrim	120	84
Ballymena	91	74
Ballymoney	18	12
Carrickfergus	113	115
Coleraine	23	14
Collon Terrace , Londonderry	84	14
Larne	63	55
Limavady	28	27
Newtownabbey 1	114	37

District Office	No. of disconnections as a result of no access for annual planned service	No. of disconnections as a result of termination of tenancy
Newtownabbey 2	136	113
Waterloo Place, Londonderry	40	24
Waterside, Londonderry	50	38
Armagh	40	38
Banbridge	15	24
Bangor	17	269
Craigavon (Portadown)	48	57
Craigavon (Lurgan)	66	67
Newry	43	36
Newtownards	24	218
Total	1,434	2,849

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Mr Ó Muilleoir asked the Minister for Social Development to detail the process for authorising gas supply disconnection in Housing Executive properties.

(AQW 48408/11-16)

Mr Storey: The Housing Executive advises that it has a policy to disconnect gas supplies under the following circumstances:

where the tenancy has been terminated; or

where the Housing Executive has been unable to gain access in order that it meets its statutory obligations as a landlord under the Gas Safety (Installation and Use) Regulations 1998.

Once the tenant who has terminated the tenancy vacates the property, the Local Office's Maintenance staff ensures that the system is capped.

In the case of the statutory requirement for an annual service check, the Housing Executive adheres to an internal procedure to ensure all reasonable steps are taken to gain access to meet its statutory obligations as a landlord under the Gas Safety (Installation and Use) Regulations 1998. These are:

contact the tenant by letter informing them that a service is due and notifying the tenant of the date that the contractor will call at the property:

the contractor will call and if access is not obtained a "no access" card will be left at the property and the contractor will schedule a further visit:

if no access is obtained on the second visit, the contractor informs the Housing Executive's Customer Service Unit:

the Housing Executive's Customer Service Unit will attempt to contact tenant by telephone or text message to arrange access:

if access is still not obtained the Customer Service Unit will notify the Local Office who will arrange for a legal letter to be hand delivered to the property confirming previous attempts to gain access and allow the tenant a further 7 days to arrange an appointment:

if after 7 days no contact has been made by the tenant, an order is issued to the contractor by either the Customer Service Unit or Regional Heating Unit to call at the property and if the tenant is available he will service the gas. If the tenant is not available and access cannot be gained, the gas is disconnected:

if the gas is disconnected notification is left at the property that the gas has been disconnected and advising the tenant to contact the Housing Executive to arrange access for the gas to be reconnected and the annual service completed.

Mr Ó Muilleoir asked the Minister for Social Development how much his Department has paid to contractors for (a) gas supply disconnection; and (b) gas supply reconnection.

(AQW 48410/11-16)

Mr Storey: The Housing Executive has advised that it has paid £109,678.59 for disconnection of gas supply and £69,105.69 for reconnection of gas supply, in the last 12 months.

Mr Ó Muilleoir asked the Minister for Social Development to detail the number of Housing Executive properties that have been deemed abandoned in the last twelve months, broken down by district office area.

(AQW 48411/11-16)

Mr Storey: The Housing Executive has advised that 466 properties have been deemed abandoned over the 2014/15 financial year. The table attached provides a breakdown by its District Office area:

Breakdown of abandoned properties by District Office area 2014/15

Housing Executive District Office	Total no. of properties abandoned
North Belfast	38
South & East Belfast	31
West Belfast	7
Shankill	15
Newtownards	19
Bangor	32
Newry	11
Downpatrick	9
Lisburn (Antrim Street & Dairy Farm)	17
Castlereagh	20
Armagh	10
Portadown	16
Lurgan	14
Banbridge	10
Omagh	8
Fermanagh	14
Dungannon	4
Cookstown	6
Magherafelt	9
Antrim	19
Newtownabbey 1	16
Newtownabbey 2	13
Ballymena	19
Larne	17
Carrickfergus	20
Derry/Londonderry (Waterloo Place, Waterside & Collon Terrace)	18
Strabane	18
Coleraine	14
Ballymoney	9
Ballycastle	8
Limavady	5
Total	466

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Note: The Housing Executive advises that an abandoned property is one where it has reasonable grounds for believing that:

- (a) the dwelling house is unoccupied; and

(b) the tenant does not intend to occupy it as his home.

Ms Sugden asked the Minister for Social Development to detail the stakeholders he has met in relation to the development of opportunities for growth and investment for Portrush Harbour and Port.

(AQW 48413/11-16)

Mr Storey: As Minister for Social Development I have met Ministerial colleagues from the Department for Regional Development, Department of Environment and Department of Enterprise, Trade and Investment who form a Ministerial group chaired by DSD to oversee the regeneration of Portrush. I have also met with Coleraine Borough Council Officials.

Ms Sugden asked the Minister for Social Development for an update on proposals for the development of Portrush Harbour.

(AQW 48414/11-16)

Mr Storey: As advised in June this year (AQW 47882 11-15 refers) my Department identified that an additional piece of work was required to determine if a further development option for the regeneration of Portrush harbour could be identified. This work has now commenced and is due to be completed in the next couple of months.

When this further development option is identified it will allow a full economic appraisal of the options for the development of the harbour to be carried out along with a Masterplan to plan for the development of the land side of the harbour.

Mr Ó Muilleoir asked the Minister for Social Development to outline the process for determining whether a Housing Executive property has been abandoned.

(AQW 48440/11-16)

Mr Storey: The Housing Executive has advised that they can be made aware of a potentially abandoned property in various ways. Once they are made aware of a case, they will follow the procedures laid out in their General Housing Policy Guidance Manual.

NIHE local office staff will make investigations to establish whether the circumstances constitute abandonment or non-occupation. This will generally involve a visit to the property, during which staff will assess the condition of the property and look for signs that the property is or is not being occupied by the tenant. In addition, investigations may also involve appropriate checks with neighbours, community groups, housing benefit, utility suppliers (to determine if usage is consistent with the property being occupied), relatives or other statutory agencies e.g. Social Services, Probation Board etc.

If there is sufficient evidence to suggest that:

- (a) The dwelling house is unoccupied; and
- (b) The tenant does not intend to occupy it as his home;

the following procedures, depending on the nature of the case and whether it is an introductory/secure tenancy, are followed:

Secure tenancy:

When reports of non-occupation are received in respect of a secure tenancy, the Housing Executive will generally follow the Abandonment procedures as set out in Chapter 6 of the General Housing Policy Guidance Manual under Article 41 of the 1983 Housing Order where the Housing Executive believes that the above criteria are met. However, if the NIHE District office has previously served an Article 41 Notice(s) on the secure tenant(s) and have not been successful with regaining possession and have subsequently received more information or complaints about non-occupation, they may consider legal proceedings detailed in Chapter 8 of the General Housing Policy Guidance Manual, in relation to a Notice of Seeking Possession under Article 28 of the Housing (NI) Order 1983 as a more appropriate course to take. Court proceedings under Article 28 can also be sought in preference to an Abandonment notice where someone other than the tenant(s) remains in the property or where previous attempts at serving an Abandonment Notice have been unsuccessful.

Introductory Tenancy:

The procedure differs slightly for an introductory tenant in that the NIHE District office will serve an Abandonment Notice under Article 19A (3) of the Housing (Northern Ireland) Order 2003 as amended by Section 15 of the Housing (Amendment) Act (Northern Ireland) 2011 with explanatory notes rather than the Article 41 used in cases of secure tenants. In the case of Non-Occupation, the NIHE District office will seek recovery via an Article 10 of the Housing (Northern Ireland) Order 2003 Notice and appropriate legal proceedings.

Mr Flanagan asked the Minister for Social Development to detail the (i) amount; and (ii) percentage of housing benefit payments paid for tenants that live in private rental accommodation rather than social housing, in each financial year since 2005.

(AQW 48448/11-16)

Mr Storey: The Housing Executive has advised that private Housing Benefit expenditure covers both the private rented sector and Housing Associations as both are deemed to be rent allowances under the Housing Benefit Regulations. The Housing Executive is not in a position to provide separate figures for each tenure group. The table attached details the (i) amount and (ii) percentage of housing benefit payments paid in each financial year since 2005/06.

Year	Private HB (£000,000)	Private HB as % of total HB
2005/2006	£192	50%
2006/2007	£211	52%
2007/2008	£225	54%
2008/2009	£257	57%
2009/2010	£315	61%
2010/2011	£352	63%
2011/2012	£378	64%
2012/2013	£395	64%
2013/2014	£410	64%
2014/2015	£416	64%

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Mr Flanagan asked the Minister for Social Development how many cases of tenancy fraud have been (i) investigated and (ii) proven by (a) the Housing Executive; and (b) Housing Associations; and (iii) whether any action has been considered or taken against Housing Executive and Housing Association tenants suspected of tenancy fraud in each of the last four years. **(AQW 48449/11-16)**

Mr Storey:

- (i) & (ii) The number of Tenancy Fraud cases investigated and proven in (a) the Housing Executive and (b) Housing Associations, in the years 2014-15 and 2015 to date are detailed in the table below. Prior to 2014 Tenancy Fraud statistics were not collated and therefore we do not hold statistics prior to this date.

Organisation	Year	(i) Investigated	(ii)* Proven
Housing Executive	2014-15	2261	466
Housing Executive	2015- date	698	108
Housing Associations	2014-15	131	35
Housing Associations	2015- date	91	24

* figures include cases where properties have been abandoned. Although abandonment is classified as Tenancy Fraud by NIAO it is not a criminal offence in NI to abandon a Social Housing property

- (iii) In cases of proven or suspected tenancy fraud (which are not criminal offences) action is taken through the appropriate statutory abandonment procedure or legal action. These actions have included
- Property recovered. There were 633 properties recovered in respect of the two years from 2014 to date.
 - Served notice to quit through the appropriate statutory abandonment procedure,
 - Legal action,
 - Adding the tenant's name to the disqualification register,
 - Raising any rent arrears.
 - Criminal prosecution in cases of subletting –last year there was one successful prosecution for subletting by NIHE

Mr Flanagan asked the Minister for Social Development to detail the way in which the Housing Executive is working with electricity providers to identify properties that are vacant but on which housing benefit is being claimed. **(AQW 48450/11-16)**

Mr Storey: The Housing Executive has advised that arrangements are in place between themselves and electricity providers when a suspicion of non-occupation arises. The providers will respond to queries from the Housing Executive regarding customer details and electricity usage for the relevant properties. The Housing Executive provides a reciprocal service to the providers. This level of data-sharing is compliant with the data protection legislation.

Ms Sugden asked the Minister for Social Development for (i) his assessment of generalist advice services; and (ii) an update on the publication of the 2015-2020 strategy for the delivery of generalist advice services. **(AQW 48473/11-16)**

Mr Storey: I recognise the importance of the advice sector in delivering modern, quality advice services to support people in Northern Ireland.

It is intended that the new advice strategy "Advising, Supporting, Empowering – a strategy for the delivery of generalist advice services in Northern Ireland 2015-2020" will be published in October. I believe this strategy will contribute to my Department's continuing support for advice services by guiding delivery of those services in a changing environment.

Mr McNarry asked the Minister for Social Development to detail the number of vacant houses that are fit for use in each constituency.

(AQW 48482/11-16)

Mr Storey: I assume the Member is referring to vacant social houses. Therefore, Table 1 attached details the Housing Executive's Actionable Void Properties (those properties where re-letting is not anticipated to be a problem) by Parliamentary Constituency as at 8th September 2015.

Table 1 – NIHE Void Properties

Parliamentary Constituency	Voids
Belfast East	35
Belfast North	100
Belfast South	25
Belfast West	38
East Antrim	40
East Londonderry	12
Fermanagh and South Tyrone	30
Foyle	21
Lagan Valley	11
Mid Ulster	13
Newry & Armagh	32
North Antrim	39
North Down	27
South Antrim	26
South Down	17
Strangford	43
Upper Bann	39
West Tyrone	28
Total	576

Table 2 details the number of self-contained homes owned and managed by Housing Associations that were fit for use but vacant as at 31 March 2015.

Table 2 - Housing Association voids

Parliamentary Constituency	Voids
Belfast North	36
Belfast East	32
Belfast South	47
Belfast West	43
East Antrim	12
East Londonderry	9
Fermanagh & South Tyrone	20
Foyle	19

Parliamentary Constituency	Voids
Lagan Valley	12
Mid Ulster	6
Newry & Armagh	15
North Antrim	17
North Down	17
South Antrim	5
South Down	14
Strangford	17
Upper Bann	17
West Tyrone	7
Total	345

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Lord Morrow asked the Minister for Social Development whether (i) there have been any instances of benefit tribunal appellants refusing to recognise or acknowledge the authority of the panel or process, similar to instances of persons refusing to recognise or acknowledge other judicial processes external to his Department but relevant to the benefit appeals system, and if so; (ii) to detail the number of occasions this has occurred, broken down by appeal district.

(AQW 48506/11-16)

Mr Storey: The Appeal Tribunal is an independent judicial body and therefore not within the remit of responsibility of the Minister. The Department for Social Development does not collect statistical data relating to this issue.

The President of the Appeal Tribunals is Mr John Duffy. Mr Duffy can be contacted directly at Office of the President of Appeal Tribunals, 6th Floor Cleaver House, 3 Donegall Square North, Belfast BT1 5GA.

Mr Easton asked the Minister for Social Development how many four bedroom properties the Housing Executive owns in North Down.

(AQW 48507/11-16)

Mr Storey: The information is not available in the format requested as the Housing Executive has advised that they can no longer report at former NIHE District office or local government district boundaries. However, the table attached details the number of four bedroomed properties in the restructured Ards and North Down Area office.

Estate	
Kilcooley	2
Bloomfield	5
Churchill	1
Clandeboye	1
Conlig	2
Groomsport	1
Redburn	1
Loughview	25
Spencer Street	1
Whitehill	8
Woodlands	1
Ballydrain	1
Ballygowan	2
Ballywalter	2

Estate	
Bowtown	3
Carrowdore	3
Cloughey	1
Comber	9
Cotton	1
Donaghadee	5
Glen	3
Greyabbey	1
Kircubbin	1
Millisle	3
Movilla	7
Portaferry	3
Portavogie	2
Scrabo	4
Westwinds	22
Total	121

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Mr Easton asked the Minister for Social Development to detail (i) the number of cavity wall extractions carried out since March 2014 under the NIHE response maintenance programme; and (ii) of those extractions, how many relate to the 135 homes identified in the SERC Report, dated March 2014, where the state of the cavity wall was classified as severe with critical needs or unsatisfactory with grave needs.

(AQW 48509/11-16)

Mr Storey: The NIHE have advised that since March 2014, the extraction of existing cavity wall insulation has been carried out to 13 properties under NIHE Response Maintenance and 36 properties under NIHE Planned Schemes programmes. Included in these numbers is one property whose address was included within the SERC report.

Mr Agnew asked the Minister for Social Development to detail the minimum thermal insulation requirements for newly built social housing.

(AQW 48529/11-16)

Mr Storey: Housing Associations delivering new build housing under DSD's Social Housing Development Programme are required to meet the design standards set out in the Department's Housing Association Guide, which includes a requirement for new designs to meet the current Building Regulations (NI) 2012, amended 2014.

Although the Regulations include specific requirements in relation to thermal efficiency and carbon emissions, they are not prescriptive on the minimal thermal insulation requirements for dwellings. However, in meeting the Regulations the 'whole house' approach using the Standard Assessment Procedure is preferred.

Mr Easton asked the Minister for Social Development to detail how much each local housing association has in cash reserves.

(AQW 48547/11-16)

Mr Storey: Housing Association reserves are not necessarily cash backed. Their revenue reserves are accumulated from any surplus made on operational activities and are impacted by accounting entries. Revenue reserves do not therefore equate to cash.

Cash balances represent the level of cash held by the Housing Association at a particular point in time. This balance is not a reflection of free resources available to a Housing Association as resources may be committed to ongoing operational needs including development of social homes, maintenance programmes and payment of bills for work already carried out. Cash balances can fluctuate dramatically in a short space of time, for example, if a loan is drawn down to fund work in the coming months.

It is therefore not possible to determine the level of free cash reserves.

Mr Ó hOisín asked the Minister for Social Development to detail the number of housing units (i) at planning stage; (ii) in construction; and (iii) that have been delivered in East Derry, in the last five years.

(AQW 48576/11-16)

Mr Storey:

(i) There are currently 289 social housing units programmed to start on-site in the East Londonderry Parliamentary Constituency as part of the Social Housing Development Programme (SHDP) 2015/16 to 2017/18, with the following number of units planned to start on site as follows;

- 67 units in 2015/16,
- 115 units in 2016/17 and
- 107 units in 2017/18

Planning applications have been submitted for all the three schemes (67 Units) programmed to start on site during this financial year.

You may however, wish to note that programmed schemes may be lost or slip to future programme years for a variety of reasons relating to e.g. site acquisition / achieving Planning Permission. Additional schemes may also be added to the SHDP through the purchase of Existing Satisfactory / Off-the-shelf properties in-year, and through the annual housing association bidding round / programme formulation (which is currently underway).

(ii) There are currently 114 social housing units recorded as starts/under construction. These units relate to scheme programmed since started on site in 2013/14 to date. Schemes are only recorded as complete once the final grant payment has been made.

(iii) There were a total of 100 social housing units completed during the period 2009/10 to 2014/15 in the East Londonderry Parliamentary Constituency.

The annual breakdown is as follows:

Programme Year	Total Completions (East Londonderry)
2009/10	43
2010/11	0
2011/12	13
2012/13	14
2013/14	25
2014/15	5
Total	100

Mr Campbell asked the Minister for Social Development, following the conviction of Paul Mahoney from Londonderry, for an estimation of the total benefit payments made to Mr Mahoney in the last six years.

(AQW 48596/11-16)

Mr Storey: I cannot provide the information requested. The Data Protection Act 1998 prohibits the disclosure of personal data without the consent of the individual, therefore the Social Security Agency cannot estimate any benefit paid to Mr Mahoney.

Mr Lyttle asked the Minister for Social Development what action his Department has taken in response to sectarian graffiti at Ravenhill Avenue shared neighbourhood scheme, in order to uphold the Together: Building a United Community commitment that all housing should be openly accessible to all and that those making decisions on where to live should be able to do so free from the risk of intimidation or threat.

(AQW 48631/11-16)

Mr Storey: The Department for Social Development condemns the sectarian incident at Ravenhill Avenue and it continues to work with the Housing Executive and the Housing Association movement to ensure that good relations remain central to our work.

The Department understands housing provision issues and housing segregation are deeply ingrained in Northern Ireland, and because changing patterns can only be achieved over time and as part of a wider review of service provision and community safety, The Department, in partnership with the Housing Executive and the Housing Association Movement, has undertaken a dual approach to increase shared social housing provision through the new build development programme and through programmes such as the Housing Executive's Building Relationships in Communities.

To support the development of shared neighbourhoods, DSD provides access to additional funding to Housing Associations participating in the TBUC shared neighbourhood programme. The additional funding, up to 10% of the Housing Association

Grant payable for the shared housing scheme developed, is provided to assist with staff resources and associated programme costs to deliver the new shared neighbourhood's Good Relations Plan.

Participating Housing Associations can also avail of the Housing Executive's Community Cohesion Unit to design and deliver Good Relations Plans and to assist with the provision of bridging events between the new shared neighbourhood and existing, surrounding neighbourhoods. These events also include local, political engagement. The Department then monitors the progress of the Plan's implementation in the 2 years following housing allocations

Furthermore, to assist the development of shared neighbourhoods going forward, DSD has established a Ministerial Panel Housing Thematic Sub-group. The Sub-group draws membership from stakeholder groups with experience of peace building and good relations and the aim is to build on good practice and utilise existing skills and knowledge to inform the TBUC Strategy's implementation.

Mr Weir asked the Minister for Social Development to detail the number of vacant Housing Executive properties in North Down, broken down by ward.

(AQW 48633/11-16)

Mr Storey: The information is not available in the format requested as the Housing Executive is unable to provide a break down by electoral ward. However, the table attached details all vacant properties in the North Down constituency broken down by Common Landlord Area (CLA) as at 7 September 2015.

Common Landlord Area	No. Vacant
Bangor / Kilcooley	14
Bloomfield Rd./Balloo	5
Clandeboyne Road	2
Donaghadee	5
Loughview/White City	1
Millisle	4
Helens Bay	1
Skipperstone	2
Spencer Street	1
Whitehill	2
Total	37

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The Housing Executive has advised that 27 of the properties are classified as Actionable (properties where re-letting is not anticipated to be a problem). The remaining 10 properties are classified as Operational (properties generally withdrawn from the normal letting pool to facilitate organisational requirements e.g. properties included in a planned improvement scheme due to commence in the near future). _

Mr Allister asked the Minister for Social Development to detail the age profile of the individuals accepted to the Northern Ireland Housing Executive Voluntary Exit Scheme to date.

(AQW 48649/11-16)

Mr Storey: The table attached, provided by the Housing Executive, details the age profile of the individuals accepted to their Voluntary Exit Scheme to date.

Age	Headcount
Younger than 55	4
55	13
56	9
57	14
58	21
59	18
60	19

Age	Headcount
61	23
62	14
63	22
64	12
65	12
Older than 65	8
Total	189

The Housing Executive has advised that:-

All ages are rounded to the nearest year;

“Accepted to the Housing Executive Voluntary Exit Scheme to date” is assumed to mean those staff who have approval granted to leave under the Scheme;

The table does not include staff who have applied but who have not been approved and does not distinguish between those who have already left and those who are still to go.

Mr Allister asked the Minister for Social Development whether anyone on gardening leave was admitted to the Northern Ireland Housing Executive Voluntary Exit Scheme.

(AQW 48650/11-16)

Mr Storey: The Housing Executive has advised that it does not employ the practice known as gardening leave and accordingly no one on gardening leave was admitted to the organisation’s Voluntary Exit Scheme.

Mr Flanagan asked the Minister for Social Development for an update on his Departments proposals to reform liquor licensing laws.

(AQW 48668/11-16)

Mr Storey: Liquor Licensing Legislation is currently being considered and an announcement on the way forward will be made in due course.

Mr McKinney asked the Minister for Social Development to detail all capital projects currently being undertaken by his Department in South Belfast.

(AQW 48690/11-16)

Mr Storey: My Department through the Belfast Regeneration Directorate has awarded capital funding from the Neighbourhood Renewal Investment Fund of £156,784.80 to St. Georges Amateur Boxing Club. The funding will allow the club to refurbish a former social club in Alfred Street, owned by St. Malachy’s Parish and turn it into a modern boxing club and training facility. Work on the refurbishment is complete and the Club will move into their new facility shortly.

Mr Lunn asked the Minister for Social Development what progress has been made on the creation of ten Shared Neighbourhoods as referenced in Together: Building a United Community.

(AQW 49286/11-16)

Mr Storey: To date, one site, Ravenhill Road in Belfast, has completed and a further 5 schemes have commenced; Ravenhill Avenue, Belfast; Felden Mill, Newtownabbey; Crossgar Road, Saintfield; Killard School, Newtownards; and Burn Road, Cookstown.

DSD Housing Group is currently liaising with the Housing Executive and the Housing Association Movement to identify additional schemes for inclusion to the programme.

Mr McCarthy asked the Minister for Social Development, given the increase in locally brewed alcohol in the form of craft beers, ciders and spirits (i) for his assessment of the current legislation that prevents the selling of such products at artisan markets and local fairs; and (ii) whether his Department has plans to amend this law to permit local brewers to promote their businesses and increase growth in the sector.

(AQW 49290/11-16)

Mr Storey: The Licensing (Northern Ireland) Order 1996 (the Order) is the legislation regulating the retail sale of alcohol in Northern Ireland.

Alcohol can only be sold in Northern Ireland under the authority of a liquor licence and the Order provides for the granting of liquor licences to premises only. There are a number of options available to producers of craft beers, ciders and spirits to provide their products at artisan markets and local fairs, one of which is the use of an occasional licence.

Liquor Licensing legislation is currently being considered and an announcement on the way forward will be made in due course.

Mrs Cochrane asked the Minister for Social Development, pursuant to AQW 47060/11-15, when he will (i) advise the Committee for Social Development on the content of the Gambling Bill; and (ii) introduce the Bill to the Assembly.
(AQW 49291/11-16)

Mr Storey: Gambling policy is under consideration. I will advise the Social Development Committee of my intentions as regards primary legislation in due course.

Mrs Dobson asked the Minister for Social Development, pursuant to AQW 47574/11-15, for his assessment of the discrepancy in the figures provided in response to this question and those contained within the 2013-14 and 2014-15 Charity Commission Annual Report and Accounts which show Legal and Professional Fees at £70,556 and £175,012 respectfully.
(AQW 49303/11-16)

Mr Storey: The figures contained in the 2013-14 and 2014-15 Charity Commission Annual Report and Accounts include both legal costs and professional fees, whilst the figures provided in the response to AQW 47574/11-15 are for legal costs only.

Mr Allister asked the Minister for Social Development to detail the ownership of Paisley Park, West Circular Road, Belfast; and the status of longstanding tenancies by the (a) bowling club; (b) football team; (c) and boxing club.
(AQW 49306/11-16)

Mr Storey: Paisley Park is owned by The Department for Social Development.

My officials are currently working collaboratively with Paisley Park Sportsplex Ltd and Belfast City Council to ensure the future of the Paisley Park Sports Complex. This involves the provision of a licence to the Paisley Park Sportsplex Ltd on behalf of (a) the bowling club, (b) the football club and (c) the boxing club, with my Department and Belfast City Council.

The Paisley Park facility was originally part of the Mackie's Engineering Companies complex and provided sporting facilities for the Companies workforce. The bowling, football and boxing clubs have been the principal users of the Park since the Department took ownership and entering into the above licence agreement will secure their occupancy for the future.

Northern Ireland Assembly Commission

Mr Allister asked the Assembly Commission to detail the uptake of the live stream of the Committee for Finance and Personnel public hearing on the NAMA issue on 23 September 2015.
(AQW 49146/11-16)

Mr Ramsey (The Representative of the Assembly Commission): There were 6,500 views of the Committee for Finance and Personnel meeting on Wednesday 23 September 2015 via the NI Assembly live stream.

Mr Easton asked the Assembly Commission to detail (i) the number of meetings of the Independent Financial Review Panel, since its formation; (ii) the length of each meeting; and (iii) the total cost to the Assembly.
(AQW 49158/11-16)

Ms P Bradley (The Representative of the Assembly Commission): Further to AQW 49158/11-16, I can confirm that:

The Independent Financial Review Panel (IFRP) has had 47 formal meetings and 68 informal meetings since its formation;

The time of each meeting is not formally recorded, however, in the last four financial years, each panel member has claimed fees for the following hours:

	2011/12	2012/13	2013/14	2014/15
Mr Pat McCartan	214 ¼	74	85	170
Dr Henrietta Campbell	187 ½	64	47	70
Mr Alan McQuillan	222	57	27	95

The total cost to the Assembly of the IFRP in each of these financial years, including general administration expenditure, but not including support staff costs was:

2011/12	2012/13	2013/14	2014/15
£42,059	£13,272.92	£7676.99	£20,722

Mr Easton asked the Assembly Commission to detail all mileage claimed by each member of the Independent Financial Review Panel, since its formation.

(AQW 49159/11-16)

Ms P Bradley (The Representative of the Assembly Commission): Further to AQW 49159/11-16, I can confirm that the following mileage claims were made by members of the IFRP in each of the last four financial years:

	2011/12	2012/13	2013/14	2014/15
P McCartan	56.7	209.7	117	320.4
H Campbell	73.8	177.3	83.7	108
Mileage Total	130.5	387	200.7	428.40

One member of the Panel did not make any claims for mileage.

Mr Easton asked the Assembly Commission to detail the cost of all hospitality claimed by the Independent Financial Review Panel.

(AQW 49160/11-16)

Ms P Bradley (The Representative of the Assembly Commission): Further to AQW 49160/11-16, I can confirm that the costs for hospitality provided to the Independent Financial Review Panel in each of the last four financial years were as follows:

2011/12	2012/13	2013/14	2014/15
NIL	£157.45	£38.13	£43.71

Mr Allister asked the Assembly Commission what is the effect on salary and associated benefits of a minister being reappointed within 7 days of resigning.

(AQW 49295/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): A Member appointed as a Minister receives an office holder salary for the actual days that he or she serves as a Minister. The reappointment of a Minister within a 7 day period (or any other period) has no impact on the calculation of salary as it is only the actual days of service as a Minister that attract an office holder salary.

Northern Ireland Assembly

Friday 16 October 2015

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Allister asked the First Minister and deputy First Minister (i) in what capacity the deputy First Minister travelled to the funeral of Nelson Mandela; (ii) if it was to represent the Executive, when this was agreed by the Executive; (iii) who accompanied him; and (iv) what was the total cost to the tax payer.
(AQW 29444/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): As co-chairs of the Executive we agreed that the deputy First Minister would attend the memorial service on behalf of OFMDFM, representing the Executive, while the First Minister welcomed a significant foreign investment and jobs announcement in Londonderry/Derry also on behalf of the Executive. Details of the visit can be found on: <http://www.ofmdfmi.gov.uk/biannual-report-2013-2014.pdf>

Mr Dallat asked the First Minister and deputy First Minister to outline any future visits to the United States of America to encourage investment.
(AQO 7897/11-15)

Mr P Robinson and Mr M McGuinness: While we have no immediate plans to visit the United States, we would anticipate returning to the United States and other destinations to encourage investment in the future.

Mr Lyttle asked the First Minister and deputy First Minister when the Strategic Investment Board report and recommendations on the review of Good Relations funding and the review of Good Relations Indicators will be published.
(AQW 47033/11-15)

Mr P Robinson and Mr M McGuinness: The review of good relations funding report, produced by the Strategic Investment Board, is currently being considered within the Department and officials are currently engaging with the Strategic Investment Board to carry out some further work to update the review findings taking account of more recent developments such as the implications of the proposed new departmental structures under the Stormont House Agreement.

In parallel, officials are progressing work to ensure that all good relations funded schemes are closely aligned with the outcomes associated with the Together: Building a United Community priority areas and a common and consistent approach is being used in terms of performance monitoring and the measurement of impacts. This includes working closely with the Community Relations Council and the new District Councils.

The Together: Building a United Community strategy committed to a review of the Good Relations Indicators. As a result of the review, new indicators and associated outcome measures were approved on 22 April 2015. The indicators will be used to monitor progress and will also provide the strategic performance management framework that will underpin the measurement of impacts for the strategy's headline actions, associated programmes and funding streams. A copy of the final set of indicators was sent to the OFMDFM Committee on 11 June 2015. The first monitoring report on the revised indicators was published on the 22nd September 2015.

Mr Eastwood asked the First Minister and deputy First Minister whether a letter of offer from the Social Investment Fund has been issued to Derry City and Strabane District Council to enable the redevelopment of the Brandywell stadium.
(AQW 47038/11-15)

Mr P Robinson and Mr M McGuinness: The Brandywell Stadium is one of three components of the Capital Cluster Pitches project in the Derry/Londonderry Social Investment Zone.

A letter of offer for this project issued on Friday 2 October to Derry City and Strabane District Council.

Mr Flanagan asked the First Minister and deputy First Minister whether they have any plans to bring an agenda item to the Executive on increasing the performance of all Departments in responding to FOI requests within the statutory time frame.
(AQW 47594/11-15)

Mr P Robinson and Mr M McGuinness: Executive business and all aspects of the Executive decision-making process are confidential.

Mr Agnew asked the First Minister and deputy First Minister to detail the rationale for allocating the Ethnic Minority Development Fund on an annual basis rather than providing funding over a longer period of time.

(AQW 48374/11-16)

Mr P Robinson and Mr M McGuinness: We have allocated the Minority Ethnic Development Fund (MEDF) on an annual basis for the 2015/16 financial year as the current Comprehensive Spending Review (CSR) period lasts up until the end of this financial year only.

The 2013-15 MEDF did provide for multi-annual support and we intend to return to multi-annual support in line with the next CSR period.

Mr Ramsey asked the First Minister and deputy First Minister for an update on the progression of the Social Investment Fund.
(AQW 48531/11-16)

Mr P Robinson and Mr M McGuinness: The Social Investment Fund (SIF) has approved 42 projects with associated costs of over £58 million across all the 9 Social Investment Zones.

Nine revenue projects have service delivery organisations appointed and many have enrolled their first participants. A large number of these are employment and early intervention focused projects. Another three projects are expected to appoint service delivery organisations shortly and move to delivery on the ground. A further project has been approved and officials are working closely with the lead partner to secure agreement to a letter of offer.

Three capital projects have construction underway, with 2 due to complete this year and one, the Coleraine Rural and Urban Network charity hub in Coleraine, opened in September 2015. A total of 14 capital projects have appointed, or are expected to appoint design teams shortly and of these 4 are now tendering for contractors. A further 6 projects are subject to a letter of offer and working through pre tender requirements to enable them to move to design team procurement.

On 2 October 2015, Letters of Offer, worth £4.4 million, issued to 3 further capital projects in the Belfast North Zone (St Enda's and Crusaders) and Derry/Londonderry Zone (Derry Pitches). All will refurbish community sports facilities.

We are making significant progress in moving approved projects to delivery and all remaining projects are continuing to progress through the economic appraisal approval process. We are working to expedite the passage of this group to letter of offer subject to affordability.

Mr Lunn asked the First Minister and deputy First Minister (i) for an update on the number of summer camps and summer school programmes which took place in 2015 as referenced in Together: Building a United Community; and (ii) to detail the target for the number of summer camps and summer school programmes due to take place during 2016.

(AQW 48602/11-16)

Mr P Robinson and Mr M McGuinness: Funding for Summer Camp Pilots was offered to 113 applicants and, to date, 105 of these applicants have accepted their offer. As at the end of August 75 camps have been held with the remaining 30 scheduled to take place before the end of November.

An evaluation of the Pilot Programme has been commissioned and plans are in place to hold Shared Learning Forums and recommence the co-design process to ensure that learning from the 2015 Pilot Programme is taken forward in any future Summer Camp Programme. Final decisions regarding a Programme in 2016 have therefore not yet been taken.

Ms Sugden asked the First Minister and deputy First Minister for an update on the Disability Awareness and Advocacy Focus Group as part of the Delivering Social Change framework.

(AQW 48788/11-16)

Mr P Robinson and Mr M McGuinness: The Executive recently extended the Disability Strategy until 2017 to allow additional time to fully implement the Strategy's 18 strategic priorities. One of the key priorities will be to take forward the work stream on disability awareness and advocacy to help build a greater awareness of advocacy support for people with disabilities, their families and carers.

Ms Sugden asked the First Minister and deputy First Minister to detail when the first annual report on the delivery of the Disability Strategy will be published.

(AQW 48789/11-16)

Mr P Robinson and Mr M McGuinness: The first annual report, which provides an update on the actions taken forward across Government to implement the Executive's Disability Strategy between 1 April 2013 and 31 March 2014 is available on the OFMDFM website at: <http://www.ofmdfmi.gov.uk/disability-strategy-report-2013-2014.pdf>

Mr Easton asked the First Minister and deputy First Minister to outline the departmental funding streams available to community groups.

(AQW 48827/11-16)

Mr P Robinson and Mr M McGuinness: The Department allocates good relations funding through a number of different funding schemes. A list of the departmental funding schemes available to community groups, and the amount allocated to each scheme in 2015/16, is as follows:

Funding stream	Amount
Strategic Interventions	£500,000
District Council GRP	£3,000,000
North Belfast SGRP	£670,000
Central GRF	£2,000,000
Summer Camps	£1,200,000
Total	£7,370,000

The level of funding allocated clearly demonstrates our commitment to the delivery of Together: Building a United Community (T:BUC) and to achieving good relations outcomes across our society.

In addition to these funding streams OFMDFM also provides funding to community groups through the Community Relations Council.

Community groups will also be able to avail of Peace IV funding which has been closely aligned with the aims and objectives of T:BUC.

Ms Sugden asked the First Minister and deputy First Minister to detail (i) the number of times the Ageing Strategy Advisory Group has met in the last 12 months; and (ii) the outcomes of the meetings.

(AQW 48863/11-16)

Mr P Robinson and Mr M McGuinness: The Ageing Strategy Advisory Group has met with OFMDFM officials twice in the last 12 months. In addition, there has been contact via e-mail.

The Advisory Group has provided advice and input into the final draft of the document, with a particular focus on the draft outcomes included in the Strategy.

Ms Sugden asked the First Minister and deputy First Minister when a Programme for Government 2015-16 will be published.

(AQW 48932/11-16)

Mr P Robinson and Mr M McGuinness: We refer the Member to the response to AQW 44310/11-15, answered on 14 April 2015.

Mr Campbell asked the First Minister and deputy First Minister, given NI Water is going to purchase 85 acres of the former Shackleton site in Ballykelly, whether this also includes a resolution to the flooding problems that have occurred on the site for a number of years.

(AQW 49040/11-16)

Mr P Robinson and Mr M McGuinness: NI Water has no responsibility for flood control. They plan to purchase 85.8 acres of the Shackleton site to develop an Integrated Constructed Wetlands to replace the waste water treatment works that currently deals with waste from Ballykelly village.

Work has been undertaken to reduce the risk of flooding on the Shackleton site which includes:

- regular maintenance of the four industrial pumps and the network of drainage channels that run through the site;
- purchasing a spare pump, which ensures continuity of service, should a pump fail; and
- installation of an early detection flood warning system.

The responsibility for the operation and maintenance of the pumps will transfer to the new owner of the site.

Mr Allister asked the First Minister and deputy First Minister how much has been spent on the provision of photographic services to the Executive since May 2007.

(AQW 49144/11-16)

Mr P Robinson and Mr M McGuinness: The Executive has incurred no expenditure in relation to photographers since May 2007.

Mr G Kelly asked the First Minister and deputy First Minister for an update on progress in establishing the Together: Building a United Community Urban Village in North Belfast.

(AQO 8238/11-15)

Mr P Robinson and Mr M McGuinness: On 16 February this year, we announced that the Ardoyne/Ballysillan area in North Belfast would be one of the locations to benefit from the Urban Village programme. This brings the number of Urban Villages projects to five, one more than originally committed to within Together: Building a United Community.

The next step is to establish a project team for each new Urban Village to engage and work with the community to determine the boundaries of the urban villages, assess what is needed and develop priorities for each area.

OFMDFM has recently assumed lead responsibility for delivery of the headline action in relation to Urban Villages. This includes consideration of the most appropriate approach, delivery and governance structures that are required to maintain progress going forward. We are continuing to work closely with SIB to ensure that engagement continues in the five localities and that momentum is achieved. The OFMDFM role will be to provide effective Programme oversight to ensure efficient delivery of this programme.

The Strategic Investment Board is establishing a dedicated team to take forward the development of design plans for the Urban Village projects and the implementation and completion of capital build and public realm works. The Strategic Investment Board is currently meeting with local community representatives from North Belfast and developments are at an early stage.

Department of Agriculture and Rural Development

Mr Weir asked the Minister of Agriculture and Rural Development how many people from North Down are agri-environment scheme participants.

(AQW 49126/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): There are currently 38 agri-environment scheme agreements held by farm businesses situated in North Down.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of root knot nematodes have been recorded in the last four years; and to outline the effect on the potato crop over this time.

(AQW 49127/11-16)

Mrs O'Neill: Root Knot Nematodes (*Meloidogyne* spp.) are seen as relatively new pests of agricultural crops including potatoes. In the last four years tuber samples have been examined at the Agri-food and Biosciences Institute's Nematology laboratories with no sign of damage caused by Root Knot Nematodes in either locally produced or imported potatoes.

Plant Health Inspection Branch undertake soil surveys on selected fields to check for the presence of the most damaging nematode pests: *Meloidogyne chitwoodi* and *Meloidogyne fallax* which are listed as quarantine pests in the Plant Health Order (NI) 2006. These pests have never been found in the north of Ireland. *Meloidogyne minor* has been found on occasions but it is unclear how widespread or damaging this non quarantine pest is to the local potato crop.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of Ash Dieback have been recorded in the last four years; and to outline the impact on our tree population.

(AQW 49128/11-16)

Mrs O'Neill: Since the first findings of Ash Dieback in the north of Ireland in November 2012, the disease has been confirmed and statutory plant health notices issued at 94 premises. Three of these findings involved plants in trade with the remainder in ash planted within the last seven years. As a result of these findings 95,000 affected young trees have been destroyed in an effort to control the spread of the pathogen.

Forest Service supported the reinstatement of 23 hectares of Ash Dieback affected woodland under the previous Rural Development Programme. Under the new Rural Development Programme 2014 – 2020 a Forest Protection Scheme to support prevention and restoration of damage to forests from natural disasters and catastrophic events such as tree diseases is planned, with an anticipated launch in autumn 2015.

Mr Easton asked the Minister of Agriculture and Rural Development how many cases of phytophthora ramorum have been recorded in the last four years; and to outline the effect on tree and plant life over this time.

(AQW 49129/11-16)

Mrs O'Neill: In the last four years Phytophthora ramorum infection has been confirmed at 80 sites. Sixty nine of these are larch plantations with the remainder composed of findings in ornamental plants and trees including rhododendron, beech and yew. The outbreaks in larch, which is a primary sporulating host, required the felling of approximately 590 hectares of these trees over that period in order to control the level of inoculum of the disease which has the potential to infect over 100 species of plants and trees.

Mr Easton asked the Minister of Agriculture and Rural Development what are the current laws on importing plants.
(AQW 49133/11-16)

Mrs O'Neill: Article 13 of Directive 2000/29 EC requires that EU member states carry out appropriate checks on regulated plants and plant material (including wood) on entering the community from third countries. These checks are applicable at the first point of entry to the EU. Import requirements within the Directive are implemented locally through The Plant Health (NI) Order 2006.

There is a requirement for importers to register with the Department and to pre-notify the landing of regulated consignments from third countries. Checks are carried out on this material at ports and airports to ensure compliance with documentary requirements and to check for freedom from quarantine plant pests and diseases.

For plant material originating within the EU and moving between EU member states, plant health checks are focused on the place of production, with Plant Passports required for a range of plants to allow their movement within the EU. Although there are no routine border checks, spot checks may take place anywhere in the trade chain under The Plant Health (NI) Order 2006.

Mr G Robinson asked the Minister of Agriculture and Rural Development how she will help young farmers taking family farm businesses to ensure planning applications for their farms are not rejected under the planners six year requirement CTY10(A).
(AQW 49155/11-16)

Mrs O'Neill: The role of my Department in the planning process is to confirm to local councils that an applicant has a Business Identification Number issued by DARD and that the farm business has claimed and been in receipt of subsidy payments for at least six years. Beyond this the Department has no authority to influence a decision on a planning application for a farm dwelling.

My Department is a statutory consultee on planning policy and will continue to engage with the Department of the Environment on planning policy matters that impact on rural communities, and in particular to highlight the potential impact for some young farmers who have set up as head of holding in a recently established business.

Mr Easton asked the Minister of Agriculture and Rural Development whether she is aware of instances of woodland being removed without the necessary permissions; and in such cases what action has been taken.
(AQW 49161/11-16)

Mrs O'Neill: In 2014/15 Forest Service received 13 reports of suspected illegal felling or tree removal and each report was investigated by officials. In 4 cases Forest Service took action in accordance with DARD's enforcement policy and legislative requirements under the Forestry Act 2010 on restrictions of felling and a requirement was placed on the landowners to re-establish just over one hectare of woodland. In 5 cases, the Department investigated the suspected felling under the Environmental Impact Assessment (Forestry) Regulations 2006 because there was an intention to deforest. In each case the removal of trees was considered not to have a significant effect on the environment and resulted in the clearance of approximately 6 hectares of woodland. In the remaining suspect cases, felling or tree removal was found to be compliant with both legislative requirements.

Mr Flanagan asked the Minister of Agriculture and Rural Development (i) for an update on the drafting of the Garrison Ely Trust Act; (ii) what are the key purposes of the proposed legislation; and (iii) when the legislation will reach the Assembly for debate. [R]
(AQW 49201/11-16)

Mrs O'Neill: My officials, along with their counterparts in DCAL, have been working with the Attorney General's office to draft a Bill which will create a new Trust that will seek to preserve the purely public benefit of the work currently undertaken.

The Bill would ensure that the Trustees are formally appointed and that they will have clear and effective powers to run the Trust for public benefit.

Drafting of the Bill is at an advanced stage, and arrangements for consultation with interested parties are being put in place. The aim is to have a Bill introduced to the Assembly as soon as is practicable.

Mr Campbell asked the Minister of Agriculture and Rural Development what levels of remuneration will be paid to members of the Loughs Agency appointed after December 2015.
(AQW 49203/11-16)

Mrs O'Neill: The current levels of remuneration paid to Members of the Loughs Agency Board are as follows: Chairperson £8,140/€11,970 per annum; Vice-Chairperson £6,690/€9,830 per annum; and Members £5,235/€7,695 per annum.

I am not aware of any plans to change the levels of remuneration for Members of the Loughs Agency Board appointed after December 2015 from their current levels.

Mr Swann asked the Minister of Agriculture and Rural Development, in each of the last three years, how many cattle that tested positive for bovine TB then tested negative post-slaughter, broken down by constituency.
(AQW 49257/11-16)

Mrs O'Neill: My Department does not record data relating to bovine TB on a constituency basis. However, my Department can provide the number of cattle which were positive reactors at a skin test and in which no lesions typical of bovine TB were found at post-mortem examination and which were negative at subsequent laboratory tests (Histopathology and Bacteriology) for the years 2012 to 2014 broken down by Divisional Veterinary Office (DVO) area. A map of the north of Ireland showing the DVO areas is attached, a copy of which has been placed in the Assembly Library.

The data relating to TB reactors which were not confirmed to have TB distributed across DVO areas is shown in the tables below.

2012

Divisional Veterinary Office Area	Number of TB reactors	Number of TB reactors that were not confirmed to have TB
Armagh	812	473
Ballymena	223	92
Coleraine	896	480
Dungannon	899	470
Enniskillen	1,909	1,088
Mallusk	628	387
Derry	149	66
Newry	1,731	1,033
Newtownards	1,591	861
Omagh	2,057	1,109
All DVO areas	10,895	6,059

2013

Divisional Veterinary Office Area	Number of TB reactors	Number of TB reactors that were not confirmed to have TB
Armagh	821	444
Ballymena	744	322
Coleraine	694	321
Dungannon	636	381
Enniskillen	1,234	714
Mallusk	302	186
Derry	70	30
Newry	1,423	882
Newtownards	1,340	704
Omagh	998	513
All DVO areas	8,262	4,497

2014

Divisional Veterinary Office Area	Number of TB reactors	Number of TB reactors that were not confirmed to have TB
Armagh	584	290
Ballymena	409	180
Coleraine	1,022	431
Dungannon	697	305
Enniskillen	1,281	720
Mallusk	352	196

Divisional Veterinary Office Area	Number of TB reactors	Number of TB reactors that were not confirmed to have TB
Derry	123	39
Newry	1,839	1,114
Newtownards	1,390	668
Omagh	1,141	549
All DVO areas	8,838	4,492

More detailed Tuberculosis Disease Statistics in the north of Ireland are available on the DARD internet and include monthly statistics from 2015. See the link: (<http://www.dardni.gov.uk/statistics-tuberculosis.htm>).

The Pages 'Reactor Animals' and 'Confirmed Disease' are relevant to this question. All these figures are correct at the time of writing.

Note that some animals in which no lesions were detected at post-mortem will not have had further laboratory tests.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 48936/11-15, how many of these farms were subject to penalties in each year.

(AQW 49364/11-16)

Mrs O'Neill: The number of farm businesses, which were subject to a follow up inspection, that had a penalty applied are provided in the table below:

Year	Number of businesses subject to penalties
2012	-
2013	36
2014	49

Mr Swann asked the Minister of Agriculture and Rural Development to detail the cost of the TB testing programme in each of the last three years.

(AQW 49511/11-16)

Mrs O'Neill: My Department holds this information by financial year. The latest full year for which data is available is 2014/15. The table below provides a breakdown for each element of expenditure on the TB eradication programme.

Year	VSD Costs	PVP Costs	Compensation	Staff Costs	DARD Funded Research	Haulier Costs	Misc	Tuberculin	Salvage	Total Expenditure
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	30,884,976
2013/14	1,432,192	6,526,762	12,500,762	7,071,865	486,326	292,069	164,366	615,695	-2,172,031	26,918,006
2014/15	2,266,881	6,634,749	14,037,743	6,836,546	102,017	295,814	172,101	616,313	-2,292,514	28,669,650

Mr Murphy asked the Minister of Agriculture and Rural Development for an update on the regeneration work at the former British military site in Forkhill.

(AQO 8843/11-16)

Mrs O'Neill: The regeneration of the former military site in Forkhill is a positive example of how my Department is meeting its strategic objective of strengthening the social and economic infrastructure of rural areas.

I recently had the pleasure of officially opening Park Urney, a new affordable housing scheme on the former military site and from speaking with residents it is very much apparent how the regeneration of the site is improving the lives of rural dwellers. This affordable housing for the local community brings us a step closer to the full regeneration of the former military site.

My Department has been instrumental in bringing a derelict site back into usage, working with the local community to help them realise their plans for the development of the site. The Department has been working in partnership with Newry, Mourne and Down District Council; and the local development association in bringing forward proposals for development of the 'Green Space' as the next phase in the overall site development.

My Department will continue to provide assistance to the local community to help them deliver their vision for the village of Forkhill. I hope that they will also be able to avail of support under the new Rural Development Programme.

Mr Maskey asked the Minister of Agriculture and Rural Development for an update on her efforts to secure new market opportunities for local agri-food produce.

(AQO 8851/11-16)

Mrs O'Neill: Securing new market access for our agri-food produce is a key priority for me and I am committed to assisting our industry in achieving their ambitious international export growth targets.

My visit to China in June has maintained momentum on our pork approvals and I expect the audit report on our processors will be published very soon. This follows the audit of the north of Ireland in April. I remain cautiously optimistic that we will soon be able to export our high quality pork to China. Of course China offers opportunities for our other agri-food commodities including beef and chicken and I used my recent trip there to promote our interest in attaining access to China for these commodities. It will be a lengthy process to secure approval but I have no doubt that the high-level relationships I have built during my trips there will assist us through the process.

It is important to note that often the work to open new markets is best taken forward at a technical level through direct engagement between the veterinary experts in my Department and those in the third countries. Therefore I have ensured that resource is dedicated to this work to enable us to maintain momentum on our efforts to secure new markets.

My officials have visited the Philippines and South Africa on trade missions this year and we are also preparing for inward inspections covering a range of commodities by officials from the US, Australia and the Philippines early next year. My officials have also been supporting the dairy industry in their three year export programme aimed at securing more trade to such markets as China.

I keep a close watch on all negotiations and will use every avenue available to me to secure new market opportunities for our vital agri-food industry.

Ms Sugden asked the Minister of Agriculture and Rural Development, pursuant to AQW 48938/11-16, how individual need will be assessed; and how measures to support struggling dairy farmers will be allocated and distributed.

(AQW 49706/11-16)

Mrs O'Neill: As I stated in the Assembly on 12 October the payments to individual farmers will be assessed on the basis of their milk production and they will receive a flat rate for each litre of that production. The reference point for this assessment will be the level of a farmer's production during the last year of the milk quota system, that is, 2014/15. This will ensure that payments can be calculated and delivered as quickly as possible to our hard-pressed dairy farmers.

The payments will be distributed to dairy farmers by the Rural Payments Agency (RPA), which is the most efficient and effective approach to taking this exercise forward. Importantly, it will have no implications for the processing of Basic Payments here. I understand how vital Basic Payments are to farmers across all sectors and I am committed to ensuring that as many farmers as possible receive their payments in December.

My officials are talking to DEFRA officials on an ongoing basis about the detailed practicalities of making the payments to dairy farmers and the subordinate legislation that will also be required in this Member State.

I am anxious that payments are made as quickly as possible, and, given that our farmers are in greatest need of support, I have told George Eustice that I want our farmers to receive their payments first. I have pressed him for the aid to be paid as early as possible by the RPA, and I expect that payments will be made in early December.

Mr McCartney asked the Minister of Agriculture and Rural Development to outline the benefits of the Rural Micro Capital Grant Programme.

(AQO 8848/11-16)

Mrs O'Neill: The first phase of the Rural Micro Capital Grant Programme has been very successful with one hundred and forty six rural community and voluntary groups benefiting from funding so far this year. Through this Programme, micro grants of up to £1,500 have been awarded to selected projects that has helped rural groups to improve and develop their facilities and assets, in turn contributing to improved community engagement within their local areas. A diverse range of groups have been funded to deliver micro projects along the themes of modernisation, health and well being and ICT (Information and Communications Technology) and this gives me great confidence in the resilience and enthusiasm of rural communities.

Feedback on the Programme has been very positive and despite the value of individual grants being relatively low, the impact of these projects locally and collectively across the north of Ireland is significant. The Rural Micro Capital Grant Programme is proving to be an effective component of my departments Tackling Rural Poverty and Social Isolation Framework and I am therefore pleased to confirm that the Programme has re-opened for new applications from rural community and voluntary groups and will close at noon on Friday 30 October 2015. I anticipate that at least another 150 rural community organisations will directly benefit from the second phase of this Programme.

Ms Hanna asked the Minister of Agriculture and Rural Development for an update on the development of the new Homeowner Flood Protection Grant Scheme.

(AQO 8849/11-16)

Mrs O'Neill: The Homeowner Flood Protection Grant Scheme will help protect properties from flooding through the installation of Individual Property Protection products or systems. It will be a valuable addition to the range of approaches available to manage flood risk.

Contracts for the scheme are now in place, and work is well advanced in preparing the necessary application documentation. Rivers Agency will pilot the scheme for an initial period of approximately 2 years.

The Scheme will commence in November 2015 and awareness will be raised by engaging with communities at known flood risk through the Regional Community Resilience Group, local Flood Forums, and a launch event.

Mrs Overend asked the Minister of Agriculture and Rural Development for an update on the proposed relocation of the Rivers Agency to the Loughry Campus.

(AQO 8850/11-16)

Mrs O'Neill: I can confirm that work is well advanced to relocate Rivers Agency to the Loughry Campus in Cookstown. The full business case was approved on 29 June 2015 and the contract for construction of the new building was awarded to QMAC Construction Ltd on 27 July 2015.

Construction began on the site at the end of September and is due to be completed by August 2016. When complete the new building will accommodate up to 85 workstations.

Department of Culture, Arts and Leisure

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Crescent Arts Centre over the last three years.

(AQW 49326/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): My Department provides funding to the Arts Council to promote and encourage participation in the arts. The Arts Council makes funding decisions in terms of organisations supported and funding levels, within the overall funding available. The Arts Council awarded the following funding to the Crescent Arts Centre in each of the last 3 years:

Year	Funding £
12/13	236,800
13/14	235,800
14/15	226,800

In addition the following Community Festival Fund (CFF) funding was awarded by Belfast City Council. DCAL funding in respect of the CFF is match funded by the Council. The figures provided below therefore include both DCAL and Council funding.

Year	Funding £
12/13	7,951.50
13/14	9,458.00
14/15	8,000.00

Mr Easton asked the Minister of Culture, Arts and Leisure why the results of the consultation on a proposed Irish Language Act have not yet been published.

(AQW 49335/11-16)

Ms Ní Chuilín: On 1 October, my officials briefed the Culture Arts and Leisure Committee on the results from the consultation. The Committee had requested this briefing in its role as a 'super consultee'.

Once finalised, a report of the consultation will be placed on the DCAL website.

Mr Easton asked the Minister of Culture, Arts and Leisure how much funding her Department has awarded to the Rivers Agency over the last three years.

(AQW 49337/11-16)

Ms Ní Chuilín: My Department does not fund the Rivers Agency. It does, though, commission work from the Agency to assist in the maintenance of towpaths. Over the last three years, the cost of this work was:

- 2012/13 - £119,716
- 2013/14 - £207,282
- 2014/14 - £167,130.

Mr Humphrey asked the Minister of Culture, Arts and Leisure for a breakdown of the £5.7 million spent on the Casement Park project to date.

(AQW 49340/11-16)

Ms Ní Chuilín: As of 31 March 2015, spend on the Casement Park project was just under £5.7 million. The spend relates to eligible development costs, as per the letter of offer, and is in line with the usual costs associated with a capital project of this scale. The spend has been against the following headings: employment, design, pre-design construction, legal and statutory fees, surveys and business case.

Mr Humphrey asked the Minister of Culture, Arts and Leisure for a breakdown of the £159,000 spend incurred at Casement Park, since 1 June 2015.

(AQW 49341/11-16)

Ms Ní Chuilín: The £159,000 spend incurred at Casement Park since 1 June 2015 relates to eligible development costs, as per the letter of offer, and is in line with the usual costs associated with a capital project of this scale. The spend has been against the following headings: employment, integrated consultant team (Design) and legal.

Mr Humphrey asked the Minister of Culture, Arts and Leisure what plans she has to reinstate funding for instruments for marching bands.

(AQW 49342/11-16)

Ms Ní Chuilín: The cuts imposed on the north are unprecedented and the consequences are unpalatable in every part of the Department's business. The shortfall in my Department's capital budget meant that the Arts Council was unable to introduce the Musical Instruments for Bands Scheme in April this year. The scheme remains on hold until funding can be secured.

As I have clarified previously, the Scheme has not been withdrawn and I remain committed to supporting it. I will continue to work to ensure that it is adequately supported and funded going forward.

Lord Morrow asked the Minister of Culture, Arts and Leisure what action her Department is taking to promote the installation of defibrillators and associated training for use in sports and leisure venues.

(AQW 49432/11-16)

Ms Ní Chuilín: In the Assembly debate on 4 May 2015, that considered the need for a feasibility study for a interactive database to map the provision of Automated External Defibrillators (AEDs), I indicated my willingness to play my part in extending access to AED provision across the north of Ireland with particular regard to sport but also across the whole of my Department's remit.

Since the debate my Department has:-

- increased its provision of AEDs with training across the Department and its ALBs;
- tasked Sport NI with assessing the level of provision across the sports sector;
- established contact with the Ambulance Service to seek advice on the proper formatting and offer support on the establishment and population of data for the interactive register;
- Liaised with Belfast City Council on the scope for it to become involved; and
- Provided additional tangible support and assistance to the Community AED Provision Initiative through the Henderson Group.

My officials will continue to seek opportunities to support the Ambulance Service as the single central point of contact on AEDs, in meeting its responsibility within of the Community Resuscitation Strategy.

I would again encourage all Departments including DHSSPS and arms length bodies to engage positively on their respective roles in extending the availability of, and access to, AEDs and to provide the details of such provision to the Ambulance Service in the required format.

Mr Flanagan asked the Minister of Culture, Arts and Leisure to detail the financial and other forms of support provided to Comhaltas Ceoltoirí Éireann in each year since 2007; and how this support has helped to promote and develop Irish music and culture.

(AQW 49547/11-16)

Ms Ní Chuilín: The information requested is not readily available and may only be obtained at disproportionate cost. In addition, it is possible that some records held by the Department or its relevant ALBs may have been disposed of in line with the Department's disposal of records schedule where there is no requirement, in many instances, to retain records for a period of more than seven years.

However, in respect of 2009 onwards you should be able to find the information on the Government Funding Database (the GFD) which is a centralised and uniform source of accessible information on grant funding to the Voluntary and Community Sector. Its website can be accessed at; <https://govfundingpublic.nics.gov.uk/>

Mr Flanagan asked the Minister of Culture, Arts and Leisure what financial support has been provided to groups organising Feiseanna in each year since 2007.

(AQW 49549/11-16)

Ms Ní Chuilín: The information requested is not readily available and may only be obtained at disproportionate cost. In addition, it is possible that some records held by the Department or its relevant ALBs may have been disposed of in line with the Department's disposal of records schedule where there is no requirement, in many instances, to retain records for a period of more than seven years.

However, in respect of 2009 onwards you should be able to find the information on the Government Funding Database (the GFD) which is a centralised and uniform source of accessible information on grant funding to the Voluntary and Community Sector. Its website can be accessed at: <https://govfundingpublic.nics.gov.uk/>

Mr Flanagan asked the Minister of Culture, Arts and Leisure for an update on efforts to streamline, simplify and harmonise angling licences across the island of Ireland.

(AQW 49550/11-16)

Ms Ní Chuilín: There are currently three bodies across the island of Ireland that provide fishing licenses for their jurisdictions, namely my Department, the Loughs Agency and Inland Fisheries Ireland (IFI). I am supportive of the rationalisation of licensing regimes across the island of Ireland and in particular this would simplify the purchase of licences for tourist anglers.

The Loughs Agency secured some funding to carry out a scoping exercise on the development of all-Ireland angling licences and my Department and IFI were involved in the process. Since the completion of the scoping work officials from the three bodies have been involved in on-going discussions on the development of mechanisms to establish an All-Ireland licence for tourist anglers.

My Department is also undertaking a review of the DCAL licensing regime and pricing structures, with a view to rationalising administration of the system and simplifying the range of licences and permits offered. Loughs Agency will be involved in this process as the prices of licences in the two jurisdictions are agreed at similar levels.

Mr Flanagan asked the Minister of Culture, Arts and Leisure for an update on the provision of a disabled hoist for anglers on Lower Lough Erne.

(AQW 49551/11-16)

Ms Ní Chuilín: The new disabled hoist was installed by my Department adjacent to the Garvary slip on Lower Lough Erne in April 2015 and has been operational since 1 May.

Officials have delivered training on the safe operation of the equipment to representatives of the Erne Disabled Angling Club and have offered the same opportunity to the Irish Disabled Fly Fishing Association.

Any club or individual who would like to use the hoist can contact Inland Fisheries Group Headquarters on 03002007860 to arrange the necessary training.

Mr Allen asked the Minister of Culture, Arts and Leisure when the next two strands of the facility fund are to be released.

(AQW 49597/11-16)

Ms Ní Chuilín: Sport NI's Sports Facilities Fund will invest £17.5M Lottery Funding under 3 distinct strands. Applications for the Single Facility Strand, which closed in July 2015, are currently being assessed by Sport NI with applicants due to be notified of decisions by the end of October 2015.

It is anticipated that the second strand of the programme, the Multi-Facility Fund, will be launched before the end of this year.

For the third strand, the Performance Strand, Sport NI is currently working with District Councils, Sports Governing Bodies and other key partners to identify how the allocated funding can be best used to integrate facility needs of communities and high performance athletes within the same multi-sport environment. This work is ongoing and a date for release has yet to be agreed.

Mr Allen asked the Minister of Culture, Arts and Leisure whether her Department has any plans to engage with councils to create public fan-zones to show the Northern Ireland games at the 2016 European Championships.

(AQW 49645/11-16)

Ms Ní Chuilín: I can advise that officials from my Department are already working with the Irish Football Association (IFA) and Councils to put in place public fan zones for the UEFA European Women's Under-19 Championship final tournament which will be held in the north of Ireland in August 2017.

I would be supportive of my Department providing similar support to Councils and the IFA should they decide to create public fan zones around the 2016 European Championship matches.

Mr McCausland asked the Minister of Culture, Arts and Leisure to list the ten partners who funded the Culturlann Ui Chanain centre in Londonderry; and the amount contributed by each funder.

(AQW 49654/11-16)

Ms Ní Chuilín: The funding profile for this project is shown below:

Funder	Contribution at April 2008 (£)
An Gaeláras (Irish Speaking Centre)	271,576
IDF (Ilex)	500,000
Arts Council	650,000
Foras Na Gaeilge (Irish Language Agency) (of which 75% or £450k to be paid by Foras with the remaining 25% or £150k to be paid by DCAL)	600,000
IFI	353,000
Derry LSP	330,000
DSD	200,000
Dept of Foreign Affairs	65,000
UCIT (loan – currently being serviced by An Gaelaras)	100,000
NW Challenge Fund	363,000
	3,432,576

Department of Education

Mr McKinney asked the Minister of Education, pursuant to AQW 48734/11-16, what assessment has been undertaken into the locality of the available pre-school places.

(AQW 49100/11-16)

Mr O'Dowd (The Minister of Education): The Education Authority has advised me that, at 15 September 2015, places remained available in the following pre-school settings in South Belfast:

Setting	Location	Postcode
Malone Nursery School	Lisburn Road	BT9
Early Learners Day Nursery	Lower Windsor Avenue	BT9
YMCA Daycare	Knightsbridge Park	BT9
Village Sure Start	Donegall Road	BT12
Windsor Women's Centre	Broadway	BT12

Sufficient funded places in these settings were made available to meet the demand which emerged in the BT9 and BT12 areas during the admissions process.

The EA wrote to the parents of all unplaced children to inform them of the availability of these places and advised them to contact the settings directly to secure a place.

The EA does not currently hold details of the number of parents who chose to avail of the additional places as pre-school settings are still in the process of returning data on places allocated to children after the admissions process concluded.

Mr Campbell asked the Minister of Education to detail the start up costs of the post-primary Irish language school in Dungiven, including salaries, pension

contributions of all staff in the first year, any capital costs, planning and any other associated costs.

(AQW 49141/11-16)

Mr O'Dowd: Gaelcholáiste Dhoire, the post-primary Irish language school in Dungiven, opened on 1 September 2015.

Total costs relating to the pre-opening period are currently estimated at £91,053. This amount covers salaries (including employer National Insurance cost), employer pension contributions, legal fees and insurance, consultancy, job adverts, equipment, signage, rent, marketing, travel and office overheads. It is not possible to disaggregate costs as to do so may disclose personal information about an individual.

The school's running costs in the current financial year (the seven month period from 1 September 2015 to 31 March 2016), which include the pension costs of all staff in the first year, will not be known until the current financial year ends on 31 March 2016.

Gaelcholáiste Dhoire has not yet achieved its capital viability status and is therefore not entitled to capital grant-aid. The school is currently located in premises provided under the terms of the Departments circular 2012/01 Rentals at Grant-aided Schools, published in January 2012.

The guidance sets out the circumstances and conditions under which rental costs for accommodation and sites may be met under the Common Funding Scheme. The payment of rental costs is only considered for accommodation that has been formally approved and sanctioned for educational purposes by the Department and in accordance with the school's accommodation entitlement. Rent will only be paid up to the level of a valuation provided by Land and Property Services Agency.

Mr Flanagan asked the Minister of Education what consideration he has given to the universal provision of Sure Start for children under 4 years old.

(AQW 49255/11-16)

Mr O'Dowd: The final report on the Independent Review of Sure Start has been issued to all key stakeholders and published on the DE website. I have considered the report and provided direction to my officials regarding implementation of the findings. An Implementation Group, consisting of DE representatives and Childcare Partnership Managers was established in August 2015 to take forward the Review recommendations, in conjunction with relevant stakeholders with a target implementation date of March 2016.

Supporting Early Years education is a key priority because of the evidence that children benefit most from school if they have been supported to learn and engage with the world around them from birth. It is recognised that early intervention for children living in disadvantaged areas can have a significant impact.

The Sure Start Programme is targeted towards children in the 20% most deprived areas, and I have been able to expand these services into the 25% most deprived areas, significantly increasing the annual funding to around £25million.

In times of constrained finances it is increasingly important to ensure that money is spent on activities which are helping to secure improved well-being and developmental outcomes for children and families in the most disadvantaged areas. While funding is not available to provide universal provision, findings from the independent review of Sure Start, together with existing research, provide reassurance that our targeting of available resource in areas of highest deprivation is likely to have greatest impact on those children and families that can benefit most from Sure Start services.

Mr Flanagan asked the Minister of Education what actions he intends to take following the 2015 review of the Sure Start Programme.

(AQW 49259/11-16)

Mr O'Dowd: The final report on the Independent Review of Sure Start has been issued to all key stakeholders and published on the DE website. I have considered the report and provided direction to my officials regarding implementation of the findings. An Implementation Group, consisting of DE representatives and Childcare Partnership Managers was established in August 2015 to take forward the Review recommendations, in conjunction with relevant stakeholders with a target implementation date of March 2016.

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Mr Allister asked the Minister of Education to detail how the Belfast, North Eastern and Southern Education Boards provided facility time equivalent to £90,000 combined in 2013-14, while the Western Board alone provided a subsidy of £113,000 as revealed in a recent report by the TaxPayers' Alliance.

(AQW 49267/11-16)

Mr O'Dowd: There are agreements in place between employing authorities and the trade unions, for teaching and non-teaching staff, which set out the principles and practices governing the facilities to be made available by the employing authority to employees who are accredited representatives or members of unions represented in the JNC Trade Union Side and to teachers on the Teachers Negotiating Council Trade Union Side.

The time off agreed for trade union representation within the employing authorities stated in 2013/14 was 10 Full Time Equivalents (FTE). This was made up of the following FTE allocations - 1 UNITE, 2 GMB, 3 UNISON, 4 NIPSA.

Trade union representatives can be drawn from any regional area, either on a full-time or part-time basis. The costs were borne by the regional area which employed the representative, irrespective of where they discharged their trade union duties.

Mr Weir asked the Minister of Education to detail what criteria or guidance is provided by his Department in relation to the maximum distance a child should be from a pre-school nursery in which they have a place.

(AQW 49362/11-16)

Mr O'Dowd: There is no maximum travelling time or distance for pre-school provision. The Pre-School Education Programme is non-compulsory and places are allocated in accordance with parental preferences.

The Department's Sustainable Schools Policy includes the following indicator relating to accessibility for primary schools 'home to transport travel times of less than 30 minutes for primary pupils (ie one hour per day in total) and 45 minutes for post-primary pupils (ie 1.5 hours per day in total). While the policy and indicators do not apply to pre-school provision, they provide a useful benchmark when considering what is reasonable for pre-school children. There can, however, be variations given the non-compulsory nature of pre-school education, variations in location of parental preference and the complex nature of other parental considerations, such as childcare arrangements.

Mr Agnew asked the Minister of Education to detail (i) the number of applications to integrated schools; and (ii) how many of those applications were turned down due to over subscription, in each of the last five years.

(AQW 49365/11-16)

Mr O'Dowd: The numbers of first preference applications to Primary and Post-Primary Integrated schools over the last five years are listed in the tables below, alongside the number of approved places.

Primary Integrated School Statistics

School Year	Total number of approved admissions places	Total number of 1st preference applications
2015/16	1584	1458
2014/15	1573	1514
2013/14	1485	1416
2012/13	1544	1375
2011/12	1455	1333

Post-Primary Integrated School Statistics

School Year	Total number of approved admissions places	Total number of 1st preference applications
2015/16	2131	1953
2014/15	2151	1904
2013/14	2116	1768
2012/13	2096	1717
2011/12	2096	1840

Information on the number of applications that were turned down is not held in a format that would be easily accessible. Such information could only be compiled at a disproportionate cost.

Information on first preference applications has been provided by the Education Authority.

Mr Swann asked the Minister of Education, pursuant to AQW 49068/11-16 and AQW 48858/11-16, what steps a teacher should take if the statutory requirement is not being met.

(AQW 49388/11-16)

Mr O'Dowd: Article 4(1) of The Education (Northern Ireland) Order 2006 states that it is the duty of the Board of Governors and principal of every grant-aided school to provide a "balanced and broadly based curriculum". If a teacher has concerns about the delivery of the statutory curriculum, that is a matter to be resolved through procedures defined by the school locally.

Mr Allister asked the Minister of Education, pursuant to AQW 49142/11-16, whether he has given any consideration to authorising a survey to compare school maintenance costs between the current contract arrangements and the previous system.

(AQW 49404/11-16)

Mr O'Dowd: The Education Authority, who has responsibility for operating maintenance contracts, has advised that there is limited value in undertaking a comparison exercise between the new and the previous arrangements given the significantly different approaches to specifying, pricing, managing and invoicing that exist between them.

Mr Agnew asked the Minister of Education whether a Grant Maintained Integrated School and a Controlled Integrated school that work together be funded by the Shared Education Programme.
(AQW 49414/11-16)

Mr O'Dowd: Two integrated schools sharing are unlikely to meet the criteria of schools from different sectors, but each application will be judged on its merits. Such an application would have to demonstrate what the additional educational and reconciliation benefits would be to both of the partnering schools. This information was provided in response to your previous question AQW 44568/11-15 in April 2015.

See www.sepni.gov.uk for application guidance and details, which was provided in the response to your previous questions (AQW 42863/11-15 and AQW 48748/11-15).

Mr Agnew asked the Minister of Education in relation to development proposals 304/302/301, to detail the (i) number of places in each nursery and playgroup; (ii) number of additional pre-school places in their area; (iii) capital cost; and (iv) any additional recurrent costs of each development proposal.

(AQW 49415/11-16)

Mr O'Dowd:

(i) & (ii)

Setting	number of pre-school places in setting ¹	Number of additional places following approval of development proposals
Holy Trinity Primary School (DP 301)	52	26 ²
Gaelscoil Eoghain (DP 302) ³	24	2
Phoenix Integrated Primary School (DP 304)	0	26

Source:

- 1 School Census 2013
 - 2 Interim measure for two years: the unit will be made permanent once it demonstrates viability through enrolment numbers during this period
 - 3 Pre-school provision was not previously available at Gaelscoil Eoghain: 24 pre-school places had, however, been provided in Naiscoil Eoghain the associated Irish-medium voluntary pre-school facility. These places ceased in the 2013/14 school year.
- (iii) The capital costs incurred as a result of the approval of Development Proposals 304/302/301 is £308,928.95 in respect of DP 304, for the provision of a new Nursery Unit.
- (iv) There are no additional recurrent costs in relation to accommodation as a result of the approval of Development Proposals 304/302/301.

Following my approval of Development Proposals (DP) 301 and 302, in-year recurrent budget allocations in respect of the period September 2014 to March 2015 were provided as follows:

DP 301 – Holy Trinity PS, Cookstown: £32,000
DP 302 – Gaelscoil Eoghain, Cookstown: £30,000

For the 2015/16 Financial Year, the Nursery Units were included in the full year budget allocations for the respective schools as provided for under the Common Funding Scheme.

The new Nursery Unit at Phoenix Integrated PS (Development Proposal 304) commenced provision in September 2015. The in-year recurrent budget allocation is subject to verified and auditable information to be provided by the Funding Authority. Upon receipt of the relevant information, the Department of Education will allocate the appropriate funding for Phoenix IPS.

A copy of the submissions on which I based my decision in each case can be viewed on the Department's website:

DP 301 Holy Trinity Primary School

http://www.deni.gov.uk/dp_301_-_holy_trinity_ps_-_published_submission__1mb_.pdf

DP 302 – Gaelscoil Eoghain

http://www.deni.gov.uk/dp_302_-_gaelscoil_eoghain_-_published_submission__1.17mb_.pdf

DP 304 - Phoenix Integrated Primary School

http://www.deni.gov.uk/dp_304_-_phoenix_integrated_ps_-_published_submission__864kb_.pdf

Mr Easton asked the Minister of Education for his assessment of how the Keeping Safe programme and Stranger Danger will help keep children safe.

(AQW 49423/11-16)

Mr O'Dowd: My Department has commissioned NSPCC to develop and implement the Preventative Education project entitled "Keeping Safe" which has the safety of children at its core.

During the research phase of the project, significant gaps were identified in children's knowledge, understanding and ability to keep safe. This was particularly notable in relation to children's role in domestic abuse and inappropriate physical contact from someone known to the child.

The ultimate aim of the project is therefore to ensure schools are resourced and supported to engage effectively in teaching 'keeping safe' messages to children by ensuring that:

- Teachers have the necessary skills to teach about sensitive subjects, including child abuse, domestic violence and sexual abuse;
- Teachers will be alert to pupils experiencing distress and trained to respond appropriately;
- Teachers will have access to a range of age appropriate and evaluated resources to support the teaching of sensitive subjects; and

The final report project, due in 2018, will therefore inform the Department's strategic approach to the implementation of an effective preventative curriculum across the primary sector.

The Council for Curriculum, Examinations and Assessment (CCEA) has in place a number of resources that reference stranger danger which are available for all teachers via the curriculum website, www.nicurriculum.org.uk. However, decisions on the specific content of their curriculum and the resources or programmes they use to deliver the curriculum are a matter for each school/teacher.

Mr Flanagan asked the Minister of Education, pursuant to AQW 49261/11-16, whether a calculation on the potential savings made to public spending as a result of Sure Start will be commissioned.

(AQW 49460/11-16)

Mr O'Dowd: In these times of constrained finances it is increasingly important to ensure that money is spent on activities which are helping to secure improved well-being and developmental outcomes for children and families in the most disadvantaged areas and which provide the greatest possible social and economic return.

There is a range of empirical evidence to demonstrate the economic benefits of early education for children from disadvantaged families, for example the Perry Preschool longitudinal study³ which documented a return to society of more than £9⁴ for every £1 invested in the early care and education programme.

The independent review of Sure Start (2014) found qualitative evidence that the intervention of Sure Start can often prevent children becoming registered as 'at risk', or can prevent those who are 'at risk' from going into care.

My Department's investment in Sure Start in the last nine years has been significant. The budget for the programme is currently £24.7m per year. Investment of this magnitude is helping to secure improved outcomes for children and their families in the most disadvantaged communities.

A specific calculation of the potential savings to public spending would require a longitudinal study and a significant, additional financial investment of public money. As the evidence referred to above provides assurance regarding both the economic argument for investment in early years, and for investment in the areas in which Sure Start is operating here, a study to calculate potential savings will not be commissioned.

Mr Agnew asked the Minister of Education whether (i) there is a statutory duty on schools to provide adequate counselling and support services to their students; and if not, (ii) he will consider setting a minimum standard of support that all schools must provide within the forthcoming Bullying Bill.

(AQW 49495/11-16)

Mr O'Dowd:

- (i) There is no statutory duty on schools to provide adequate counselling and support services to their students. The Education and Libraries (NI) Order 2003 places a duty on the Board of Governors to safeguard and promote the welfare of pupils.
- (ii) The public consultation, and subsequent Executive agreement to draft the proposed Addressing Bullying in Schools legislation was based on three aims:

3 Lifetime Effects: The HighScope Perry Preschool Study Through Age 40 (2005)

4 Converted from report value of \$17 using average £:\$ exchange rate in 2005

- To provide a legal definition of bullying;
- To impose a requirement on all grant aided schools to record the motivation and outcome of school intervention in all incidents or alleged incidents of bullying; and
- To impose a duty on the Board of Governors of each grant aided school to determine the measures to be taken by the school to prevent bullying and to ensure that policies are pursued at their school.

Counselling support did not form part of the consultation which was to ensure consistency in how schools tackle bullying.

Mr McGimpsey asked the Minister of Education how his Department plans to address the underachievement of local children identified by the latest research published by the Equality Commission; including (i) children in care; (ii) children with disabilities; (iii) boys from a protestant working class background; and (iv) children from an ethnic minority background.

(AQW 49513/11-16)

Mr O'Dowd: Tackling inequalities in education is an issue which I take very seriously. Since coming to office I have been determined to take action to break the link between social disadvantage and educational underachievement wherever it exists.

The policies and programmes I have in place are realising improvements for our young people at Key Stage, GCSE and A-level. However, significant challenges remain and I will continue to focus on improvement and equity. We have the correct policies such as 'Every School a Good School' and the 'Literacy and Numeracy Strategy' in place and these are being implemented with renewed vigour.

I have provided additional resources to schools serving those most at risk of underachieving, through the weighting of school funding, and through targeted programmes such as Extended Schools, and Nurture Units. The Delivering Social Change Literacy and Numeracy Signature Project delivered tailored interventions to 18,000 young people from disadvantaged backgrounds, and I am determined that the legacy of the project is not lost.

The revised SEN and Inclusion framework aims to remove or reduce the barriers to learning faced by children with SEN and will work alongside my other policies aimed at addressing barriers to learning. It represents a more equitable framework in which all children with SEN should be able to get the support they need, in a timely manner.

However, addressing these inequalities is a multi-faceted, societal issue and one the education authorities and schools cannot tackle on their own. It requires the support of parents, businesses, communities, community leaders and community representatives. Families have a key role, and that is the message behind my 'Education Works' campaign that highlights the vital role parents can play in helping their child do well at school and improve their life chances.

Mr McGimpsey asked the Minister of Education for his assessment of whether a new primary school for inner South Belfast would have a positive impact on the educational achievement of children in the area, particularly children from (i) a working class background; (ii) an ethnic minority background; and children identified as having special educational needs.

(AQW 49515/11-16)

Mr O'Dowd: I understand that the Education Authority's plans for Fane Street, Blythefield and Donegall Road Primary Schools are yet to be confirmed, given that its initial pre-consultation about the future of these schools highlighted very little support locally for an amalgamation of the three schools.

In view of this, the EA began to engage with local parents' groups regarding the way forward and these discussions are ongoing. Therefore, the EA has no plans to bring forward a statutory Development Proposal in relation to these schools at this time.

Regardless of what provision is agreed for the area in the future, the most important issues are that the schools (or school) are able to deliver a high quality educational experience for all the children and that additional support is available for those children who require it.

Teachers and school leaders are best placed to identify pupils requiring additional support and, through high quality teaching and learning, to identify the most appropriate action to meet individual pupil needs. However, schools may require additional support to address low achievement particularly amongst socially disadvantaged pupils.

I have redistributed school funding to target schools with high numbers of pupils from socially disadvantaged backgrounds. I have also continued to implement policies and provided funding for a range of additional interventions, with a focus on improving standards and tackling educational underachievement.

Outside school, I have provided funding to support the development of better links between schools, parents and local communities. Parents and local communities also have an important role to play in supporting their children to achieve, to have high aspirations for their children and to engage with their local schools to support their children to fulfil their potential.

Mr McGimpsey asked the Minister of Education for a breakdown of the number of (i) full; and (ii) part time nursery school places in South Belfast, in each of the last five academic years.

(AQW 49516/11-16)

Mr O'Dowd: In each of the last five years, there are 624 approved full-time places and 234 approved part-time places in nursery schools and units situated in South Belfast constituency.

Source: NI school census

Note: Number of places is based on the approved enrolments rather than the actual enrolments.

Mr McGimpsey asked the Minister of Education whether he has any plans to introduce free school meals for all children as a method for addressing educational underachievement.

(AQW 49517/11-16)

Mr O'Dowd: I have no plans to introduce free school meals (FSM) for all children as a method for addressing educational underachievement.

FSM are provided to ensure that those children most in need have access to a nutritionally balanced meal suitable as the main meal of the day. FSM entitlement is used as a measure of social disadvantage and evidence indicates that socioeconomic status has an impact upon the overall attainment of school children. However, evidence does not indicate that introducing FSM for all children would be a cost effective or targeted approach to addressing educational underachievement.

Ms Sugden asked the Minister of Education to detail the schools in (i) East Londonderry; and (ii) the rest of Northern Ireland that have qualified for and received Extended Schools funding in each of the last three years.

(AQW 49558/11-16)

Mr O'Dowd: I have arranged for the required information to be placed in the Assembly Library.

Mr Allen asked the Minister of Education to detail any future plans for the site of the former Newtownabbey Community High School.

(AQW 49589/11-16)

Mr O'Dowd: The Education Authority (EA) has responsibility for the former Newtownabbey Community High School and has not yet declared the building and site surplus to educational requirements. If no alternative educational use is identified, the property will be declared surplus and disposed of in accordance with the Land and Property Services Guidance on the Disposal of Land and Buildings by Public Sector Bodies. In the first instance, a Public Sector Trawl of the premises will be carried out and if any public sector bodies do not register an interest then the property will be placed on the open market.

Mr Moutray asked the Minister of Education to outline the number of pupils that did not claim free school meals in each of the last four years.

(AQW 49591/11-16)

Mr O'Dowd: The number of pupils that did not claim free school meals in each of the last four years is as follows:

Table 1. Number of pupils entitled to but not availing of a free school meal on the day of the School Meals Census; 2011/12 – 2014/15.

	2011/12	2012/13	2013/14	2014/15
Pupils entitled to but not claiming a free school meal ^{1,2}	15,512	14,865	15,905	18,546

Entitlement source: School Census

Uptake source: School Meals Census

The number of pupils not claiming a free school meal is calculated by subtracting the number of free school meals taken on Census day (uptake) from the number of pupils entitled to free school meals on the same day (entitlement).

Notes:

- 1 Special schools have been excluded from these figures as the free school meal entitlement data for 2011/12 to 2013/14 in special schools was not validated.
- 2 Pupils who are entitled to free school meals but who were absent from school on Census day or pupils present in school on Census day but not availing of a school midday break are included in the figures.

Mr Moutray asked the Minister of Education to detail the number of pupils, in each of the last two years, receiving free school meals, broken down by each school in the Southern Region.

(AQW 49594/11-16)

Mr O'Dowd: The number of pupils entitled to free school meals, who received a free school meal on Census day in each of the last two years is contained in the following table.

Table 1. Number of pupils receiving free school meals, by Southern Region schools; 2013/14 – 2014/15.

School Name	2013/14	2014/15
Abbey Christian Brothers Grammar School	81	116

School Name	2013/14	2014/15
Abercorn Primary School	83	103
Anamar Primary School	21	21
Annalong Primary School	33	33
Armstrong Primary School	82	95
Ashgrove Nursery, Newry	0	0
Aughamullan Primary	19	14
Augher Central Primary	11	11
Aughnacloy College	16	23
Aughnacloy Primary School	33	27
Ballydown Primary School	23	25
Ballyholland Primary School	51	47
Ballylifford Primary School	*	12
Ballyoran Primary School	94	105
Ballytrea Primary School	5	7
Banbridge Academy	43	61
Banbridge High School	84	116
Banbridge Nursery School	9	*
Bessbrook Primary School	28	27
Birches Primary School	33	30
Bleary Primary School	20	22
Blessed Patrick O'loughran Primary School	15	20
Bocombra Primary School	23	22
Brackenagh West Primary School	24	35
Bridge Integrated Primary School	83	94
Bronte Primary School	19	19
Brownlow Int College	83	131
Bunscoil an Luir	33	31
Bush Primary School	18	20
Carntall Primary School	12	15
Carrick Primary School, Lurgan	115	137
Carrick Primary School, Warenpoint	40	50
Ceara Special School	44	46
Christian Brothers' Primary School	129	148
Churchill Primary School	10	8
Churchtown Primary School	7	8
City Armagh High School	21	70
Clare Primary School	13	11
Clea Primary School	40	39
Clintyclay Primary School	*	*
Clonalig Primary School	55	63
Clontifleece Primary School	*	-

School Name	2013/14	2014/15
Cloughoge Primary School	85	92
Clounagh Junior High School	94	143
Coagh Primary School	10	14
College Farm Nursery School	*	*
Cookstown High School	80	108
Cookstown Nursery School	9	16
Cookstown Primary School	120	129
Cortamlet Primary School	20	19
Craigavon Senior High School	105	146
Crievagh Primary School	9	*
Darkley Primary School	33	29
Derrychrin Primary School	27	24
Derryhale Primary School	10	15
Derrylatinee Primary School	11	12
Dickson Primary School	69	92
Donacloney Primary School	35	39
Donaghey Primary School	17	14
Donaghmore Primary School	11	9
Donard Special School	22	26
Downshire Nursery School	22	13
Drelincourt Infants School	11	13
Dromintee Primary School	51	52
Dromore Central Primary School	88	87
Dromore High School	76	91
Dromore Nursery School	7	*
Dromore Road Primary School	19	20
Drumadonnell Primary School	27	18
Drumcree College	52	98
Drumglass High School	50	82
Drumgor Primary School	71	96
Drumhillery Primary School	17	12
Drumnamoe Nursery School	23	21
Drumsallen Primary School	7	10
Dungannon Nursery School	11	12
Dungannon Primary School	90	89
Edenderry Nursery School, Portadown	9	9
Edenderry Primary School, Banbridge	80	85
Edenderry Primary School, Portadown	97	90
Edendork Primary School	60	68
Fair Hill Primary School	53	43
Fivemiletown College	40	51

School Name	2013/14	2014/15
Fivemiletown Nursery School	*	6
Fivemiletown Primary School	33	42
Foley County Primary School	7	6
Gaelscoil Aodha Rua	14	16
Gaelscoil Eoghain	5	12
Gaelscoil Na mBeann	17	17
Gaelscoil Uí Neill	102	98
Gilford Primary School	22	27
Grange Primary School	25	28
Hamiltonsbawn Primary School	28	23
Hardy Memorial Primary School	43	41
Harrison Nursery School	*	*
Hart Memorial Primary School	117	98
Holy Cross Primary School, Kilkeel	18	23
Holy Trinity College	287	421
Holy Trinity Primary School, Cookstown	236	256
Howard Primary School	48	51
Integrated College Dungannon	93	142
Iveagh Primary School	68	63
Jonesborough Primary School	32	26
Kilbroney Integrated Primary School	38	45
Kilkeel High School	55	84
Kilkeel Nursery School	17	14
Kilkeel Primary School	96	101
Killeen Primary School	34	30
Killicomaine Junior High School	45	60
Killowen Primary School, Rostrevor	19	16
Killylea Primary School	13	13
Killyman Primary School	15	25
Kings Park Primary School, Lurgan	132	126
Kingsmills Primary School	*	9
Laghey Primary School	15	12
Lisanally Special School	31	31
Lisfearthy Primary School	*	5
Lismore Comprehensive School	308	349
Lisnadill Primary School	18	19
Lissan Primary School	17	15
Little Flower Nursery School	7	11
Lurgan College	11	19
Lurgan Junior High	62	119
Lurgan Model Primary School	68	44

School Name	2013/14	2014/15
Maralin Village Primary School	27	30
Markethill High School	42	75
Markethill Primary School	64	81
Millington Nursery School	23	30
Millington Primary School	228	237
Milltown Primary School	12	13
Moneydarragh Primary School	23	22
Moneymore Primary School	41	49
Mount St Catherine's Primary School	106	119
Mountnorris Primary School	11	15
Moy Regional Primary School	9	7
Moyallon Primary School	18	10
Mullaglass Primary School	9	9
Mullavilly Primary School	20	21
New-Bridge Integrated College	84	127
Newmills Primary School	21	15
Newry High School	60	101
Newtownhamilton High School	12	23
Newtownhamilton Primary School	19	22
Orchard County Primary School	23	28
Orritor Primary School	40	44
Our Lady's and St Mochua's Primary School	39	45
Our Lady's Grammar School	68	113
Our Lady's Primary School, Tullysaran	22	29
Phoenix Integrated Primary School	62	69
Portadown College	15	23
Portadown Integrated Primary School	25	35
Poyntzpass Primary School	11	19
Presentation Primary School	93	103
Primate Dixon Primary School	196	201
Queen Elizabeth II Primary School, Pomeroy	5	6
Railway Street Nursery School	8	7
Rathfriland High School	33	58
Rathore School	44	62
Rich Mount Primary School	19	21
Richmond Primary School	14	15
Roan St Patrick's Primary School	13	13
Royal School	0	0
Sacred Heart Grammar School, Newry	65	108
Sacred Heart Primary School, Rock	37	37
Saints & Scholars Int Primary School	44	43

School Name	2013/14	2014/15
Scarva Primary School	18	15
Seagoe Primary School	32	31
Seaview Nursery School	9	18
Sperrinview Special School	27	21
St Anthony's Primary School, Craigavon	211	214
St Brendan's Primary School	132	130
St Brigid's Boys' High	65	42
St Brigid's Primary School, Augher	6	*
St Brigid's Primary School, Drumilly	32	35
St Brigid's Primary School, G'drummond	53	54
St Brigid's Primary School, Mountjoy	22	27
St Bronagh's Primary School	45	41
St Catherine's College	179	239
St Ciaran's High School	115	161
St Clare's Abbey Primary School, Newry	-	115
St Clare's Convent Primary School, Newry	59	-
St Colman's Abbey Primary School, Newry	66	-
St Colman's College, Newry	81	134
St Colman's Primary School, Annaclone	26	31
St Colman's Primary School, Bann	16	16
St Colman's Primary School, Dromore	19	18
St Colmans' Primary School, Kilkeel	65	78
St Colman's Primary School, Saval	39	34
St Columban's College	44	58
St Dallan's Primary School, Warrenpoint	130	137
St Francis' of Assisi Primary School	61	59
St Francis' Primary School, Aghaderg	19	27
St Francis' Primary School, Lurgan	216	222
St James' Primary School, Drumatee	*	*
St Jarlath's Primary School	38	36
St John the Baptist Nursery	13	15
St John the Baptist Primary School, Portadown	136	133
St John's Primary School, Eglisli	14	18
St John's Primary School, Gilford	39	33
St John's Primary School, Kingisland	20	29
St John's Primary School, Middletown	22	22
St John's Primary School, Moy	40	40
St Joseph's and St James' Primary School	28	30
St Joseph's Boys' High School, Newry	112	127
St Joseph's College, Coalisland	129	135
St Joseph's Convent Grammar School, Donaghmore	70	141

School Name	2013/14	2014/15
St Joseph's Convent Primary School, Newry	146	140
St Joseph's High School, Crossmaglen	198	238
St Joseph's Primary School, Ballymartin	23	23
St Joseph's Primary School, Bessbrook	131	144
St Joseph's Primary School, Caledon	18	17
St Joseph's Primary School, Galbally	47	60
St Joseph's Primary School, Killeenan	49	47
St Joseph's Primary School, Madden	34	37
St Joseph's Primary School, Meigh	54	62
St Laurence O'Toole's Primary School	30	31
St Louis Grammar School, Kilkeel	58	109
St Macartan's Primary School, Clogher	23	22
St Malachy's Nursery	17	14
St Malachy's Primary School, Armagh	62	70
St Malachy's Primary School, Ballymoyer	35	28
St Malachy's Primary School, Carnagat	134	142
St Malachy's Primary School, C'croppan	86	82
St Malachy's Primary School, Drumullan	18	12
St Malachy's Primary School, Glencull	0	0
St Mark's High School	177	268
St Mary's Girls' High, Lurgan	89	129
St Mary's High School, Newry	153	183
St Mary's Primary School, Aughnacloy	12	13
St Mary's Primary School, Ballygawley	14	16
St Mary's Primary School, Banbridge	96	115
St Mary's Primary School, Barr	9	15
St Mary's Primary School, Cabra	70	57
St Mary's Primary School, Dechomet	17	20
St Mary's Primary School, Derrymore	12	20
St Mary's Primary School, Derrytrasna	11	14
St Mary's Primary School, Dunamore	53	46
St Mary's Primary School, Fivemiletown	7	6
St Mary's Primary School, Glassdrumman	20	21
St Mary's Primary School, Granemore	34	23
St Mary's Primary School, Lisbuoy	10	15
St Mary's Primary School, Maghery	15	18
St Mary's Primary School, Mullaghbawn	75	77
St Mary's Primary School, Pomeroy	58	51
St Mary's Primary School, Rathfriland	21	26
St Mary's Primary School, Stewartstown	59	56
St Matthew's Primary School, Magheramayo	20	14

School Name	2013/14	2014/15
St Michael's Grammar School, Lurgan	37	53
St Michael's Primary School, Clady	21	19
St Michael's Primary School, Finnis	6	8
St Michael's Primary School, N'hamilton	16	21
St Oliver Plunkett's Primary School, Ballyhegan	12	19
St Oliver Plunkett's Primary School, Forkhill	39	32
St Olivers' Primary School, Carrickravaddy	20	22
St Patrick's Academy, Dungannon	119	193
St Patrick's College, Banbridge	69	89
St Patrick's College, Dungannon	113	199
St Patrick's Grammar School, Armagh	78	183
St Patrick's High School, Keady	167	299
St Patrick's Primary School, Aghacommon	36	35
St Patrick's Primary School, Annaghmore	65	69
St Patrick's Primary School, Armagh	89	117
St Patrick's Primary School, Aughadarragh	13	13
St Patrick's Primary School, Ballymaghera	94	84
St Patrick's Primary School, Crossmaglen	113	111
St Patrick's Primary School, Cullyhanna	78	97
St Patrick's Primary School, Derrynaseer	19	22
St Patrick's Primary School, Donaghmore	48	41
St Patrick's Primary School, Drumgreenagh	19	27
St Patrick's Primary School, Dungannon	208	234
St Patrick's Primary School, Loup	32	23
St Patrick's Primary School, Magheralin	10	9
St Patrick's Primary School, Mayobridge	82	71
St Patrick's Primary School, Moneymore	39	40
St Patrick's Primary School, Mullinahoe	56	61
St Patrick's Primary School, Newry	177	169
St Paul's High School, Bessbrook	313	463
St Paul's Junior High School, Lurgan	69	86
St Paul's Primary School, Cabra	12	15
St Peter's Primary School, Cloughreagh	72	98
St Peter's Primary School, Collegelands	24	31
St Peters' Primary School, Moortown	65	65
St Ronan's Primary School, Newry	42	38
St Teresa's Primary School, Lurgan	42	51
St Teresa's Primary School, Tullyherron	16	14
Stewartstown Primary School	17	13
Tandragee Junior High School	33	61
Tandragee Nursery School	9	7

School Name	2013/14	2014/15
Tandragee Primary School	56	57
Tannaghmore Primary School	120	125
The Cope Primary School	14	16
The Grove Nursery School	8	7
The Royal School, Armagh	27	28
The Royal School, Dungannon	22	49
Tullygally Primary School	68	67
Walker Memorial Primary School	19	24
Waringstown Primary School	27	32
Windmill Integrated Primary School	71	71
Windsor Hill Primary School	40	58
Woods Primary School	19	24

Source: School Meals Census

* indicates suppression of a figure less than 5

■ indicates a school was not open in that year

Mr Moutray asked the Minister of Education to detail the number of GCSE and A-level examination entries in modern languages in each of the last two years, broken down by each post-primary school in the Southern Region.

(AQW 49595/11-16)

Mr O'Dowd: The answer is contained in the tables below:

Number of GCSE modern language examination entries in post-primary schools in the Southern Region, 2012/13 – 2013/14

School Ref.	School Name	2012/13	2013/14
5210016	Kilkeel High School	83	81
5210025	Newtownhamilton High School	23	2
5210047	Banbridge High School	86	55
5210064	Dromore High School	87	72
5210083	Markethill High School	20	2
5210097	Fivemiletown College	8	6
5210121	City Armagh High School	10	2
5210153	Aughnacloy High School	4	2
5210186	Newry High School	8	8
5210230	Cookstown High School	61	63
5210231	Drumglass High School	17	14
5210282	Craigavon Senior High School	49	24
5230056	St Joseph's Boys' High School	2	4
5230059	St Columban's College	1	0
5230070	St Mary's High School	15	8
5230088	St Paul's Junior High School	3	2
5230108	St Mary's High School	23	24
5230135	St Mark's High School	26	23
5230152	St Ciaran's High School	70	62

School Ref.	School Name	2012/13	2013/14
5230157	St Paul's High School	85	54
5230167	St Joseph's High School	21	17
5230187	St Patrick's High School	120	114
5230192	St Joseph's College	20	8
5230213	Lismore Comprehensive School	133	113
5230218	St Catherine's College	125	117
5230256	Drumcree College	15	15
5230278	Holy Trinity College	24	22
5230293	St Patrick's College	31	22
5250216	Brownlow Int College	8	3
5260285	New-Bridge Integrated College	10	12
5260286	Integrated College Dungannon	3	6
5410013	Banbridge Academy	229	226
5410057	Lurgan College	130	122
5410067	Portadown College	212	208
5420045	St Louis Grammar School	60	63
5420056	St Michael's Grammar	151	147
5420059	Abbey Christian Brothers Grammar School	152	147
5420060	Our Lady's Grammar School	160	152
5420062	St Colman's College	179	168
5420073	St Joseph's Grammar School	32	39
5420076	Sacred Heart Grammar School	125	121
5420260	The Royal School Dungannon	105	82
5420263	The Royal School Armagh	122	115
5420268	St Patrick's Grammar School	107	96
5420304	St Patrick's Academy	198	195
Total		3153	2838

Source: RM Education

Data do not include equivalent qualifications

Number of A-level modern language examination entries in post-primary schools in the Southern Region, 2012/13 – 2013/14

School Ref.	School Name	2012/13	2013/14
5210016	Kilkeel High School	1	1
5210047	Banbridge High School	0	1
5210230	Cookstown High School	5	11
5230152	St Ciaran's High School	7	11
5230157	St Paul's High School	8	6
5230187	St Patrick's High School	4	3
5230213	Lismore Comprehensive School	3	3
5230218	St Catherine's College	19	22
5230278	Holy Trinity College	11	8

School Ref.	School Name	2012/13	2013/14
5230293	St Patrick's College	1	7
5260286	Integrated College Dungannon	1	0
5410013	Banbridge Academy	35	24
5410057	Lurgan College	14	14
5410067	Portadown College	16	18
5420045	St Louis Grammar School	5	0
5420056	St Michael's Grammar	15	20
5420059	Abbey Christian Brothers Grammar School	27	19
5420060	Our Lady's Grammar School	20	22
5420062	St Colman's College	23	20
5420073	St Joseph's Grammar School	7	3
5420076	Sacred Heart Grammar School	16	16
5420260	The Royal School Dungannon	19	18
5420263	The Royal School Armagh	10	14
5420268	St Patrick's Grammar School	13	14
5420304	St Patrick's Academy	16	12
Total		296	287

Source: RM Education

Data do not include equivalent qualifications

Ms Sugden asked the Minister of Education to detail the number of GCSE and A-level examination entries in modern languages in each of the last three years in (i) the North Eastern Region; (ii) the Western Region; and for his assessment of student interest in modern languages.

(AQW 49607/11-16)

Mr O'Dowd: Number of GCSE and A-level examination entries in modern languages, 2011/12 – 2013/14

		2011/12	2012/13	2013/14
A-level	Western	282	234	233
	North Eastern	284	271	252
GCSE	Western	2122	2067	1910
	North Eastern	2598	2577	2413

Schools are encouraged to offer a wider range of modern languages and the curriculum provides schools with greater flexibility in the choice of subjects to meet the needs of their pupils. Schools are able to choose from any of the languages of the 27 EU member states to meet the requirements of the statutory curriculum, and can also add any other additional languages they wish.

The Department is continuing to work with a wide range of external bodies to promote the importance of 2nd language learning including the Languages Council, the Centre for Information on Language Teaching, the Confucius Institute and the British Council.

Mr Agnew asked the Minister of Education whether (i) the additional £9m that is to be allocated for school maintenance will include replacement of mobile classrooms; and if so, (ii) he will reconsider Bangor Central Integrated Primary's request for replacement of their mobile classrooms.[R]

(AQW 49636/11-16)

Mr O'Dowd: The recent additional £9m allocation of funding for school maintenance is from the recurrent budget and is therefore unable to be used for replacing mobile accommodation, which requires capital funding.

Mr McKinney asked the Minister of Education what discussions has he had with Parents' Education as Autism Therapists Northern Ireland and Autism NI in relation to Special Educational Needs assessment times.

(AQW 49650/11-16)

Mr O'Dowd: To date I have had no discussions with either Parents' Education as Autism Therapists or Autism NI in relation to special educational needs assessment times.

However, during the Committee stage of the SEND Bill, Autism NI has provided both written and oral evidence. Autism NI and Parents' Education as Autism Therapists also provided a response to the original consultation.

My policy proposal on the issue of improving the assessment time has been made clear, specifically for the Education Authority to conclude its work in relation to the creation of a final statement for a pupil in 20 weeks. At present the requirement is for the statement to be finalised in 26 weeks. This improvement in assessment time will be given effect via regulations, but first we need to ensure the SEN Bill is passed and then the Regulations will follow, and these Regulations will include the reduced timescales. It is a question of sequencing.

The associated Regulations and the revised Code of Practice will also be subject to consultation. This will provide a further opportunity for key stakeholders, such as Autism NI and Parents' Education as Autism Therapists Northern Ireland, to present their views.

I remain committed to ensuring that children have access to an appropriate education that supports them to achieve their full potential.

Lord Morrow asked the Minister of Education, pursuant to AQW 49386/11-16, to detail (i) the number of people on each regional statutory assessment panel; and (ii) whether each panel will be monitored centrally by the Education Authority or independently by each region.

(AQW 49653/11-16)

Mr O'Dowd: The Education Authority (EA) has advised that up to five officers attend each Regional Statutory Assessment panel. Panels are monitored centrally by the EA.

Mr Allister asked the Minister of Education, pursuant to AQW 39625/11-16, whether he intends to address the UK derogation from the European Convention on Human Rights that allows religious discrimination in the employment of teachers.

(AQW 49655/11-16)

Mr O'Dowd: As I have previously stated, OFMdFM has responsibility for the Fair Employment and Treatment (NI) Order 1998 (FETO) legislation, which governs the exception under Article 71.

Mr Easton asked the Minister of Education why the Education Board has not released the second part of the annual school budget for Clifton Special School, Bangor.

(AQW 49679/11-16)

Mr O'Dowd: The Education Authority has confirmed that Clifton Special School was allocated the balance of its 2015-16 budget on 9 October 2015.

Mr Anderson asked the Minister of Education to detail the level of resources his Department has allocated to drug and alcohol awareness education in each of the last five academic years.

(AQW 49695/11-16)

Mr O'Dowd: Legislation requires all schools to have in place a drugs education policy and the statutory curriculum, which is taught in all our grant-aided schools, provides opportunities for pupils to learn about drugs and alcohol issues.

The Department has not allocated any resources specifically for alcohol and drugs awareness education. The Department's policy is to delegate as much funding and decision-making as possible to schools which are best placed to assess the needs of their pupils and it is up to schools to determine how they use their budget to deliver all aspects of the curriculum.

Mr Anderson asked the Minister of Education for his assessment of the effectiveness of internet safety education in schools.

(AQW 49697/11-16)

Mr O'Dowd: The cross-curricular skill of Using ICT plays a key role in the statutory curriculum. It includes educating pupils about internet safety and requires them to learn how to keep safe and to display acceptable online behaviour.

In schools, the duty to safeguard and promote the welfare of pupils is the responsibility of a school's Board of Governors and, in the exercise of those duties, schools are required to have in place policies on discipline, bullying and the safe and effective use of the Internet and Digital technologies.

As with all areas of the curriculum, the specifics of what is taught and how it taught in any subject area is a matter for each teacher / school. Teachers and pupils are provided with extensive advice and support on e-safety via the C2k ICT managed service available to all grant-aided schools.

Department for Employment and Learning

Ms Sugden asked the Minister for Employment and Learning for his assessment of the geographical distance between Northern Regional College campuses; and the importance of this in targeting students evenly across the area.

(AQW 49090/11-16)

Dr Farry (The Minister for Employment and Learning): A copy of an Outline Business Case (OBC) was received from the Northern Regional College on 22 September 2015 and is being assessed by my Department. It sets out the College's proposals for addressing its accommodation needs in the Coleraine/ Ballymoney and Ballymena areas.

The location and accessibility of both existing and proposed campuses will be taken into account in the OBC when arriving at a preferred solution. Following Departmental approval of the Business Case, approval will be required from the Department of Finance and Personnel before a formal announcement can be made.

Mr Campbell asked the Minister for Employment and Learning to detail the measures he has put in place, since September 2014, to tackle levels of youth unemployment.

(AQW 49205/11-16)

Dr Farry: My Department's Employment Service delivers a range of work focused provision and support to assist clients to move towards and into employment. The service is available to all ages and delivered by the Department's front line staff and contracted providers.

For unemployed persons aged 18-24 the following assistance has been available across the network of Employment Service offices:

- Into Work Training Support provides 'light touch' or short training interventions for clients who have been assessed as relatively close to the labour market;
- Steps to Success, my Department's main adult return to work programme, provides an individual personal service to help a client achieve his/her job goals;
- The Youth Employment Scheme Work Experience Programme is designed to address the employability skills gaps of 18-24 year olds to help them connect with the labour market;
- The Enterprise Allowance Scheme was introduced in April 2015 to support clients who wished to start and build a sustainable business. Due to the current financial climate entry to the scheme was paused at the end of July 2015; and
- A number of additional initiatives have been introduced to support young people. These include a Community Family Support Programme, projects funded by the European Social Fund and the United Youth Programme. My Department has also published 'The Northern Ireland Strategy for Youth Training' and has developed a new model for apprenticeships.

Ms Sugden asked the Minister for Employment and Learning (i) to detail the current data sources which provide information on young people who are not in education, employment or training; (ii) to detail how this data is disaggregated to identify and confirm specific characteristics; and (iii) for his assessment of the parameters of employment and training as specific to this definition.

(AQW 49212/11-16)

Dr Farry: The main data sources which provide information on young people who are not in employment, education or training (NEET) are the Labour Force Survey and the 2011 census data. In addition, there are a number of government surveys which, when pooled together, yield information on young people who are employed, unemployed or economically inactive.

The Department of Education school census yields information on young people in education, as does the further education college database and the higher education institution databases (higher education information is provided by the Higher Education Statistics Agency which comes to my officials for further analysis).

These data sources hold different types of information such as gender, age, subject studied, etc. This range of data allows these characteristics to be cross-referenced with each other. The census information contains much more detailed background information on the family structure and household characteristics in which the young person lives. The Labour Force Survey source only contains information on the gender of the individual and whether or not they are unemployed or economically inactive. However, the Labour Force Survey information is updated quarterly.

The definition of NEET used in these analyses is a UK definition and conforms to the International Labour Organisation definition of employment and unemployment. The DFP/NISRA Labour Market Statistical Bulletin for October to December 2013 (published 28/2/2014) provides the following definition of a young person as being NEET:

"A person is defined as NEET if they are aged 16 to 24 and not in employment, education or training (full-time or part-time)."

Within the estimate, a person is considered to be in education or training (part-time or full-time) if they:

- are completing an apprenticeship;

- are engaged on a Government employment or training programme;
- are working or studying towards a qualification;
- have had job-related training or education in the last four weeks; or,
- are enrolled on an education course and are still attending or waiting for term to (re)start.

Therefore, anybody aged 16 to 24 who is not in the above forms of education or training (part-time or full-time) and who is not in employment, is considered to be NEET. The definition of "in employment", as recommended by the International Labour Organisation is anyone (aged 16 or over) who has done at least one hour's paid work in the week prior to interview, or has a job they are temporarily away from (e.g. on holiday).

Previous NEETs figures produced in relation to Northern Ireland included those aged 16 to 24 who were in part-time education. However, the Office of National Statistics (ONS) first published quarterly NEETs figures for the UK in May 2013, based on the above definition. This was the first time Northern Ireland NEETs figures had been published and in order to allow comparisons with the UK regions, the official ONS definition has been applied since then.

To enable the Northern Ireland Executive to compare its performance with other jurisdictions in addressing the NEET issue, there has to be consistency in the definitions used.

Ms Sugden asked the Minister for Employment and Learning to detail how families in need are being made aware of the Community Family Support Programme; how many families have benefited from this programme since April 2015; and to detail who the programme point of contact is in the Causeway Coast and Glens area.

(AQW 49213/11-16)

Dr Farry: The Community Family Support Programme (CFSP) provides family support and employability mentoring for families with a young person not in education, employment or training. It is aimed at families who are marginalised and in most need of help.

CFSP providers work in partnership with various referral organisations such as Health and Social Care Trusts, schools, community and voluntary organisations, Probation Board, Youth Justice Agency, GPs, schools and others to identify and target assistance at marginalised families with complex needs that are most in need of support.

The Programme has provided assistance to 308 families across Northern Ireland from April 2015 to date.

Customised Training Services is currently the lead organisation, working in partnership with Network Personnel, to deliver the Programme in the Causeway Coast and Glens District Council area. The main contact point for provision in this area is Network Personnel:

Head Office
The Business Centre
80-82 Rainey Street
Magherafelt
BT45 5AJ
Tel 028 79 631 032

Mr Hussey asked the Minister for Employment and Learning how many registered disabled people are employed by his Department at Adelaide House.

(AQW 49228/11-16)

Dr Farry: At 1 July 2015, there were 17 members of staff based in Adelaide House who had self-declared that they had a disability in the Department for Employment and Learning.

There is no requirement for an individual to declare that they have a disability. In addition, the disability declared does not have to be a registered disability.

Mr Hussey asked the Minister for Employment and Learning how many disabled people, working in Job Centres, are employed by his Department.

(AQW 49230/11-16)

Dr Farry: At 1 July 2015, there were 110 members of staff in the Department for Employment and Learning who had self-declared that they had a disability working in Job Centres and Jobs and Benefits Offices. This includes staff employed in both the Employment Service and Careers Service based in these offices.

There is no requirement for an individual to declare that they have a disability. In addition, the disability declared does not have to be a registered disability.

Mr Swann asked the Minister for Employment and Learning to detail how many women between the ages of 25 and 55 have enrolled in further education colleges, in each of the last 3 years.

(AQW 49273/11-16)

Dr Farry: The number of women aged 25-55 who enrolled in further education colleges in each of the three academic years was as follows:

- 2011/12: 34,793
- 2012/13: 33,998
- 2013/14: 32,218

Over this period, women constituted approximately 61% of enrolments in this age group.

Mr Swann asked the Minister for Employment and Learning to detail (i) the courses that will no longer be delivered this year in further education colleges; and (ii) the numbers of participants on each course when it was last delivered.

(AQW 49274/11-16)

Dr Farry: My Department sets high level targets in respect of the further education (FE) curriculum to be delivered by the FE sector, and agrees broad targets with individual colleges through the annual college development planning process.

My Department does not hold the detail requested by the Member, as information relating to the non delivery of individual courses, is a matter for individual colleges.

However, my officials have contacted the Directors of the six Regional Colleges for the information and they have confirmed that the curriculum offer detail at this point in the academic year is still fluid, therefore the information provided by colleges, as listed in the attached table, is current at this particular moment in the academic year.

Decisions on whether specific courses run are driven by the level of demand locally and, as colleges are non departmental public bodies, it is their responsibility to meet the needs of learners and employers in their areas in the most cost effective way ensure best use of public money. Every year colleges have courses that do not run as a result of insufficient numbers being recruited.

A number of colleges will provide a January offer and an Easter / summer offer if required, to meet demand and also to ensure that college delivery targets are met, therefore information provided may change as new offers are delivered.

The following detail has been provided to officials by colleges:

Belfast Metropolitan College

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
Performing Arts-Acting and Dance Level 2	22
Performing Arts-Acting and Dance Level 3	24
Performing Arts-Acting and Dance Higher Education	32
Art & Design (Non Digital) Level 3	60
Sport Level 2	20
Sport Level 3	20
Access (non-science)	60

South West Regional College

Courses not Planned for 15 16	Enrolment numbers
Course Title	2014/15
AOFAQ Level 2 Award in Principles and Practices of Manual Handling (QCF)	8
Arabic for Business	14
ASDAN Level 2 Award in Employability (QCF)	13
Basic First Aid (Order of Malta)	24
Basic Introductory Mandarin Chinese Culture and Language	30
Best Award Training (In House) Level 3	18
C# Fundamentals for Absolute Beginners	11
CCEA Level 3 Certificate in Creative Craft (QCF)	6
CIEH Level 2 Award in Food Safety for Manufacturing (QCF)	15
CIEH Level 2 Award In Manual Handling - Principles And Practice (QCF)	22

Courses not Planned for 15 16	Enrolment numbers
Course Title	2014/15
CIEH Level 2 Award In Principles of Manual Handling (QCF)	5
City & Guilds Entry Level Award In Construction Skills (Entry 3) (QCF)	24
City & Guilds Level 1 Introductory Award in Employability Skills NI (QCF)	107
City & Guilds Level 2 Award for IT Users (ITQ) (QCF)	22
City & Guilds Level 2 Award for Proficiency in Food Industry Skills (QCF)	9
City & Guilds Level 2 Award In Creating Life Drawings (QCF)	14
City & Guilds Level 2 Certificate for IT Users (QCF)	5
City & Guilds Level 2 Certificate in Retail Skills (QCF)	11
City & Guilds Level 3 Certificate for IT Users (ITQ) (QCF)	5
City and Guilds Level 1 Award in Customer Service	13
City and Guilds Level 1 Certificate In Employability Skills (QCF)	12
City and Guilds Level 1 Certificate in Vehicle Valeting Principles (QCF)	1
City And Guilds Level 1 NVQ Certificate In Hairdressing And Barbering (QCF)	1
City and Guilds Level 2 Certificate In Childrens Care, Learning and Development (QCF)	5
City and Guilds Level 2 Certificate in Employability and Personal Development (QCF)	7
City and Guilds Level 2 Certificate In Engineering (QCF)	14
City and Guilds Level 2 Certificate in ESOL International (Reading, Writing, Listening) (Expert C1)	16
City and Guilds Level 2 Certificate in ESOL International (Spoken) (Expert C1)	20
City and Guilds Level 2 Certificate In Light Vehicle Maintenance And Repair Principles (QCF)	3
City and Guilds Level 2 Certificate in Womens Hairdressing (QCF)	6
City and Guilds Level 2 NVQ Diploma In Food And Beverage Service (QCF)	3
City and Guilds Level 2 Work-Based Horticulture (QCF)	22
City and Guilds Level 3 Award in Body Massage (QCF)	15
City and Guilds Level 3 Award in Preparing to Teach in the Lifelong Learning Sector (QCF)	9
City and Guilds Level 3 Award in Stone Therapy (QCF)	6
City and Guilds Level 3 Diploma in Body Massage	13
City and Guilds Level 3 Diploma In Reflexology (QCF)	14
Communication Through Art and Design	16
CompTIA	9
CYQ Level 1 Award in Fitness and Physical Activity (QCF)	6
CYQ Level 2 Certificate in Instructing Circuit Training Sessions	11
CYQ Level 3 Certificate in Sports Massage (Soft Tissue Therapy) (QCF)	32
EDEXCEL BTEC Level 2 Certificate In Performing Arts (QCF)	12
Edexcel Level 3 Diploma in Business	1
Entry Level Certificate in Independent Travel Training (Entry 3)	6
ETCAL Level 1 NVQ Certificate in Performing Engineering Operations (QCF)	18
ETCAL Level 3 NVQ Diploma in Engineering Technical Support (QCF)	7
Excel Stage 1/2 Training	22
FAA Level 2 Award in Emergency First Aid at Work (QCF)	64

Courses not Planned for 15 16	Enrolment numbers
Course Title	2014/15
FAA Level 3 Award In First Aid at Work in Northern Ireland (QCF)	9
FAQ Level 3 Award In First Aid at Work	14
Follow Health And Safety Practice In The Salon	8
Garden Horticulture Skills	11
Guitar Workshop	32
Home Automation - KNX	1
ILM Level 2 Award In Leadership And Team Skills (QCF)	10
ILM Level 2 Award in Team Leading (QCF)	12
ILM Level 3 Award In Leadership And Management	10
ILM Level 5 Award in Leadership and Management (QCF)	10
Industrial Hydraulics Training	9
Introduction to BSL	28
Introduction to duty of care in health, social care or children's and young people's settings	28
Level 5 Diploma for Accounting Technicians - Revision course	1
Microsoft Office Specialist (MCAS) - Word	18
Microsoft Word Stage 1/2 Training	22
NCFE Level 2 Award in Podcasting	7
NCFE Level 3 Certificate in Photography (QCF)	5
NOCN Entry Level Award in English Skills (Entry 3) (QCF)	5
NOCN Entry Level Award in Mathematic Skills (Entry 1) (QCF)	7
NOCN Entry Level Diploma in Independent Living (Entry 3) (QCF)	5
NOCN Level 2 Award in Youth Work Practice (QCF)	23
NOCN Level 3 Award in IT User Skills (ITQ) (QCF)	11
NOCN Level 3 Certificate in Progression (QCF)	44
NOCN Level 3 Wind Turbine - Blade Repair	6
OCN Level 4 Diploma In Software Development For Industry	19
OCN NI Entry Level Award In Using ICT Systems (Entry 3) (QCF)	18
OCN NI Entry Level Award in Vocational Skills (Entry 3) (QCF)	2
OCN NI Level 1 Award in Introduction to HTML and CSS (QCF)	9
OCN NI Level 3 Certificate in Creative Arts and Digital Technologies (QCF)	18
OCN NI Level 3 Diploma in Performance Coaching for Gaelic Sports	20
OCR Entry Level Award In Initial Text Processing (Entry 3) (QCF)	4
OCR Entry Level Certificate In Employability Skills (Entry 3) (QCF)	7
OCR Entry Level Certificate In Personal Life Skills (Entry 3) (QCF)	7
OCR Entry Level Diploma in Life and Living Skills (Entry 1) (QCF)	5
OCR Level 1 Certificate in Administration (Business Professional) (QCF)	1
OCR Level 2 Audio Transcription	7
OCR Level 3 Audio Transcription	1
Order Of Malta Paediatric First Aid	32
Pearson BTEC Level 1/Level 2 First Certificate in Engineering	19

Courses not Planned for 15 16	Enrolment numbers
Course Title	2014/15
Pearson BTEC Level 1/Level 2 First Certificate in Hospitality	14
Pearson Edexcel Level 3 Extended Project	5
Performing Physical Theatre	15
Photography and Photographic Practice	12
Preparing and proving CNC machine tool programs	8
Presentation Skills	9
Prince's Trust Level 2 Certificate In Employment Teamwork and Community Skills (QCF)	4
Project	31
Recreation Improving Maths & English	12
Recreational BASIC FIRST AID	10
Recreational Beauty	7
Recreational Connections Programme	31
Recreational Cooking On A Shoestring	15
Recreational Core Gateway	13
Recreational Engine Management Systems	12
Recreational Intro to Numeracy & Handwriting Skills	10
Recreational iPad	7
Recreational Mandarin Chinese	15
Recreational Media	33
Recreational Precision Engineering	15
Recreational Project	5
Recreational Sign Language	7
Recreational Spanish	5
Recreational Steps To Work Job Search	15
Recreational The Art of Card Making	10
Recreational Welding	78
Risk Assessment And Health And Safety	5
Software Testing	7
The Stepping Stone of Confidence & Creativity	17
Ulster University BSc (Hons) Health and Well Being (4 modules)	11
Understand how to handle information in social care settings	28
Understand the role of the social care worker	28
Understanding the principles, practices and legislation for diagnosing and correcting electrical faults in electrotechnical systems and equipment in buildings, structures and the environment	9
Unvented Hot Water Supply Assessment & Reassessment	5
Using Carpentry Hand Skills	10
Using Floor and Wall Tiling Techniques	43
Using Social Media to Market Products and Services	6
Using Technology to Develop Online Interaction with Customers	6

Courses not Planned for 15 16	Enrolment numbers
Course Title	2014/15
VTCT Level 3 Award in Applying Hot and Cold Techniques in Sport and Active Leisure (QCF)	8
VTCT Level 3 Award in Taping and Strapping for Sport and Active Leisure (QCF)	8
VTCT Level 3 Certificate in Sports Massage Therapy (QCF)	15

Southern Regional College:

The response from Southern Regional College to the Assembly Question is as follows:

- 1 The college has carried out analysis of current provision compared to that in 2014-15 and can report that only one course is no longer delivered, namely City & Guilds Level 1 Diploma in an Introduction to the Hair and Beauty Sector (QCF).
- 2 This course was previously offered in 2014-15 in Newry (14) and Lurgan (13) with the total enrolments provided in brackets.

South East Regional College

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
Advanced Italian	11
AQA GCSE In Mathematics B (Modular)	7
ATI Level 5 Diploma for Accounting Technicians (QCF)	28
Basic Excel	10
Basic Excel	17
Beauty Taster Course	23
Botanical Drawing	5
BSC Level 2 Award in Risk Assessment (QCF)	1
Building Information Modelling (BIM)	47
Business Improvement Techniques	5
C&G Entry Level Award in Online Basics (Start IT - iTQ) (Entry 3) (QCF)	138
C&G Level 2 Award In F-Gas And ODS Regulations (2079) Category 1	49
C&G Level 2 Carry out second fixing operations	1
C&G Level 2 Certificate In Construction Operations - General Construction (QCF)	6
C&G Level 2 Diploma in Health and Social Care (Adults) for Wales and Northern Ireland (QCF)	1
C&G Level 2 Diploma in Light Vehicle Maintenance & Repair Principles (QCF) †	3
C&G Level 2 Follow health and safety practice in the salon	10
C&G Level 2 Health safety and welfare in construction	1
C&G Level 2 Mark out from setting out details for bench joinery products	32
C&G Level 2 NVQ Diploma In Construction Operations and Civil Engineering Services - Construction Operations (Construction) (QCF)	6
C&G Level 2 Principles of building construction information and communication	1
C&G Level 2 Produce setting out details for bench joinery products	16
C&G Level 2 Skills in Light Vehicle Four Wheel Alignment	28
C&G Level 3 Award in Computerised Accounts (QCF)	8
C&G Level 3 Award In Hospitality Supervision and Leadership Principles (QCF)	4

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
C&G Level 3 Award in the Fundamental Principles and Requirements of Environmental Technology Systems (QCF)	25
C&G Level 3 Award in the Fundamental Principles and Requirements of Environmental Technology Systems (QCF)	10
C&G Level 3 Award In the Periodic Inspection Testing and Certification of Electrical Installations (QCF)	13
C&G Level 3 Award In The Requirements for Electrical Installations BS7671: 2008 (2015) (QCF)	9
C&G Level 3 Certificate in Hospitality and Catering Principles (Prof Cookery) (QCF)	2
C&G Level 3 Diploma in Heavy Vehicle Maintenance and Repair Competence (QCF)	2
C&G Level 3 Diploma in Heavy Vehicle Maintenance and Repair Principles (QCF)	1
C&G Level 3 Diploma in Light Vehicle Maintenance and Repair Principles (QCF)	2
C&G Level 3 Diploma in Property: Residential Property Letting & Management (4401-32)	10
C&G Level 3 Handling Refrigerants ;R5012950	7
C&G Level 3 NVQ Certificate in Servicing and Maintaining Air Conditioning and Heat Pump Systems (QCF)	7
C&G Level 3 NVQ Diploma in Hospitality Supervision and Leadership (QCF)	4
C&G Level 3 NVQ Diploma in Servicing and Maintaining Refrigeration Systems (QCF)	7
C&G Level 5 Diploma in Leadership for Children's Care, Learning and Development (Advanced Practice) ;	14
Calligraphy	30
Car Restoration	17
Carpentry & Joinery Skills	1
CCEA AGCE Applied ICT	8
CCEA AGCE Geography	5
CCEA AGCE Mathematics	7
CCEA ASGCE Applied Business (SA)	2
CCEA ASGCE Applied ICT	2
CCEA ASGCE Geography	2
CCEA Level 3 Advanced GCE in Religious Studies	1
CCNA Exploration 1 (Network Fundamentals)/CCNA Exploration 2 (Routing Protocols and Concepts)	8
CCNA Exploration 3 (LAN Switching and Wireless) & CCNA Exploration 4 (Accessing the WAN)	10
Cedar Well 2 Summer Scheme Art & Crafts 2	13
CIEH Level 1 Award in Food Safety Awareness in Catering	8
CIEH Level 3 Award In Supervising Food Safety In Catering	31
CMI Level 5 Certificate in Management and Leadership (QCF)	16
Construction Skills Register	1
Contemporary Cooking (Advanced)	10
CPCAB Level 5 Diploma in Psychotherapeutic Counselling (QCF)	12
Cskills Awards Level 1 Diploma in Bricklaying (QCF)	10
Cskills Awards Level 1 Diploma in Carpentry and Joinery (QCF)	27

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
Cskills Awards Level 1 Diploma in Plastering (QCF)	6
CSkills Awards Level 2 Diploma in Bench Joinery (QCF)	9
Cskills Awards Level 2 Diploma in Plastering (Construction) (QCF)	5
Cskills Awards Level 2 NVQ Diploma in Trowel Occupations (Construction) (QCF)	5
Cskills Awards Level 2 NVQ Diploma in Wood Occupations (Construction) (QCF)	7
CSkills Awards Level 3 Diploma in Bricklaying (QCF)	2
Cskills Awards Level 3 NVQ Diploma in Plant Maintenance (Construction) (QCF)	3
Cskills Awards Level 3 NVQ Diploma in Plastering (Construction) (QCF)	4
Cskills Awards Level 3 NVQ Diploma in Trowel Occupations (Construction) (QCF)	1
CSkills Level 2 Carry out maintenance to non-structural carpentry work	10
CSkills Level 2 Carry out second fixing operations	10
Diagnostic Skills Programme	13
EAL Level 3 Award In the Initial Verification and Certification of Electrical Installations (QCF)	15
EDEXCEL BTEC HNC Advanced Practice In Work With Children & Families	15
EDEXCEL BTEC HND Computing (Software Development)	1
EDEXCEL BTEC Level 2 Award in Principles of Customer Service in Hospitality, Leisure, Travel and Tourism	22
Edexcel BTEC Level 2 Award in Welcoming Tourists and Visitors to their Destination in Hospitality, Leisure, Travel and Tourism (QCF)	22
EDEXCEL BTEC Level 2 Certificate in Health and Social Care (QCF)	1
EDEXCEL BTEC Level 2 Extended Certificate in Engineering	27
EDEXCEL BTEC Level 2 First Diploma in Art and Design (QCF)	15
Edexcel BTEC Level 2 First Diploma in Health and Social Care	36
EDEXCEL BTEC Level 3 90-credit Diploma in Art and Design (QCF)	32
EDEXCEL BTEC Level 3 90-credit Diploma in Art and Design (QCF)	7
EDEXCEL BTEC Level 3 Certificate in Animal Management	13
EDEXCEL BTEC Level 3 Extended Diploma Creative Media Production (QCF)	43
Edexcel BTEC Level 4 HNC Diploma in Animal Management (QCF)	7
EDEXCEL BTEC Level 4 HNC Diploma in Art and Design (QCF)	5
Edexcel BTEC Level 4 HNC Diploma in Business (QCF)	6
Edexcel BTEC Level 5 HND Diploma in Animal Management (QCF)	4
EDEXCEL BTEC Level 5 HND Diploma in Applied Biology (QCF)	14
EDEXCEL BTEC Level 5 HND Diploma in Art and Design (QCF)	3
EDEXCEL BTEC Level 5 HND Diploma in General Engineering (QCF)	15
EDEXCEL BTEC Level 5 HND Diploma in Photography (QCF)	9
EDEXCEL BTEC Level 5 HND Health & Social Care (QCF)	1
EDEXCEL Level 2 Certificate in Pharmacy Service Skills (NVQ) (QCF)	12
EDEXCEL Level 3 Further Mathematics for Technicians	21
EDEXCEL Level 5 Diploma In Professional Software Development	17
EDI Level 2 Certificate In Business Administration and Practice	3

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
Electrical Upskilling	16
ETCAL Level 3 NVQ Diploma in Engineering Maintenance (QCF)	1
Excel Training	19
Holiday Italian	13
iCQ Level 2 Award in Understanding customer service in the retail sector (QCF)	11
iCQ Level 2 Award in Understanding the retail selling process (QCF)	11
ILM Endorsed Award Level 2 Train The Trainer	5
ILM Level 2 Award in Leadership and Team Skills (QCF)	54
ILM Level 3 Award in Leadership and Management	24
ILM Level 3 Award in Leadership and Management	23
ILM Level 5 Certificate in Leadership and Management (QCF)	9
IMIAL Level 2 NVQ Diploma in Construction Plant or Machinery Maintenance (Construction) (QCF)	8
IMIAL Level 3 Diploma In Construction Plant or Machinery Maintenance (Construction) (QCF)	3
IMIAL Level 4 Skills in Diagnosing Motor Vehicle Faults Where No Prescribed Process or Format is Available	14
LCCI Level 4 Executive Secretary's Diploma	8
LCCI Private Secretary's Diploma	11
Leisure Digital Photography	60
Leisure Gardening	176
Liverpool John Moores University Certificate in Business Studies	1
Metalwork Taster	14
MIG Welding	11
Money from the Internet - Proven Strategies Revealed Course	9
MTA: Security Fundamentals	24
NOCN Level 2 Baking Bread Pastry Cakes and Biscuits	16
NOCN Level 2 Certificate in Progression (QCF)	14
NOCN Level 2 Certificate in Progression (QCF)	1
NOCN Level 2 How to be a Gardener	10
NOCN Level 2 Organic Fruit and Vegetable Growing	9
OCN NI French 7 (Level 3 Speaking)	14
OCN NI German 6 (Level 3 Listening Unit)	12
OCN NI Italian 7 (Level 3 Speaking)	19
OCN NI Level 1 Award In German (QCF)	17
OCN NI Level 1 Award In Spanish (QCF)	53
OCN NI Level 1 Certificate In French (QCF)	16
OCN NI Level 1 Certificate In Italian (QCF)	20
OCN NI Level 1 Certificate In Spanish (QCF)	23
OCN NI Level 2 Certificate In Italian (QCF)	11
OCN NI Level 3 Award In Interior Design (QCF)	14

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
OCN NI Principles and Practices of the role of Dog Warden	24
OCN NI Spanish 7 (Level 3 Speaking)	22
OCR Level 1 Certificate in Business Skills (QCF)	2
OCR Level 1 Certificate in Retail Skills (QCF)	3
OCR Level 1 Certificate In Text Processing (Business Professional) (QCF)	10
OCR Level 1 NVQ Certificate in Customer Service	2
OCR Level 2 Award in Text Processing (Business Professional) (QCF)	8
OCR Level 2 Certificate in Retail Skills (QCF)	9
OCR Level 2 NVQ Certificate in Customer Service (QCF)	16
OCR Level 3 Award in Text Processing (Business Professional) (QCF)	1
OCR Level 3 NVQ Certificate in Business & Administration (QCF)	21
Pearson BTEC Level 1/Level 2 First Certificate in Construction and the Built Environment	15
Pearson BTEC Level 1/Level 2 First Diploma in Engineering	23
Pearson BTEC Level 1/Level 2 First Extended Certificate in Travel and Tourism	15
Pearson Edexcel Level 2 Diploma in Health and Social Care (Adults) for Wales and Northern Ireland (QCF)	11
Pearson Edexcel Level 3 Diploma for Children's Care, Learning and Development (Wales and Northern Ireland) (QCF)	12
Pearson Edexcel Level 3 Diploma in Health and Social Care (Adults) for Wales and Northern Ireland (QCF)	10
Pearson Edexcel Level 5 Diploma in Leadership for Children's Care, Learning and Development (Management) (QCF)	33
Pearson Level 2 BTEC Award In Paediatric First Aid	24
Photovoltaic (PV) Training and Assessment	8
Practical Woodwork	25
Preparing and using CNC milling machines ;D6005865	12
Preparing and using milling machines ;F6005860	8
Provide and maintain nail enhancement ;M6013937	31
Provide threading services for hair removal ;D6015487	14
Recreational Cookery - Well 2 Project Kitchen Club	13
Signature Level 1 Award in British Sign Language (QCF)	3
Software Testing	21
Spanish Advanced	24
St John's Emergency First Aid Certificate	14
St John's Public First Aid	20
The Art of Presentations	2
Understanding sales in the workplace (ILM L2) ;D5039729	14
University of Ulster Foundation Degree in Sustainable Construction	9
VTCT Level 1 Award in Basic Make-Up Application (QCF)	11
VTCT Level 2 Award in Thermal Auricular Therapy (QCF)	8
VTCT Level 3 Certificate in Indian Head Massage (QCF)	11

Courses not Planned for 2015 / 16	Enrolment numbers
Course Title	2014/15
VTCT Level 4 Certificate in Sports Massage Therapy (QCF)	14
WAMITAB Level 2 Certificate for Sustainable Waste Management Operative (Waste Collection Driver) (QCF)	9
Woodwork Cedar Foundation Summer School	13
Workshop - Health & Safety Induction	19
Please note that a number of these include short business courses that may recruit later in the year.	

North West Regional College:

The response from North West Regional College to the Assembly Question is as follows:

The North West Regional College has not removed courses this academic year. The exception is that some HND courses have been directly replaced by Foundation Degrees.

Northern Regional College:

Courses no longer delivered at Northern Regional College in 2015/16	Number of students in 2014/15
Extended Diploma in Construction Level 3, Newtownabbey campus	11
Diploma in IT, Level 2, Ballymoney campus	12
Diploma in Production Arts, Level 2, Ballymoney campus	12
Diploma in Art & Design, Level 2, Ballymena campus	12
Extended Diploma in Travel and Tourism, Level 3, Magherafelt Campus	8
Diploma in Sport, Level 2, Newtownabbey Campus (Michael Hughes Academy)	15

Ms Sugden asked the Minister for Employment and Learning to detail the opportunities available under the European Social Fund for young people who are not in education, employment or training to achieve GCSE, or equivalent, qualifications. **(AQW 49275/11-16)**

Dr Farry: The European Social Fund (ESF) 2014-2020 programme objectives are to combat poverty; enhance social inclusion by reducing economic inactivity; and increase the skills base of those currently in work and future potential participants in the workforce.

The Programme is designed to reach those people furthest from the labour market, at risk of social exclusion, and young people from marginalised communities who require additional support. The Programme provides participants with a range of support including training, mentoring and pre-employment activities.

Decisions regarding the level of qualifications to be supported under ESF-funded projects were informed by a range of connected Departmental policy reviews, including the review of Youth Training.

Progression is a key component of the 2014-2020 ESF Programme. It is for this reason, that I took the decision to support provision up to Level 1 under the Programme. This means that individuals are enabled and encouraged to progress to Level 2 qualifications and above through other Departmental provision such as Further Education; Apprenticeships NI; or Steps to Success.

Account was also taken of the acute need to minimise duplication between programmes funded by my Department. This was particularly important within the context of the current budget constraints being faced by my Department.

Mr Swann asked the Minister for Employment and Learning, following a presentation to the Committee for Employment and Learning on Wednesday 23 September 2015, whether the advance amount payable to an European Social Fund project is 5 per cent of its annual cost. **(AQW 49380/11-16)**

Dr Farry: Under the 2014-2020 European Social Fund Programme, projects are entitled to claim an advance payment of 5%. This advance payment is calculated as a percentage of 65% of a project's total annual cost; i.e. of the European Social Fund assistance element (40%) and the Departmental funding element (25%).

The Project's match-funding element (35%) is not included in the calculation.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, was the figure of £5484.10 Article 13 audit costs paid out of technical assistance or the departmental development budget.

(AQW 49387/11-16)

Dr Farry: As I have already confirmed in my response to AQW 48762/11-16, the figure referred to was paid out of the Priority 3/Technical Assistance budget.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, in relation to the training costs of £5484.10, to detail (i) a breakdown of the staff grades of training participants; (ii) the number of Article 13 visits undertaking post-training by each of these staff; (iii) the total number of Article 13 visits which have been completed to date by the managing authority, and; (iv) which organisations did not receive Article 13 visits during the lifetime of 2007-13 European Social Fund programme and the reasons for this.

(AQW 49389/11-16)

Dr Farry: My officials have confirmed that the information is not readily available, and could only be obtained at significant cost. Therefore, as it is only available at disproportionate cost, I am not in a position to provide the information to the Member

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, was the sourcing of training in Berlin procured via single tender exercise or competitive tendering.

(AQW 49390/11-16)

Dr Farry: The training seminar in Berlin was arranged by the European Commission, with invitations to attend subsequently issued to all Member States, including the Northern Ireland European Social Fund Managing Authority. My Department, therefore, has no information on how the training was procured.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, was the sum of £5484.10 only for travel costs or did it include the cost of training.

(AQW 49391/11-16)

Dr Farry: The £5484.10 can be broken down as follows:

■ Conference Fees:	£4010.09
■ Travel Costs:	£460.26
■ Accommodation:	£1013.75
■ Total:	£5484.10

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, why was training only sourced in 2013, at the end of the 2007-13 European Social Fund programme.

(AQW 49392/11-16)

Dr Farry: The training seminar for the application of Article 13 verifications, which took place in April 2013, was part of an ongoing programme of staff training. Some of this was provided externally, and some was accommodated within my Department's own training plan and budget.

Mr Easton asked the Minister for Employment and Learning to detail the criteria to access the Maintenance Grant and the Special Support Grant.

(AQW 49394/11-16)

Dr Farry: The Maintenance Grant and Special Support Grant form part of a support package available to eligible students who normally live in Northern Ireland and undertake a full-time higher education course in the United Kingdom or the Republic of Ireland. Both grants are funded by my Department and administered by the Education Authority in Northern Ireland, and both are means tested and non repayable.

The Maintenance Grant is designed to help students with accommodation and other living costs. A full Maintenance Grant of £3,475 is payable to students whose household income is £19,203 or less; whilst those from households with an income between £19,204 and £41,065 will receive a partial grant on a sliding scale basis.

The Special Support Grant is payable to students eligible to claim means-tested benefits such as Income Support and Housing Benefit whilst studying. Lone parents, other student parents whose partner is also a student, and students with certain disabilities can apply for the grant. The Special Support Grant of up to £3,475 is payable instead of the Maintenance Grant and is means tested in the same way.

Students entitled to a Maintenance Grant or Special Support Grant are also eligible to apply for a Maintenance Loan, but whilst the level of Maintenance Grant paid to a student will have a bearing on the maximum Maintenance Loan available (a reduction will be made to the maintenance loan up to a maximum of £1,887 where the student is in receipt of the maximum maintenance grant of £3,475), the level of Special Support Grant paid will not.

Mr Easton asked the Minister for Employment and Learning to detail the criteria for foreign students who apply for student loans or grants through his Department.

(AQW 49395/11-16)

Dr Farry: I can advise that, under the Education (Student Support) Regulations (Northern Ireland) 2009 (as amended), my Department has a duty to prescribe the eligibility and other criteria of higher education students for financial support in terms of tuition fees, grants and loans. Legal responsibility for determining eligibility for financial support in accordance with the Regulations rests with the Education Authority (formerly known as Education and Library Boards) in Northern Ireland.

In order to apply for full student financial support, including maintenance loans and grants and tuition fee loans, one of the requirements under the Regulations is that students must hold no restrictions on their passport or residence permit, and have settled status in the United Kingdom. This is normally classified as having "Indefinite leave to remain" status and a student must be in receipt of this status on the first day of the first academic year of their course. If they do not hold this status on that date, they are not eligible for support; furthermore, should their status subsequently change during their course, they will not become eligible. Under the terms of the Regulations a student with "Indefinite leave to remain", like most other students, would also have to demonstrate they had lived in the United Kingdom for three years prior to the start of the course to be eligible for student support.

I can further advise that in relation to Higher Education, under European Union (EU) law, European Union and European Economic Area (EEA) students can apply for a tuition fee loan in Northern Ireland. The principle of free movement within the EU applies to students and their rights associated with studying in other Member States. The charging of tuition fees varies from member state to member state. If a member state waives fees or provides fee loans to its domiciles then it must do the same for domiciles from other EU countries. This policy does not extend to non EU/EEA Overseas students and they will have to self fund their study in Northern Ireland and are subject to non regulated international tuition fees.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48732/11-16, to breakdown the £280,014.63 payment made to the Department of Finance and Personnel, in relation to the 2007-2013 European Social Fund Programme.

(AQW 49424/11-16)

Dr Farry: The series of regular payments made to the Department of Finance and Personnel, under the Technical Assistance element of the ESF 2007-2013 Programme and amounting to £280k, relate entirely to the continued support and maintenance of the Systems 2007 Information Management database.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48732/11-16 and given that the Committee for Employment and Learning on 23 September 2015 was led to believe by departmental officials that staff costs were the only expenditure from the European Social Fund 2007-2013 European Social Fund Technical Assistance budget expended on the new 2014-2020 European Social Fund Programme, does the figure of £1783 include staff costs incurred.

(AQW 49425/11-16)

Dr Farry: It is inaccurate to state that Departmental officials led the Committee for Employment and Learning to believe that staff costs were the only expenditure from the European Social Fund (ESF) 2007-2013 Technical Assistance budget expended on the 2014-2020 ESF Programme. Officials clearly stated during their evidence session that there was flexibility to use some of the 2007-2013 Technical Assistance budget for preparations for the 2014-2020 Programme, and that this has included activities around publicity and communication relating to the new Programme.

With this in mind, I can confirm that the figure of £1,783 relates to advertisements placed in the three main national newspapers to promote the 2014-2020 ESF Programme.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48732/11-16, to detail the breakdown, per all the relevant budget categories, of the £13,837.04 spend, including room hire, postage and stationary.

(AQW 49429/11-16)

Dr Farry: The cost referred to can be broken down as follows:

■ Postage and Stationery:	£1,208.45
■ Professional Fees for Hosting of Seminars:	£10,768.53
■ Parking Costs:	£219.06
■ Room Hire and Hospitality:	£603
■ Promotional Items:	£1,038
■ Total:	£13,837.04

Mr Swann asked the Minister for Employment and Learning if he has received any indication that the Minister of Health, Social Services and Public Safety is considering withdrawing or reducing funding from nursing students.

(AQW 49431/11-16)

Dr Farry: Student support for nurses in the form of healthcare bursaries is a policy matter for the Department of Health Social Services and Public Safety, rather than for my Department.

Mrs D Kelly asked the Minister for Employment and Learning what assistance his Department can offer to people who will lose their jobs following the closure of the B&Q store in Craigavon in 2016.

(AQW 49475/11-16)

Dr Farry: This question has been passed to me as my Department has responsibility for this area of work.

B&Q regrettably made the announcement on 30 September that they will be closing three of their Northern Ireland stores, in Ballymena, Derry/Londonderry and the Boucher Road store in Belfast, resulting in approximately 200 redundancies during January and February 2016. In addition, the company has identified their stores in Craigavon and Sprucefield for closure later in 2016, which could result in 300 job losses.

My Department is already working with the company to provide our bespoke Redundancy Advice Service to affected employees in the first three stores identified, and the same service will be offered once definitive closure dates are established for the Craigavon and Sprucefield stores. This service is tailored to ensure a rapid response with the best possible advice, guidance and support for those facing redundancy. It includes offering on-site Job Clinics to enable employees to receive job search information, advice on employment, training and educational opportunities available along with careers guidance as appropriate.

Arrangements may also be made for partner organisations to attend these clinics such as the Social Security Agency and external bodies including Invest NI, the Labour Relations Agency, Citizens Advice Bureau, Further Education Colleges, local Enterprise Agencies and any training providers which the employer considers relevant.

If a clinic is not considered appropriate because of the local circumstances, information packs may be issued to employees detailing my Department's range of services and support to assist them find suitable alternative employment and my staff in the local Jobs and Benefits offices and JobCentres are available to assist individuals on a one to one basis at any time.

Mr Easton asked the Minister for Employment and Learning to detail how many people are currently involved with the Bridge to Employment Programme in North Down.

(AQW 49482/11-16)

Dr Farry: Currently my Department has no Bridge to Employment programmes running in North Down.

Mr Easton asked the Minister for Employment and Learning to detail how many people are currently taking part in the Steps to Success programme.

(AQW 49520/11-16)

Dr Farry: The current available statistical data shows that 21,289 participants started the Steps 2 Success programme between October 2014 and June 2015.

Mr Easton asked the Minister for Employment and Learning to detail the criteria required for people to take part in the Steps to Success Programme.

(AQW 49521/11-16)

Dr Farry: Steps 2 Success (S2S) is my Department's main employment programme, the aim of which is to help eligible benefit recipients find and sustain work.

Eligibility for S2S is determined by the type of benefit which a client receives, the length of time on benefit and the client's barriers to employment.

Jobseeker's Allowance (JSA) claimants are required to participate on S2S at specific points in their JSA claim. Claimants who are in receipt of JSA, aged between 18 and 24 years old, are required to participate after nine months on benefit. Claimants who are in receipt of JSA, aged 25+, are required to participate after 12 months on benefit.

Early entry to S2S is available to JSA claimants who have significant barriers to work or who are ex-offenders.

While there is no requirement to participate, S2S is available to Employment and Support Allowance claimants in both the Work Related Activity Group and the Support Group with the agreement of the Employment Service Adviser.

S2S is also available on a voluntary basis to those in receipt of Income Support, Carer's Allowance or Pension Credit if the Employment Service Adviser considers this to be the most appropriate option.

Mr Easton asked the Minister for Employment and Learning to detail the groups that have been awarded funding through the European Social Fund for the 2014-2020 period.

(AQW 49627/11-16)

Dr Farry: A total of 67 projects have been awarded funding through the European Social Fund for the 2014-2020 period. The full list can be accessed at:

<http://www.delni.gov.uk/index/publication/pubs-euro-fundng/ni-european-social-fund-programme-2014-2020.htm>

Ms Ruane asked the Minister for Employment and Learning to outline the 13 United Youth Programme pilots.
(AQO 8827/11-16)

Dr Farry: United Youth is a transformational good relations programme that aims to provide flexible, high-quality, young-person-centred opportunities for 16–24 year olds who are not in education, employment or training. There are four key outcome areas, in the form of capabilities the young people should be supported to develop via engagement with United Youth: personal development, good relations, citizenship and employability.

There are 13 United Youth pilots being delivered by 12 lead organisations along with 17 partner organisations. The full list is available on the DEL website.

There is a good spread of pilots across Northern Ireland, including coverage in both urban and rural areas, providing up to 360 places for young people to participate in a range of activities between August 2015 and March 2016.

Each pilot represents a different approach to tackling the four outcome areas. The purpose of the pilot phase is to test the different approaches, as well as the suitability of the outcomes themselves, with a view to developing a service design framework for the United Youth Programme post 2015/16.

Mrs Cochrane asked the Minister for Employment and Learning for an update on the Science Festival in 2016.
(AQO 8828/11-16)

Dr Farry: The inaugural Northern Ireland Science Festival was held in February of this year and was hugely successful. It far exceeded everyone's expectations attracting audience numbers of more than 51,000 people at over 100 events and considerable press coverage

The Festival presented a powerful and innovative opportunity to promote the STEM agenda which is so essential to our economy, and my Department provided seed funding and support to help bring its ambitious aspirations to fruition. Feedback confirms the positive impact of the Festival in enthusing and encouraging people to consider STEM study and careers which will in turn help ensure a healthy STEM skills pipeline to support our economy.

The second Science Festival will take place from 18-28 February 2016 in venues across Northern Ireland.

Building on the Festival's success and in recognition of the positive and far-reaching impact for STEM, my Department will provide grant funding of £50,000 for each of the next four years, to ensure that continuity and momentum is maintained. I am also hopeful that it will provide a foundation which will encourage other sponsors to support the Festival in the future.

The importance of STEM skills for Northern Ireland's future prosperity and economic success cannot be underestimated. It is imperative that if we are to meet this challenge, we inspire our young people to consider these subjects from an early age. We must also do our utmost to encourage those students who initially study STEM related subjects in post primary school to continue to pursue this course of study through to higher education.

The Science Festival is an ideal opportunity for us to reach out to young people and fire their imaginations on the possibilities that a STEM career can open up to them.

Mr McElduff asked the Minister for Employment and Learning for an update on his efforts to address barriers to cross-border mobility at undergraduate level.
(AQO 8829/11-16)

Dr Farry: I am committed to improving cross-border student mobility.

In accordance with the EU treaty obligations, my Department funds further and higher education provision in Northern Ireland for all EU-domiciled students.

My Department also contributes to the UK wide promotion of the Erasmus plus programme which encourages the mobility of information, skills and people across the educational sectors between Northern Ireland and our European neighbours. Our higher education sector has an excellent record in securing funding for mobility through this avenue. Cross border undergraduate mobility is highlighted as a key area for development in Graduating to Success, the higher education strategy for Northern Ireland. Much progress has been made in this area in relation to improving access to learner information, levelling the playing field in relation to student finance and reducing the qualification barriers.

Significant work has also been undertaken by my officials, and officials in the Department for Education and Skills, to research and analyse cross border student flows. A joint report was published on the 15th of June and shows, amongst other things, that applications from Northern Ireland students to Irish institutions has been increasing since 2010. The report will be used to inform future policy development.

I and my officials continue to work closely with our counterparts in the South on this and other cross border issues.

Mr Eastwood asked the Minister for Employment and Learning whether his Department plans to contact private sector business leaders to ensure their input is included in his public consultation on the Employment Strategy for People with Disabilities.
(AQO 8830/11-16)

Dr Farry: The member will be aware that I made a statement to the Assembly on 29th September, to launch the public consultation on the Employment Strategy for People with Disabilities.

In developing and informing the strategy thus far, a number of positive engagement events, targeted primarily at people with disabilities, support workers, and organisations from the community and voluntary sector, took place in 2014.

In addition, a separate event, targeted solely at employers, was organised. This was to help gain an understanding of the issues faced or perceived by employers, when recruiting and supporting people with a disability.

I know that the Strategic Working Group intends to engage with employers once again, through employer representative groups, such as CBI Northern Ireland and the Federation of Small Businesses, as well as Employers for Disability, and the disability organisation's own employer base.

My Department recognises that employers, from all sectors, are vital to the success or otherwise of this strategy. So it is very important that they do make a meaningful contribution to this consultation process, and their input will be most welcome.

During the period of consultation, the Strategic Working Group, who has led on the development of this strategy, will facilitate a number of public consultation events throughout Northern Ireland. These events will be publicised and open to all individuals, including employers.

Mr McAleer asked the Minister for Employment and Learning whether he plans to amend the statutory annual leave entitlement for workers.

(AQO 8832/11-16)

Dr Farry: My officials have just carried out a further review of the current economic context in consideration of the issue of statutory annual leave entitlement and have given evidence to the Employment and Learning Committee on the matter.

Given the current economic climate, there is no appetite for an increase in the statutory annual leave entitlement for workers and I will be advising Executive colleagues that I intend maintaining the current entitlement at 5.6 weeks, which equates to 28 days.

Mr Lyttle asked the Minister for Employment and Learning for an update on higher level apprenticeships as part of the Change Fund.

(AQO 8833/11-16)

Dr Farry: In advance of full implementation of the Northern Ireland Apprenticeships Strategy, Securing our Success, I committed to piloting Higher Level Apprenticeships with the aim of testing their effectiveness to meet the specific skills needs of local employers.

Following my Department's successful bid to the Change Fund earlier this year, officials have engaged with Further Education Colleges and Universities, with a view to taking forward up to an additional 450 Higher Level Apprenticeship opportunities across 10 occupational areas starting in the 2015/16 year.

I am pleased that over the past 6 months colleges and universities have submitted over 30 applications on behalf of local employers for additional Higher Level Apprenticeships. Of these, 27 applications have been approved by my Department.

It is anticipated that the majority will be commencing in autumn 2015, with the remainder commencing in early 2016, aligned to employer demand.

The list of Higher Level Apprenticeships my Department has approved for funding includes: Mechatronics Engineering; Insurance; Food Manufacturing; and Computing. A full list of approved Higher Level Apprenticeship pilots is available on the NIDirect website.

Mr Hazzard asked the Minister for Employment and Learning whether he plans to designate English for Speakers of Other Languages as an Essential Skill.

(AQO 8834/11-16)

Dr Farry: I have no plans at present to designate English for Speakers of Other Languages, regarded as ESOL, as an Essential Skill. However, in common with Essential Skills, ESOL is funded by my Department at the highest level within the further education funding formula in recognition of its wider societal benefits.

The Essential Skills Strategy, which was introduced in 2002, was designed for people whose first language is English to develop their literacy, numeracy and ICT skills. ESOL is not regarded as an Essential Skill as English is not their first language.

Further education colleges make a charge for ESOL provision with the exception of asylum seekers whose fees are met from within college budgets. Financial assistance is available to eligible individuals undertaking accredited courses in the colleges and concession fees are available to those on means tested benefits.

My Department is currently involved in Interdepartmental Groups to examine the impact of Syrian refugees settling here and the practical support which we can offer, including the provision of English Language classes. I expect that in the coming weeks a comprehensive package of support will be agreed.

Mr Ramsey asked the Minister for Employment and Learning how his Department plans to safeguard the future of law courses at the Ulster University Magee Campus.

(AQO 8835/11-16)

Dr Farry: While my Department provides funding and sets the strategic direction for the higher education sector, universities are autonomous and responsible for their own course provision.

Currently Ulster University offers law courses at Jordanstown and Magee at both undergraduate and postgraduate level.

I am aware that from next year the University will no longer be offering a Postgraduate Diploma in Professional Legal Practice at its Magee campus but I am not aware of any plans to close other law courses at either campus.

Before making decisions regarding course provision the universities take a number of factors into account including my Department's priorities, the needs of the economy and student demand.

Indeed, I am aware that there has been increased demand for law graduates in recent years, particularly from inward investors.

Mr Byrne asked the Minister for Employment and Learning for an update on Education Maintenance Allowance payments made to young people who recently enrolled on European Social Fund funded youth education projects.

(AQO 8836/11-16)

Dr Farry: The payment of allowances to European Social Fund participants is eligible only through a Project Promoter's 40% indirect costs.

No other separate sources of Departmental funding are available to cover allowances, such as the Educational Maintenance Allowance.

Due to severe budget restraints in my Department, I am regrettably unable to provide any financial resource for the payment of Educational Maintenance Allowances within European Social Fund projects.

I will, however, continue to keep this matter under review should available financial resources become available.

Department of the Environment

Mr McKay asked the Minister of the Environment whether he will bring forward or develop proposals on the regulation of bonfires that are unsafe or that burn inappropriate material.

(AQW 47737/11-15)

Mr Durkan (The Minister of the Environment): The lead responsibility for bonfire management rests with local councils.

The Clean Neighbourhoods and Environment (Northern Ireland) Act 2011 provides powers to district councils to serve a statutory notice on the person responsible under section 63(1)(b) for smoke emitted from premises so as to be prejudicial to health or a nuisance or, under section 61(1)(e) for any accumulation or deposit which is prejudicial to health or a nuisance.

In addition to those powers, the dumping and/or burning of waste and the passing of waste to someone who is not authorised to receive it is prohibited under the Waste and Contaminated Land Order (Northern Ireland) 1997.

The Department of the Environment is working with and supporting the councils including using its enforcement powers to help reduce and ultimately eliminate the burning of inappropriate material on bonfires.

In order to address the significant ongoing concern about the impacts of bonfires, I have asked my officials to consider further options which may have the potential to improve bonfire management and control. It is my intention to bring these options to the Environment Committee and Councils in the near future for discussion and consultation on the way forward.

I am aware that bonfires are an emotive issue here and their management needs to be approached in a sensitive manner. The success of any option for their further management and control will rely heavily on adopting a holistic approach with buy-in and participation from all those involved. Most importantly though, if the issues around bonfires are to be successfully tackled, wide political and community support will be needed.

Mr Cree asked the Minister of the Environment what progress his Department is making towards implementing the proposal for a register of trees that are of national special interest.

(AQW 48597/11-16)

Mr Durkan: Whilst I welcome the initiative for the creation of a Register of Trees of National Special Interest for Northern Ireland, my Department cannot, however, take the issue forward as a Departmental responsibility at this time due to staff resource and budgetary constraints.

Many of the legislative functions in relation to the protection of trees, management of existing trees and the consideration of further protection of trees transferred to our new Councils on 1 April this year. Councils now have powers to draw up local development plans which can provide policy and guidance on the management and protection of trees as part of development

proposals. During the RPA process I ensured that specialist trained staff transferred to Councils in April to deliver on their priorities in relation to trees.

I have asked my officials to convene a meeting between the interested parties – the Woodland Trust and Tree/Biodiversity Officers from the new local Councils to consider this proposal.

Mr Lyttle asked the Minister of the Environment, pursuant to AQW 42207/11-15, whether his Department plans to introduce legislation to ban the hunting of wild animals with dogs.

(AQW 48797/11-16)

Mr Durkan: Calls to ban hunting with dogs in Northern Ireland have been intermittent over the years. The issue is not perceived to create significant problems in the rural environment, warranting a change to legislation at the present time.

The issue of hunting with dogs is not a conservation related matter, nor is it related to my Department's core objectives. There are no conservation concerns relating to the species being hunted i.e. foxes and stags. As you are aware, the issue is concerned exclusively with preventing acts which are deemed to be cruel to wild animals and it is the welfare of the animals being hunted that is of primary concern. It is therefore considered that the issue of hunting with dogs is essentially a rural affairs issue.

Notwithstanding the above issues, there is limited time left within the scheduled mandate of the Assembly to take forward legislation.

For these reasons I have no plans to bring forward legislation on this matter.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 36475/11-15, to detail what exclusions or exemptions exist in relation to the location of Centralised Anaerobic Digester plants.

(AQW 48839/11-16)

Mr Durkan: Following the transfer of powers to local government on the 1 April 2015, the majority of proposals for Anaerobic Digestion plants will be dealt with by local councils.

When a planning authority is considering an application for a Centralised AD plant, all aspects of the proposed development should be assessed in planning terms, including the potential impact on residential amenity. The assessment should take into account all relevant planning considerations insofar as they are material to the application. These considerations include comments from third parties, the relevant policies within a development plan and regional planning policies.

The relevant planning policy criteria to be applied to assessment of a Centralised AD plant will vary according to a range of factors, including the nature of the proposal, its location and the proposed AD feedstock. In general, however, the Department's Strategic Planning Policy Statement (SPPS); Planning Policy Statement (PPS) 11 'Planning and Waste Management' and PPS 18 'Renewable Energy' will be relevant to the assessment.

The recently published SPPS sets out regional strategic policy for the location of waste management facilities. This would include Centralised AD plant where the AD feedstock is a waste, as is usually the case. The SPPS states that specific sites for the development of waste management facilities should be identified in the Local Development Plan for a council area, which should also set out key site requirements for the development of any site.

It also states that sites and proposals for waste collection and treatment facilities must meet one or more of the following location criteria:

- it is located within an industrial or port area of a character appropriate to the development;
- it is suitably located within an active or worked out hard rock quarry or on a landfill site;
- it brings previously developed, derelict or contaminated land back into productive use;
- it is suitably located in the countryside and involves the reuse of existing buildings, or is on land adjacent to existing building groups. Alternatively where it is demonstrated that new buildings or plant are required.

Anaerobic Digestion is also a source of renewable energy and therefore planning policy in relation to renewable energy development is also relevant. The regional strategic objectives for renewable energy developments set out in the SPPS are to: ensure that the environmental, landscape, visual and amenity impacts associated with, or arising from renewable energy are adequately addressed; and ensure adequate protection of the regions built, natural and cultural heritage features.

The SPPS sets out that development that generates energy from renewable sources will not be permitted where the proposal would result in unacceptable adverse impacts on public safety, human health or residential amenity; visual amenity and landscape character; biodiversity, nature conservation or built heritage; local natural resources such as air and water quality, and public access to the countryside.

Furthermore, the SPPS sets out a cautious approach to renewable energy development proposals within designated landscapes of significant values such as Areas of Outstanding Natural Beauty (AONBs).

Notwithstanding the above, every planning application is assessed on a case by case basis and the relevance and weight of each material consideration is a matter for the decision maker to take into account in the determination of the application.

It should be noted that a proposal for a Centralised AD plant may also be required to comply with a number of other consents and authorisation regimes including DETI consent for electricity generation over 10MW; an abstraction licence; a Waste Management Authorisation Licence and an Integrated Pollution Prevention and Control (IPPC) permit.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 47690/11-15; (i) when his assessment of the Court of Appeal and Supreme Court rulings on *Champion-v-North Norfolk District Council* will be completed; and (ii) whether his Department has been failing to properly apply the Planning (Environmental Impact Assessment) Regulations with the result that developments which should have required an Environmental Impact Assessment are being negatively screened of significant environmental effects.

(AQW 48916/11-16)

Mr Durkan: This question raises legal issues and refers to an English Case which was eventually before the Supreme Court. It would, therefore, not be appropriate for me to comment or to offer opinions on matters of the legal interpretation.

Mr Agnew asked the Minister of the Environment whether (i) a development which has failed Appropriate Assessment because of significant and adverse environmental effects can be subject to a negative Environmental Impact Assessment determination; and (ii) how this accords with the European Commission's publication *Assessment of plans and projects significantly affecting Natura 2000 sites*, paragraph 2.4; and the Court of Appeal ruling on *Champion-v-North Norfolk District Council*, paragraph 15.

(AQW 48917/11-16)

Mr Durkan: This question raises legal issues and refers to an English Case which was eventually before the Supreme Court. It would, therefore, not be appropriate for me to comment or to offer opinions on matters of the legal interpretation.

Mr Allister asked the Minister of the Environment, further to his response to my letter of 7 August 2015, to detail (i) why allowances for Sinn Féin councillors in Derry City and Strabane District Council continue to be paid into party accounts; and (ii) what actions he is taking to address this issue.

(AQW 48950/11-16)

Mr Durkan: As advised in my response to you in August both primary and subordinate legislation clearly state that councillor allowances are payable by councils directly to councillors. The relevant legislation is contained in Part 3 of the Local Government Finance Act (Northern Ireland) 2011 and in the Local Government (Payment to Councillors') Regulations (Northern Ireland) 2012.

As also advised, in light of the recent court proceedings, my officials wrote to all district council Chief Executives to remind them of this legislation.

As the legislation is silent on the obligations of a council, to carrying out this process, it is for each council to interpret and adopt their own policies. However it is my Department's view that a council's obligation only extends to carrying out the direction of the councillor and the holding of that direction as a record. This applies to all councils.

I would further advise that this matter has been brought to the attention of the Local Government Auditor who has stated that this matter will be considered as part of ongoing audit work.

Mr Agnew asked the Minister of the Environment whether any increase in the height of the waste incinerator chimney at Airport Road, Belfast was approved (i) under planning application Z/2014/1346/F; (ii) without any consultation with Belfast City Airport; and whether (iii) Belfast City Airport is fully aware of any proposed increase in height.

(AQW 48956/11-16)

Mr Durkan: The height of the chimney stack was originally approved at 51m high and this was not changed with planning permission Z/2014/1346/F. As a result, consultation with Belfast City Airport was not required.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 45142/11-15, whether the Northern Ireland Environment Agency formally consented to the infilling of inert process waste at 91 Glenshane Road, Derry adjacent to the River Faughan in 2002.

(AQW 48980/11-16)

Mr Durkan: The Environment and Heritage Service (now the Northern Ireland Environment Agency) issued a consent, dated 11 November 2003, to Mr William Chambers, Director of W & J Chambers Limited, 91 Glenshane Road, Drumahoe, Co Londonderry, permitting the in-filling of inert materials such as topsoil, stone and brickwork. This consent was issued under the Water (Northern Ireland) Order 1999.

The consent set a number of restrictions: including that infilling was to be restricted to a relatively small, mapped area of the site, on elevated ground which ranged from approximately 30 to 65 metres away from the riverbank. Over and above the consent's prohibition of any infilling of material outside this mapped area, the consent included an additional written clause prohibiting the infilling of any material within 10 metres of the bank of the River Faughan.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 43942/11-15, (i) how his Department distinguished between the infilling of inert process waste at 91 Glenshane Road, Derry which required consent in 2002 under the Waste and Contaminated Land (Northern Ireland) Order 1997 and the materials dumped at the same site between 1995 and 2006 which he does not consider waste; and (ii) to detail any evidence his Department has that identifies any distinction in the waste dumped at the site.

(AQW 49017/11-16)

Mr Durkan: The Water (Northern Ireland) Order 1999 consent you refer to was issued by the Department for the purpose of ensuring no water pollution would arise from the land-filling of process materials within a small part of the site. None of these materials referred to for the purposes of this Water Order consent fell within any of the definitions of waste within the Waste and Contaminated Land (Northern Ireland) Order 1997. There is no contradiction or conflict with waste legislation in the colloquial use of the word "waste" when issuing a consent under the Water (Northern Ireland) Order 1999.

Following the issue of this Water Order consent Departmental staff regularly monitored the site to confirm that no materials other than those specified were being placed on site. Barring one minor breach which the company immediately rectified, this monitoring found no evidence of materials in breach of the consent or which would have fallen within the definition of waste contained within the Waste and Contaminated Land (Northern Ireland) Order 1997.

Lord Morrow asked the Minister of the Environment in relation to the proposed changes to taxi meters, how he plans to address the issue of recording serial numbers on meters.

(AQW 49084/11-16)

Mr Durkan: The Driver and Vehicle Agency is currently assessing the potential effectiveness of maintaining a record of serial numbers on taximeters. Although generally the retention of such data is useful in assisting enforcement activity, the large numbers of meters involved and the resource implications of recording the numbers must be taken into account.

I have asked my officials to keep you informed of progress.

Mr Swann asked the Minister of the Environment to detail the amount and destination of waste exported to Energy From Waste facilities in (i) EU countries; and (ii) Non EU countries.

(AQW 49111/11-16)

Mr Durkan: Departmental records indicate that the total amount of waste exported from Northern Ireland to Energy from Waste facilities within the EU for the year 2014 was 146,262 tons.

The total waste exported from Northern Ireland to Energy from Waste facilities outside of the EU for the year 2014 was 674 tons.

Mr Flanagan asked the Minister of the Environment whether he has considered seeking the inclusion of a health impact assessment as part of the ongoing Unconventional Gas Exploration and Extraction Research Programme (UGEE) which is part funded by his Department.

(AQW 49116/11-16)

Mr Durkan: The issue of health impact assessments has been considered in the design of the terms of reference for the research programme.

There is requirement in the terms of reference to specifically consider the potential role of Health Impact Assessment in regulation of UGEE projects/operations based on the experience in other countries and to make recommendations towards developing a protocol in the island of Ireland context.

Mr Flanagan asked the Minister of the Environment, given the Environmental Protection Agency has stated that Queen's University Belfast is part of the research consortium involved in Unconventional Gas Exploration and Extraction Research Programme and Queen's University Belfast has stated that it is not part of the consortium nor involved in the programme, whether he has concerns about the transparency of the research programme.

(AQW 49117/11-16)

Mr Durkan: Queens University Belfast was originally a partner in the UGEE research consortium but due to resource constraints it was unable to fulfil its allocated tasks. However it remains part of the consortium's internal peer review process for the joint research programme.

I have no concerns about the transparency of the research programme.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48223/11-15, following the completion of a Habitats Regulation Assessment, to detail (i) the reasoning behind imposing water quality condition 25 on planning permission K/2013/0072/F when it could not be met; and (ii) how this equates with the interpretation of the Habitats Directive by the Court of Justice of the European Union that there must be no lacuna in such an assessment when granting a development consent.

(AQW 49125/11-16)

Mr Durkan: The Habitats Directive requires all competent authorities to make an appropriate assessment of any project or plan likely to have a significant effect on a Natura 2000 site before deciding to give any permission, consent or other

authorisation. The assessment is required to be undertaken using what the European court has called 'the best scientific knowledge in the field' and should not contain any gaps in information or lacunae. The Department is content that all potential effects were assessed and that the Assessments undertaken contain no lacunae.

At the time of undertaking the HRA on the planning application, the best most up to date information available for the case was to be found in the Owenkillew Sub basin Management Strategy. In the absence of specific water quality standards, NIEA Natural Environment Division recommended conditions which insured any discharges from the site met the requirements of the Favourable Condition Table (FCT - criteria used to assess the conservation status of the freshwater pearl mussel) and the proposed standards that were included in the strategy.

However, as a project unfolds over time, and different regulating bodies assesses various consents, more detail and information may become available. The assessments undertaken at later stages may identify different effects, or significance of the anticipated effects of the project as they become apparent. It is not unusual in these cases for consenting bodies, while applying the Habitats Regulations procedures rigorously but using the latest information available, to reach a different conclusion. That is, they may determine no significant effects or not require a particular mitigation measure where the conclusion reached at the earlier stage had determined otherwise.

My officials advise me that the water quality of the Owenkillew River can be protected through the regulation of a Water Discharge Consent which was issued on 6 February 2014. This consent contains conditions formulated to ensure that the water quality objectives set for the Owenkillew River will not be at risk of adverse impact by the discharge. My officials in the NIEA continue to inspect the site and carry out routine water quality monitoring on a monthly basis.

It is not appropriate for me to offer opinions on matters concerning legal interpretations provided by the European Court of Justice.

Mr McMullan asked the Minister of the Environment whether his Department is pursuing a zero waste policy.
(AQW 49200/11-16)

Mr Durkan: Key elements of the Strategy have already been implemented, including publication of the Northern Ireland Waste Prevention Programme "The Road to Zero Waste" in September 2014 and the introduction of the Food Waste Regulations in April 2015. My Department continues to provide support to the new Councils for waste prevention, re-use and recycling projects through the Rethink Waste Capital Fund.

Thanks to continuing increases in recycling the amount of waste we landfill has fallen to its lowest ever level. I expect this reduction to continue as we move towards a zero waste society.

Mr Allister asked the Minister of the Environment to detail the process and timeline by which the Strategic Planning Policy Statement received Executive approval, including the ban on fracking.
(AQW 49207/11-16)

Mr Durkan: The member will be aware that the final Strategic Planning Policy Statement (SPPS) was published on 28 September 2015.

The final draft of the SPPS was completed in March 2015 and circulated to Executive Colleagues; it was agreed by the Executive on 22 September 2015.

Lord Morrow asked the Minister of the Environment, pursuant to AQW 48625/11-16, in relation to removable signage and plates, whether this is a public safety issue given private hire taxis are a variety of makes and models and persons posing as taxi drivers or non-registered taxi drivers could viably still operate illegally without the appropriate plates and signage, and in absence of strict enforcement.
(AQW 49222/11-16)

Mr Durkan: There are no plans to change the requirements around how a roofsign is to be affixed to a taxi. Further, the main plastic taxi plates that will be affixed to the roofsign in future will be accompanied by 3 internal plates that can be viewed by passengers and enforcement officers. As is the case today, all of these plates will include the make and model of the particular taxi to enhance security and passenger safety. Further, under Section 44 of the Act it will be an offence to misuse these plates and appropriate action would be taken if this was to occur.

Lord Morrow asked the Minister of the Environment, in relation to a report to DVA Enforcement of potential issues around a private hire taxi travelling in Belfast on Tuesday 29 September 2015, to detail (i) what action was taken following this report, including dates and times of same; (ii) what further action is to be taken; (iii) whether this was a public or private hire taxi; (iv) what plate was in place; and (v) what issues were discovered following an inspection of the taxi in question.
(AQW 49247/11-16)

Mr Durkan: The Driver & Vehicle Agency has no record of a report being received in respect of potential issues around a private hire taxi travelling in Belfast on Tuesday 29 September 2015.

The Agency carried out an enforcement operation in Belfast on 29 September 2015, however, none of the detections made on that date were associated with a report.

Mr Weir asked the Minister of the Environment whether he received legal advice on Executive approval before issuing the Strategic Planning Policy Statement.

(AQW 49250/11-16)

Mr Durkan: The Member will be aware that the final Strategic Planning Policy Statement (SPPS) was published on 28 September 2015.

The final draft of the SPPS was completed in March 2015 and circulated to Executive Colleagues; it was agreed by the Executive on 22 September 2015. As regards legal advice received, I adhere fully to the convention concerning legal advice and therefore I am not in a position to confirm or deny any reference to legal advice that may or may not have been taken on the matter.

Mrs Cameron asked the Minister of the Environment to list the specific investigations that have taken place into each reported fish kill incident in each of the last five years.

(AQW 49263/11-16)

Mr Durkan:

- 1 Incident investigation is undertaken to:
 - a Confirm that pollution is occurring;
 - b Determine the source, category, severity and cause of pollution;
 - c Identify the polluter and if appropriate collect sufficient evidence to secure a prosecution;
 - d Secure from the polluter the necessary remedial action to stop the pollution and prevent any recurrence;
 - e Provide information for the recovery of costs, where possible, from the polluter.
- 2 Every investigation is different and for the reported fish kill investigations for the past five years summary information has been placed in the Assembly Library.

Mrs Cameron asked the Minister of the Environment the detail the number of prosecutions and convictions in relation to river pollution in the last five years, broken down by constituency.

(AQW 49266/11-16)

Mr Durkan: The following table provides a breakdown of the numbers of prosecutions and convictions in relation to river pollution in the last five years. NIEA does not record prosecutions by constituency so the figures are based on the court where the case was heard and that information was used to determine the constituency. The first figure in the table is the number of prosecutions and the second figure is the number of convictions.

Constituency	2010	2011	2012	2013	2014
North Belfast	1/1	1/1			
South Belfast					
East Belfast					
West Belfast					
East Antrim		2/2	4/4	1/0	3/3
East Londonderry				4/4	
Foyle		2/2			
Fermanagh & South Tyrone	6/5	6/6	7/7	7/7	4/4
Lagan Valley	2/2	1/1	2/2	5/5	3/3
Mid Ulster	15/12	8/4	14/13	4/4	13/13
Newry & Armagh	7/7	4/4	5/5	3/3	4/3
North Antrim	1/1	3/3	8/8	4/4	1/1
North Down	4/4	5/4	5/5	1/1	
South Antrim	2/2	4/4	1/1	2/2	1/1
South Down					1/1
Strangford	2/2	6/6	4/3	3/2	1/1
Upper Bann	1/1	4/4	3/3	3/3	

Constituency	2010	2011	2012	2013	2014
West Tyrone	4/4		8/8	1/1	2/2
	45/41	46/41	61/59	38/36	33/32

It should be noted that while the great majority of the convictions listed below resulted in the court imposing a fine, the term conviction also includes conditional discharges and absolute discharges.

Mr Agnew asked the Minister of the Environment (i) whether the Northern Ireland Environment Agency or his Department were aware of CDM Smith promoting, sponsoring and undertaking hydraulic fracturing or shale gas extraction before the award of their research contract; and (ii) for his assessment of whether the activities of CDM Smith constitute a conflict of interest in their leadership of a consortium tasked with undertaking independent scientific research into the dangers of hydraulic fracturing or shale gas extraction.

(AQW 49309/11-16)

Mr Durkan:

- (i) CDM Smith was clear in their tender that they had carried out projects on behalf of both regulatory agencies and the oil and gas industry.
- (ii) It is a consortium undertaking this research, CDM Smith is partnered with organisations of repute and integrity, including University of Ulster, University College Dublin and the British Geological Society.

I am content that the appropriate processes, procedures and systems were applied to tender evaluations and continue to be applied by the Programme's Steering Committee, which includes DOE officials, to ensure the integrity of the research outcomes are not compromised.

The Consortium have put in place a robust internal peer review process and in addition all reports produced must go through a stringent technical review process made up of experts from the Programme steering committee as well as independent external experts.

Mr Agnew asked the Minister of the Environment to detail the reasoning behind why competing bids from consortiums to undertake the independent all-Ireland research study into the safety of hydraulic fracturing were rejected.

(AQW 49310/11-16)

Mr Durkan: All submitted tenders were marked against award criteria, as part of the evaluation of each of the tenders. The tender with the highest mark overall was awarded the contract.

Mr Agnew asked the Minister of the Environment for his assessment of the independence of the report by the consortium led by CDM Smith, given their activities in sponsoring, promoting and undertaking hydraulic fracturing and shale gas extraction.

(AQW 49312/11-16)

Mr Durkan: As of yet, no publicly available reports have been produced by the UGEE Joint Research Programme Consortium. Reports are expected to be finalised in the latter part of 2016.

Mr Gardiner asked the Minister of the Environment (i) for his assessment of the recent announcement of a nationwide ban on burning smoky coal in the Republic of Ireland; and (ii) whether he intends to make a similar announcement.

(AQW 49378/11-16)

Mr Durkan: I am awaiting the publication of the final report into the study of residential emissions from the burning of solid fuel, and I will not take any action before I have had a chance to fully consider its findings. The final report is expected later this autumn.

The report will set out recommendations and policy options and will assist me in considering how to move forward in tackling the problems associated with emissions from residential combustion of solid fuels.

Following publication of the final report, I will ensure there will be full consultation on any recommendations arising from the research that I consider appropriate for action.

Mr Gardiner asked the Minister of the Environment to detail (i) the reduction of greenhouse gas emissions in each of the last 10 years; and (ii) whether Northern Ireland is still on course to meet the target reduction in greenhouse gas emissions by 2025 of at least 35 per cent on 1990 levels.

(AQW 49379/11-16)

Mr Durkan: The PfG target, of continuing to work towards a greenhouse gas emissions reduction of 35%, is measured from a base year of 1990, not on a year by year basis. This is the same methodology as applied by the UK Climate Change Act 2008 which legislates for 1990 as the base year for measuring progress against the UK interim 5 yearly carbon budgets and long term target of an 80% reduction in greenhouse gas emissions by 2050.

Greenhouse gas emissions are reported annually in the UK GHG Inventory, which each year is extended and updated. The whole historical data series is revised to incorporate methodological improvements and new data. This takes into account revisions to the datasets which have been used in its compilation.

Therefore, once the latest year's Inventory is published, the previous version becomes redundant and cannot be used for comparison purposes. However, the latest Inventory contains a single consistent data series going back to 1990 which can be used to examine trends.

Using the latest inventory figures available from 2013, Northern Ireland greenhouse gas emissions per million tons carbon dioxide equivalent (MtCO₂e) for the last ten years and the percentage reduction per year against the 1990 baseline are noted in the table included with the reply.

In 2013, Northern Ireland's greenhouse gas emissions were estimated to be 22.4 million tonnes carbon dioxide equivalent (MtCO₂e), 16.1% lower than the base year of 1990.

The latest projection, based on the 2012 greenhouse gas inventory, estimates a reduction in greenhouse gas emissions of 33.3% by 2025 against the 1990 baseline. The next projection, based on the 2013 greenhouse gas inventory, will be available in December of this year. It will include refined methodologies, data improvements and the effects of various economic and policy impacts. For example, the early cessation of the NI Renewable Obligation (NIRO) in April 2016, removing subsidy for onshore wind generation is likely to reduce future deployment and hence the amount of renewable energy generated. This in turn will impact on the expected reduction in emissions and future projections of progress towards the 2025 PfG target. This policy change highlights the need for all departments to continue to work together to deliver on current greenhouse gas emissions reductions and to identify new policies and actions that can contribute to the achievement of the PfG target.

Northern Ireland Greenhouse Gas Emissions 2004 to 2013

Year	Emissions per million tons carbon dioxide equivalent (MtCO ₂ e)	Percentage reduction per year against the 1990 baseline of 26.7 MtCO ₂ e
2004	24.6	7.9
2005	25.3	5.2
2006	25.6	4.1
2007	24.3	9.0
2008	24.1	9.7
2009	22.4	16.1
2010	23.4	12.4
2011	22.1	17.2
2012	22.4	16.1
2013	22.4	16.1

Mr Lyttle asked the Minister of the Environment for an update on the EU Commission referral of the UK to the Court of Justice for the non-compliance of 17 sites, including Ballycastle, with the Urban Waste Water Treatment Directive.

(AQW 49384/11-16)

Mr Durkan: The European Commission lodged an application on the 22 September 2015 to the Court of Justice for the UK's non compliance with the Urban Waste Water Treatment Directive (UWWTD) for 14 named sites, including Ballycastle. This is a reduction from the initial 17 UK named sites including Ballycastle which were included in the Letter of Reason Opinion issued by the Commission on 10 July 2014 for non compliance with the UWWTD.

This application by the Commission to the Court of Justice was accepted by the Court on 30 September 2015.

Lord Morrow asked the Minister of the Environment to detail (i) a timeframe for the introduction of taxi meters; and (ii) the reasons for the delay in implementation.

(AQW 49385/11-16)

Mr Durkan: I would refer the member's attention to my response to AQW 48554/11-16 and AQW 48729/11-16.

Mr Agnew asked the Minister of the Environment, given his instruction that unauthorised sand extraction should cease and the recent request by unregulated sand traders to extend the deadline for the submission of an Environmental Impact Assessment to October 2016, whether his Department will serve stop notices to prevent the continuing breach of the precautionary requirements of the Habitats Directive.

(AQW 49412/11-16)

Mr Durkan: This matter is now subject to legal challenge and it is not appropriate for me to comment further pending judicial proceedings.

Mr Easton asked the Minister of the Environment why the cost of a provisional driving licence for local residents is £62.50 compared to £30 in the rest of the UK.

(AQW 49426/11-16)

Mr Durkan: The issuing of driver licences is expected, as far as possible, to be a self financing service, with costs recovered through fees. These costs include the salaries of the staff administering driver licences, the maintenance, support and development of the IT system, the production of the licence, postage and the payment of fees for certain medical assessments.

The difference between GB and NI fees exists largely due to the lack of economies of scale for recovering the costs of processing driver licences and covering the costs of the growing number of free licences issued. Also for those aged over 70 or for a medically restricted licence, there is currently no fee charged.

However, as the purpose of obtaining a provisional driving licence is primarily to start the process of learning how to drive and pass the driving test, looking at the cost of the driving licence in isolation does not accurately reflect the overall cost of obtaining a full driving licence, which includes the cost of the theory and practical driving tests.

The table below sets out the overall costs in NI compared to GB and shows that the difference between a NI and GB paper application is £3.

	NI Paper	GB Paper	GB Online application
1st provisional driving licence	£62.50	£43.00	£34.00
Theory Test	£23.00	£23.00	£23.00
Practical Test	£45.50	£62.00	£62.00
Upgrade to Full on Test Pass	Nil	Nil	Nil
Total	£131.00	£128.00	£119.00

I can also advise that the DVA is currently developing a new driver licensing IT system to be delivered by April 2016. This system will improve the customer experience, deliver service efficiencies and will begin to introduce online processing and other enhancements to the service. This will provide an opportunity to review the fees currently charged in NI.

Mr Swann asked the Minister of the Environment to detail what engagement his Department has with the Electoral Office in relation to the process of replacing a Councillor that resigns, including a time line from point of resignation being formally notified.

(AQW 49452/11-16)

Mr Durkan: The legislation which makes provision about the filling of casual vacancies on district councils in Northern Ireland, including vacancies arising as a result of resignation, is the Electoral Law Act (Northern Ireland) 1962, as amended.

Elections are an excepted matter under section 4(1) of, and Schedule 2 to, the Northern Ireland Act 1998.

My Department has not had any engagement with the Electoral Office in relation to the process of replacing a Councillor that resigns nor is it able to provide a time line from point of resignation being formally notified.

Similarly, my Department does not have any engagement with the individual or body that has legal responsibility for informing the Electoral Office of a Councillor's resignation.

These are matters for the Secretary of State.

Mr Swann asked the Minister of the Environment what engagement his Department has with the individual or body that has legal responsibility for informing the Electoral Office of a Councillor's resignation.

(AQW 49453/11-16)

Mr Durkan: The legislation which makes provision about the filling of casual vacancies on district councils in Northern Ireland, including vacancies arising as a result of resignation, is the Electoral Law Act (Northern Ireland) 1962, as amended.

Elections are an excepted matter under section 4(1) of, and Schedule 2 to, the Northern Ireland Act 1998.

My Department has not had any engagement with the Electoral Office in relation to the process of replacing a Councillor that resigns nor is it able to provide a time line from point of resignation being formally notified.

Similarly, my Department does not have any engagement with the individual or body that has legal responsibility for informing the Electoral Office of a Councillor's resignation.

These are matters for the Secretary of State.

Department of Finance and Personnel

Mr Dickson asked the Minister of Finance and Personnel whether his Department has assessed the additional revenue to be gained by lifting the valuation cap on houses for rating purposes.

(AQW 45816/11-15)

Mrs Foster (The Minister of Finance and Personnel): The removal of the maximum capital value could potentially provide additional rate revenue for the Executive of just over £4.1 million a year based on the 2015-16 regional rate poundage.

Mr Allister asked the Minister of Finance and Personnel to detail the breakdown of the distribution of the Change Fund in 2015-16.

(AQW 49145/11-16)

Mrs Foster: The list of successful bids is published in the Northern Ireland Executive's Budget 2015-16.

Mr Allister asked the Minister of Finance and Personnel to detail what representations her Department has made to the Treasury on the subject of the Aggregates Levy, and with what results.

(AQW 49186/11-16)

Mrs Foster: Following the suspension of the Aggregate Levy Credit Scheme (ALCS) in December 2010, my Department worked closely with the Treasury, the Department of the Environment and the local quarrying industry to press for a positive outcome to the subsequent European Commission investigation into the ALCS. As a result, the Commission determined that the ALCS was indeed lawful in its November 2014 determination meaning that local operators do not have to repay aid provided under the scheme.

My Department has also sought, and received agreement from HM Treasury that it would work with my Department and others to examine how a new scheme or similar might be developed to address the impact of the Aggregate Levy in Northern Ireland. This work is ongoing.

Mr Allister asked the Minister of Finance and Personnel for her assessment of whether the £4.7 million subsidy of public money to Trade Unions across Northern Ireland, revealed by the recent report by the TaxPayers' Alliance, represents value for money; and if not what steps she will take to ensure the same is reduced.

(AQW 49192/11-16)

Mrs Foster: The recent report by the Taxpayers' Alliance covered expenditure for Trade Union activities across the entire public sector. As Minister of Finance and Personnel, I am responsible for the promotion of good industrial relations within the Northern Ireland Civil Service. My Department considers carefully the use of public money within the Northern Ireland Civil Service and all NICS staff are fully informed about the circumstances in which staffing resources can be used by Trade Unions to exercise their statutory right to represent their members.

Mr Allister asked the Minister of Finance and Personnel to detail the steps she will take to ensure that accurate records are kept of time spent by staff on Trade Union related activities.

(AQW 49193/11-16)

Mrs Foster: The Northern Ireland Civil Service has a formal recording system which NICS staff use to apply for time off for trade union business. Managers have access to guidance to ensure all such absences from work within the NICS are in line with the policy and accurately recorded.

Mr Allister asked the Minister of Finance and Personnel to detail the consequences for the budget, and the balancing thereof, of the figures revealed in the Social Security Agency publication of information on the Summer Budget 2015.

(AQW 49206/11-16)

Mrs Foster: The welfare measures announced by the Chancellor in his Summer Budget 2015 and detailed in the Social Security Agency publication will impact on Annually Managed Expenditure. As a consequence, the Executive's DEL budget will not be directly affected.

Failure to implement any of the changes or Executive agreement to introduce a package of measures to mitigate against the impact of the changes may result in a cost to the Executive's DEL Budget. This cannot be quantified until such decisions are taken.

Mr Allister asked the Minister of Finance and Personnel to detail whether any financial termination package is payable to Mrs Emma Pengelly MLA following her resignation as a Special Adviser.

(AQW 49371/11-16)

Mrs Foster: The severance payment criteria for Special Advisers are contained in the 'Code Governing the Appointment of Special Advisers'.

Mr Murphy asked the Minister of Finance and Personnel for her assessment of the impact on businesses of the non-domestic rate revaluation.

(AQO 8869/11-16)

Mrs Foster: The Revaluation did not increase the amount of money raised but redistributed it based on modern rental evidence. Broadly speaking this means that business sectors and locations that have fared better than others since the last Revaluation in 2003 ended up paying more and those that have fared less will now pay less.

In a normal year 100% of ratepayers would have experienced at least an inflationary increase in their bills as a result of regional and district rate setting. Ignoring the effect of reliefs, but taking into account the rate convergence subsidy, following revaluation 52% of ratepayers had a liability increase this year, obviously 48% didn't.

The Revaluation had to be done to correct things and the problem was it was long overdue. It has had a number of positive economic outcomes. Recent press coverage has highlighted the case of Donegall Place in Belfast, Northern Ireland's premier shopping street, which has been in serious decline in recent years. The Revaluation has had the immediate effect of reversing its fortunes and estate agents are reporting lettings and investment by a number of major companies.

Mr McMullan asked the Minister of Finance and Personnel to outline the rationale for the Millmount site being a priority issue in departmental Ministerial meetings with the National Assets Management Agency.

(AQO 8880/11-16)

Mrs Foster: My predecessors met with NAMA on a regular basis to discuss a range of issues associated with the Agency's activities locally and its plans for the Northern Ireland portfolio.

NAMA had made funding available for the development and completion of commercially viable projects to increase their long-term recoverable value and the Millmount site was relevant in that context. That said, decisions relating to the commercial viability and funding of projects were matters for NAMA, not DFP.

Mr Hussey asked the Minister of Finance and Personnel why her Department has not responded to the Committee for Finance and Personnel's request for information in relation to the sale of the National Assets Management Agency local portfolio.

(AQO 8870/11-16)

Mrs Foster: I can confirm that all relevant information held by my Department has been shared with the Committee to support its fact-finding review.

Department of Justice

Lord Morrow asked the Minister of Justice, pursuant to AQW 48837/11-16, whether a detailed log is kept the movements of the residents who are subject to monitoring, as well as a record of defaults in conditions; and whether this is regularly inspected by supervising staff within his agencies.

(AQW 49254/11-16)

Mr Ford (The Minister of Justice): A comprehensive record of the movements of residents is maintained in Approved Premises. All residents sign in and out of the premises and are only allowed out during approved times. Any failures to comply with their conditions of residence are recorded and responded to by Probation Board for Northern Ireland and Police Service of Northern Ireland as appropriate. These records are available to PBNI and PSNI.

Approved Premises are subject to announced and unannounced inspections by Criminal Justice Inspection Northern Ireland and all documentation, files and procedures and practice are examined.

Lord Morrow asked the Minister of Justice what is the average turnaround time, for the six month period ending 31 August 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the Courts and Tribunal Service in the Armagh and South Down court division; and what is the average time taken to execute a warrant on the defaulter, broken down by courthouse.

(AQW 49346/11-16)

Mr Ford: In the six month period ending 31 August 2015 there have been 344 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Armagh and South Down. Records indicate that within this Division the PSNI has recorded the execution of 185 committal warrants in this period within an average of 28 days.

The table below sets out the information by court office within the Division of Armagh and South Down.

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Armagh Court Office	136	61	26

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Banbridge Court Office	52	28	32
Newry Court Office	156	96	28
Total	344	185	28

Mr Ross asked the Minister of Justice to detail the budget of the Northern Ireland Legal Services Commission for each of the last ten years.

(AQW 49353/11-16)

Mr Ford: The figures contained in the table below represent the total cash grant allocated to the Northern Ireland Legal Services Commission in each of the last 10 years to fund expenditure on legal aid and running costs.

From 2010-11 to 2014-15 funding was provided by the Department of Justice. From 2005-06 to 2009-10, prior to the devolution of Justice, funding was provided by the Northern Ireland Courts Service.

Financial Year	Total Funding (£m)
2005/06	62.3
2006/07	74.1
2007/08	79.9
2008/09	87.0
2009/10	103.0
2010/11	99.5
2011/12	108.2
2012/13	101.5
2013/14	110.5
2014/15	113.8

This information is also available in the Annual Report and Accounts of the Northern Ireland Legal Services Commission.

Mr Weir asked the Minister of Justice how many people have been convicted of heroin (i) abuse; and (ii) supply in North Down in each of the last five years.

(AQW 49357/11-16)

Mr Ford: Drugs offences may be prosecuted under the Medicines Act 1968, the Misuse of Drugs Act 1971, the Customs and Excise Management Act 1979 and the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

The specific information requested is not available. Drugs offences detailed in the above legislation tend to relate to the classification of the drugs involved and there is no specific offence which distinguishes heroin abuse or supply offences from those involving other Class A drugs. Additionally, information on the location of an offence is not included as part of convictions databases held by my Department.

Therefore, information in relation to convictions at courts in the Ards Court Division, for offences relating to Class A drugs, has been provided. The most recent convictions data available relate to 2014.

Convictions at courts in the Ards Court Division for Class A drugs offences, 2010 – 2014

	2010	2011	2012	2013	2014
Possession	14	19	14	22	16
Supply	-	-	-	4	1
Other class A drugs offences	-	1	-	1	-
Convictions	14	20	14	27	17

Note:

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 2 The figures provided relate to prosecutions and convictions for all classifications of the offences specified.

Mr Weir asked the Minister of Justice what action his Department is taking to tackle heroin abuse in North Down.
(AQW 49358/11-16)

Mr Ford: It is clear that the misuse of illicit substances, including heroin, can present significant risks to individuals and the wider community and the link between substance misuse and crime has been widely recognised.

My Department is working to deliver the outcomes outlined in the Executive's New Strategic Direction on Alcohol and Drugs, led by the Department of Health, Social Services and Public Safety. These efforts are also reflected in the Department's Community Safety Strategy.

The PSNI's Policing Plan for 2015/16 highlights its focus on reducing the harms caused by drugs and drug related criminality. I am also aware that PSNI operational activity within the local area has seen a number of recent successes over recent months and that this work is complemented by the activities of the local PCSP which has been proactive in raising awareness of the impact of substance misuse in schools and the wider community.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48896/11-16, what measures have been introduced to prevent similar incidents.
(AQW 49381/11-16)

Mr Ford: Following a review by NIPS, the PSNI and other partner agencies, additional measures were introduced to prevent similar incidents. It would not be appropriate to disclose details of security arrangements.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48925/11-16, on how many occasions staff at Edward Street Hostel, Portadown reported (i) bail breaches; and (ii) court order breaches, including Sexual Offences Prevention Orders, in each of the last three calendar years; and what was the outcome of same.
(AQW 49382/11-16)

Mr Ford: Probation Board for Northern Ireland (PBNI) does not hold aggregated information on reports from Edward Street Hostel concerning breaches of bail and court orders.

The Edward Street Hostel is managed by the Simon Community. Hostel staff note any concerns and/or breaches as they occur and notify the relevant responsible authority immediately. PBNI records any such information on the individual's case file. There is no operational requirement for this information to be collated centrally.

Lord Morrow asked the Minister of Justice how many crown court cases in the Belfast Court Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.
(AQW 49383/11-16)

Mr Ford: Up to and including the 4 October 2015 there were 120 cases in the Division of Belfast in which either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

Mr Allister asked the Minister of Justice, pursuant to AQW 49066/11-16, to identify the hostels accredited by the Northern Ireland Housing Executive and approved by the Probation Board for Northern Ireland for the management of offenders within the community.
(AQW 49407/11-16)

Mr Ford: There are seven hostels accredited by the Northern Ireland Housing Executive and approved by Probation Board for Northern Ireland for the management of offenders within the community. These are:

- | | |
|-------------------|------------------|
| ■ Bonds Hill | ■ Innis Centre |
| ■ Centenary House | ■ MUST |
| ■ Dismas House | ■ Thompson House |
| ■ Edward Street | |

Mr Easton asked the Minister of Justice what educational programmes are available to prisoners.
(AQW 49416/11-16)

Mr Ford: In June 2015 a Service Level Agreement was signed between the Northern Ireland Prison Service and Belfast Metropolitan College and North West Regional College for the provision of learning and skills in the prisons.

The transfer of learning and skills means that a wider curriculum is now offered to those in custody, including in areas such as Essential Skills in Literacy, Numeracy and ICT, and vocational courses such as metal fabrication and welding, furniture making, painting and decorating, tiling and plastering and food safety and hygiene. All courses will result in an accredited outcome.

In addition, all prisoners will also be offered an employability course which is designed to support an individual in successfully gaining employment, progressing in their chosen field, preparing them for further study where necessary and supporting the development of techniques required for successful independent living following custody.

Mr Easton asked the Minister of Justice what job programmes are available to prisoners.
(AQW 49417/11-16)

Mr Ford: Under the provision of the outsourced Learning and Skills Contract with the Belfast Metropolitan College and North West Regional College, all prisoners will be offered an employability course which is designed to support an individual in successfully gaining employment, progressing in their chosen field, preparing them for further study where necessary and supporting the development of techniques required for successful independent living.

The employability course will be delivered in each of the three prisons to provide continuity of approach.

NIPS have also introduced and funded a work placement pilot in partnership with NIACRO which will run until April 2016. It has the target of building partnerships with private, public and third sector organisations, with the aim of increasing the number of work placement opportunities available to offenders, in the latter stages of their custodial sentence and for up to three months' post-release. The pilot will also address the need for appropriate risk assessment and disclosure of offences with employers and offenders.

NIPS have also match funded Extern in the delivery of activity and work placement for offenders pre- and post-release.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48837/11-16, whether a comprehensive risk assessment is carried out on the person to be placed in the hostel and the hostel procedures.
(AQW 49418/11-16)

Mr Ford: Risk assessments are carried out on all offenders supervised by Probation Board for Northern Ireland. This process includes assessing their likelihood of reoffending, the risk of serious harm they may pose and attendant control measures that need to be put in place. Risk assessments are regularly reviewed by qualified Probation Officers, and are shared with staff in approved hostels in order to ensure that they are fully aware of all risk issues and can respond accordingly.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48896/11-16, how prison staff were injured in this matter; and for what duration was each unable to report for work.
(AQW 49419/11-16)

Mr Ford: No prison staff were injured as a result of the incident at Maghaberry Prison on 2 February 2015. As fewer than five members of staff were unable to report for work following this incident the actual number and /or duration of any absence has been withheld. This is to protect the identity of the individuals concerned as disclosure would be contrary to the Data Protection Act 1998.

Lord Morrow asked the Minister of Justice for a breakdown of legal aid costs to date for Robert Howard; and an estimated final total of costs in respect of representation for, and at, coroner's court proceedings.
(AQW 49420/11-16)

Mr Ford: The total legal aid fees paid (including VAT and disbursements) in relation to Magistrates' Courts and Crown Court criminal proceedings in respect of Robert Lesarian Howard were:

Solicitor	£166,283.47
Junior Counsel	£204,626.73
Senior Counsel	£189,335.35
Total	£560,245.55

Article 24 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 precludes the Legal Services Agency Northern Ireland from providing any information on the cost of the coroner's court proceedings.

Mr Allister asked the Minister of Justice, pursuant to AQW 49066/11-16, to list the hostels accredited by the Northern Ireland Housing Executive and approved by Probation Board for Northern Ireland for the management of offenders within the community.
(AQW 49433/11-16)

Mr Ford: There are seven hostels accredited by the Northern Ireland Housing Executive and approved by Probation Board for Northern Ireland for the management of offenders within the community. These are:

- Bonds Hill
- Centenary House
- Dismas House
- Edward Street
- Innis Centre
- MUST
- Thompson House

Mr Lynch asked the Minister of Justice whether his Department has a strategy in place to help people with unspent convictions find work.

(AQW 49437/11-16)

Mr Ford: From the Department's perspective there is a need to strike a balance between public protection and assisting offenders to be rehabilitated. There are a number of strands to our approach.

Information about unspent convictions may be disclosed by AccessNI, therefore, where an individual seeks to work or volunteer in a capacity which brings them into close contact with children or vulnerable adults, or where an occupation is excepted under the Rehabilitation of Offenders legislation. Not all convictions, however, are disclosed as they may be filtered. In addition the Department will shortly be introducing a mechanism under which individuals may ask for a review of the information on a certificate. It will also introduce a single certificate (as a result the body seeking the certificate will not see it before the individual).

For those individuals leaving custody, the Northern Ireland Prison Service has an employability strategy which aims to support them into permanent employment. A work placement policy has been developed under this strategy to address the need to provide work experience and job sampling for those individuals requiring pre-release testing, and for voluntary work placements for individuals post release. These opportunities are subject to ensuring the suitability of the individuals with the placement, including the completion of a risk assessment and appropriate disclosure of offences.

The Probation Board Northern Ireland (PBNI) works closely with community based organisations who have expertise in delivering employability programmes and refers offenders into such programmes. PBNI is currently engaged in a tendering process with the Community and Voluntary Sector to procure a dedicated employability service for offenders under supervision.

Mr Lynch asked the Minister of Justice whether he plans to review conviction disclosure to employers laws.

(AQW 49438/11-16)

Mr Ford: Part V of the Police Act 1997 enables the Department via AccessNI to disclose criminal record information on individuals who make applications for relevant certificates. There are already a number of safeguards contained in the legislation. In April 2014, I introduced a scheme whereby old and minor convictions that are spent are generally no longer disclosed on standard and enhanced certificates (known as "filtering").

In addition, the Justice Act (Northern Ireland) 2015 makes a number of significant changes to Part V of the Police Act 1997 including provisions that introduce additional safeguards for applicants. These include the ending of the current practice of sending a copy of standard and enhanced certificates to employers and the extension of the powers of the Independent Monitor to Northern Ireland. The latter will enable the Independent Monitor to consider appeals made by applicants in relation to information that may be released by police on enhanced criminal record certificates. These provisions will commence on 2 November 2015.

Provisions are also included in the Justice Act to introduce a review scheme. Individuals who have criminal record information on their certificates that is unspent and has not been removed by the filtering process, can appeal to an independent reviewer. I anticipate that these provisions will be commenced in early 2016.

I will continue to ensure that we strike the right balance between disclosing criminal record information to ensure that the public is properly and adequately protected and an individual's rights to privacy as enshrined in the European Convention on Human Rights.

Mr Hussey asked the Minister of Justice why no legal framework exists to allow a police officer a direct transfer from another British police force to the PSNI; and what steps he will take to address this situation.

(AQW 49455/11-16)

Mr Ford: A legal framework already exists to enable police officers from another British police force or service to transfer into the PSNI.

If vacancies exist within the PSNI, the Chief Constable has power to advertise for serving police officers in Great Britain with particular skills and/or experience to fill the vacancies. There are also mechanisms in place to allow police officers serving in Great Britain to apply to fill vacancies in the PSNI on promotion.

For senior officer posts, the NI Policing Board is responsible for such appointments, whether they are internal to the PSNI, lateral transfers to a similar senior officer post or transfers on promotion.

Mr Hussey asked the Minister of Justice whether a legal framework exists to allow a senior police officers from another British police force to transfer on temporary appointments to the PSNI.

(AQW 49456/11-16)

Mr Ford: Limited measures are in place to allow the temporary transfer of police officers between police services/forces across the UK to meet specific needs.

Appointments of senior police officers are the responsibility of the Northern Ireland Policing Board. They do so within the terms of the criteria set out in the Police Service of Northern Ireland Regulations 2005.

While the current criteria do not specifically refer to temporary appointments, it would be for the Policing Board to advertise any appointments when seeking to fill a vacancy. However, they would be required to do so within the current framework.

Mr Hussey asked the Minister of Justice whether a legal framework exists to allow officers from an Garda Síochána to transfer to the PSNI.

(AQW 49457/11-16)

Mr Ford: Applications from officers in An Garda Síochána to join the PSNI are always welcomed.

The 2002 Agreement on Police Co-operation between the UK Government and the Government of Ireland included the introduction of the necessary administrative and legislative measures to enable members of AGS to apply for posts at ranks above inspector level in the PSNI.

The Police (NI) Act 2000 provides that the Chief Constable, and the Policing Board for senior officers, must take the necessary steps to encourage applications from suitably qualified external applicants, including AGS, whether on lateral transfer or on promotion.

Mr Hussey asked the Minister of Justice at what time his Department made funds available to PSNI for the revaluation of commutation of pensions payments between 2001 and 2006.

(AQW 49461/11-16)

Mr Ford: My Department wrote to the Chief Executive of the Northern Ireland Policing Board (as police pension scheme administrator) on 16 September 2015, to advise that the Minister for Finance and Personnel had secured agreement from HM Treasury that they will make sufficient funding available to cover the cost of the redress payments following the revaluation of commutation of pensions payments between 2001 and 2006 and allow for final settlement in the timeliest manner possible.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48896/11-16, how many prisoners were put on report or charged in respect of this incident; and with what offence each prisoner was charged.

(AQW 49465/11-16)

Mr Ford: Several matters relating to this incident have been referred to the PSNI. It would not be appropriate to comment further until investigations are complete.

Lord Morrow asked the Minister of Justice whether every person present in a court setting and courtrooms, particularly during court sittings, are required to abide by the instructions of G4S staff.

(AQW 49466/11-16)

Mr Ford: G4S Court Security Officers act as Officers of the Court in accordance with general or specific instructions given to them by members of the judiciary and appropriate NICTS staff.

Every person present on NICTS premises is required to abide by the instructions of Court Security Officers.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48925/11-16 and in respect of Probation Service approved hostels, excepting Edward Street Hostel, Portadown, on how many occasions have staff reported (i) bail breaches; and (ii) court order breaches including sexual offences prevention orders, in each of the last three calendar years; and what was the outcome of each instance, broken down by court division.

(AQW 49467/11-16)

Mr Ford: Probation Board for Northern Ireland (PBNI) Approved Hostels are managed by a number of voluntary sector organisations. PBNI does not hold aggregated information on reports from Approved Hostels concerning breaches of bail and court orders.

Hostel staff note any concerns and/or breaches as they occur and notify the relevant responsible authority immediately. PBNI record any such information on the individual's case file. There is no operational requirement for this information to be collated centrally.

Mr Allister asked the Minister of Justice why applicants to join the PSNI, who had progressed through various stages of recruitment to the point that in January 2015 they received letters advising they were on the merit list for future recruitment, have now been told that they must start their applications again.

(AQW 49598/11-16)

Mr Ford: The PSNI recruitment process is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board. I am committed to respecting the operational independence of the Chief Constable and the role of the Policing Board.

You may therefore wish to direct your question to the PSNI.

Lord Morrow asked the Minister of Justice what is the average turnaround time, for the six month period ending 31 August 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the

Courts and Tribunal Service in the Belfast court division; and what is the average time taken to execute a warrant on the defaulter.

(AQW 49632/11-16)

Mr Ford: In the six month period ending 31 August 2015 there have been 345 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Belfast. Our records indicate that within this Division the PSNI have recorded the execution of 122 committal warrants in this period within an average of 32 days.

The table below sets out the information by court office within the Division of Belfast.

Court Office	Warrants Issued	Warrants Executed	Average Number of Days to Execute
Laganside Courts	345	122	32
Total	345	122	32

Department for Social Development

Mrs Dobson asked the Minister for Social Development for his assessment of allegations relating to the unlawful access to and sharing of personal data (i) by the Charity Commission for Northern Ireland in the form of text messages; phone messages and emails; (ii) by members of, and people associated with, the Disabled Police Officers Association of Northern Ireland; and (iii) whether legislation on this matter will be necessary in the future.

(AQW 49301/11-16)

Mr Storey (The Minister for Social Development): The Department has no evidence to suggest that there has been unlawful access to and sharing of personal data:

- (i) by the Charity Commission for Northern Ireland in the form of text messages; phone messages and emails;
- (ii) by members of, and people associated with, the Disabled Police Officers Association of Northern Ireland; and
- (iii) there are no plans to amend the legislation on this matter.

The Charity Commission for Northern Ireland has powers to access and share information under Part 5 of the Charities Act (Northern Ireland) 2008 and as a registered data controller is bound by the requirements of the Data Protection Act 1998. Where a person is concerned about how their personal information has been handled they can make a complaint to the body concerned or raise a concern with the Information Commissioner about how information has been handled by the Commission.

Neither I, as Minister, nor the Department for Social Development have any powers to intervene in the matter of the Commission exercising its statutory functions under the Act.

Lord Morrow asked the Minister for Social Development to detail (i) why people with a long-term disability residing in care homes, including those with appointees to manage their affairs, continue to be required to complete ESA50's; and (ii) why an exemption cannot be created for people receiving maximum Employment and Support Allowance payments that have permanent or incurable health conditions.

(AQW 49360/11-16)

Mr Storey:

- (i) The Work Capability Assessment (WCA) is a functional assessment, based on the premise that eligibility for Employment and Support Allowance should not be determined by the description of a person's disability or health condition, but rather how their ability to function is affected.

All claimants of Employment and Support Allowance, including those in the Support Group are subject to a review of their work capability. It is accepted that over time, medical conditions can decline or improve with treatment and the review ensures claimants are receiving the correct amount of benefit and support. Under the review policy, all claimants or their appointee if they have one, irrespective of medical condition are asked to complete an ESA50 medical questionnaire, providing details of their medical condition and how it affects their ability to function.

A healthcare professional will then consider the information and any evidence provided by the claimant to determine if they can be assessed solely on this information, if further evidence is required from their GP, or if they are required to attend a face to face assessment.

Following the WCA review, claimants may continue to be placed in the Support Group, or may be removed from that group and placed in the Work Related Activity group. The WCA will also include the recommendation of a new review date, which can range from three months to three years, dependant on the claimant's medical condition.

- (ii) The Work Capability Assessment has been developed with the support of Healthcare Professionals and the involvement of a number of different charities. In agreeing the introduction of the WCA, the Northern Ireland Assembly

recognised that it would need to be kept under review and provision was made in Section 10 of the Welfare Reform Act (NI) 2007.

While there are no plans to introduce any exemptions from the WCA as it has been deemed the most appropriate means of determining entitlement of Employment and Support Allowance, the Social Security Agency is currently carrying out research on the ESA caseload as a whole to inform future policy changes.

Ms Sugden asked the Minister for Social Development to detail the costs incurred of the contract with Capita PLC since it was signed in November 2012 to deliver assessments for Personal Independence Payments under Welfare Reform.

(AQW 49536/11-16)

Mr Storey: Contractual payments for services provided by Capita Business Services Ltd will only be made when the service commences and are informed by an exclusively output based financial model.

However, a payment of £1.1m was made to Capita on the 1 August 2014 as compensation directly associated with the failure to implement Welfare Reform. Continued failure to introduce Welfare Reform will mean that further compensation payments will be inevitable and will contribute to the serious financial implications facing Northern Ireland.

Mr Dunne asked the Minister for Social Development what funding will be made available in this financial year in relation to planned maintenance schemes for Housing Executive stock.

(AQW 49560/11-16)

Mr Storey: The NIHE has allocated £103m, to planned maintenance schemes (excluding grounds maintenance) in the 2015/16 financial year.

Mr Allister asked the Minister for Social Development what savings his Department has made to date in the 2015-16 budgetary allocations.

(AQW 49574/11-16)

Mr Storey: For 2015-16, my Department had to make savings of £63m, with the reduction factored into our opening allocation of £591m. Following the cancellation of the October monitoring round, officials will be considering any potential in-year pressures and easements during November, in preparation for the final monitoring round adjustments in December/January.

Mr Middleton asked the Minister for Social Development to detail what budget is available for the maintenance of lanes and pathways owned by the Housing Executive in Londonderry, in this financial year.

(AQW 49580/11-16)

Mr Storey: The Housing Executive has advised that it does not have a separate budget for the maintenance of lanes and pathways. The Housing Executive has further advised that where maintenance work is required it would either be a charge against the annual grounds maintenance budget or against a specific civil engineering scheme, if such a scheme was planned. However, there are no planned civil engineering schemes in Londonderry this year.

Mr Allen asked the Minister for Social Development how many applicants were on the East Belfast housing waiting list, in the last twelve months, broken down by (a) first preference area choice; and (b) the number of bedrooms required.

(AQW 49588/11-16)

Mr Storey: The table attached, provided by the Housing Executive, details the number of applicants on the waiting list for East Belfast in the last twelve months, broken down by (a) first preference area choice broken down by Common Landlord Area; and (b) the number of bedrooms required.

Common Landlord Area	No. of bedrooms required	No. of applicants on waiting list
Albertbridge Rd.	1	80
Ardcarn	1	21
Ashfield	1	6
Ballybeen	1	201
Ballyhackamore	1	101
Bloomfield/Ravenscroft	1	103
Braniel	1	95
Brooklands	1	17
Castlereagh	1	56

Common Landlord Area	No. of bedrooms required	No. of applicants on waiting list
Cherryvalley	1	5
Clarawood	1	37
Coronation Park	1	5
Downshire Park	1	1
Dundela	1	35
Edenvale	1	38
Galway Drive/Mews	1	11
Garnerville	1	14
Inverary	1	36
Knocknagoney	1	28
Lwr Beersbridge/The Mount	1	45
Mawhinney Park	1	1
Moatview Park	1	5
Newtownards Road	1	247
Orchard Park	1	4
Rosewood Park	1	3
Short Strand	1	49
Summerhill	1	6
Sunderland Road	1	9
Sydenham/Sandbrook/Lisavon	1	124
Tullycarnet	1	48
Wandsworth	1	16
	No. of applicants	1447

Albertbridge Rd.	2	18
Ardcarn	2	9
Ashfield	2	12
Ballybeen	2	91
Ballyhackamore	2	23
Bloomfield/Ravenscroft	2	43
Braniel	2	51
Brooklands	2	18
Castlereagh	2	38
Cherryvalley	2	1
Clarawood	2	13
Coronation Park	2	3
Downshire Park	2	3
Dundela	2	14
Edenvale	2	17
Galway Drive/Mews	2	5
Garnerville	2	9

Common Landlord Area	No. of bedrooms required	No. of applicants on waiting list
Geary Road	2	1
Inverary	2	8
Knocknagoney	2	17
Lwr Beersbridge/The Mount	2	23
Mawhinney Park	2	1
Moatview Park	2	3
Newtownards Road	2	66
Short Strand	2	52
Summerhill	2	6
Sunderland Road	2	2
Sydenham/Sandbrook/Lisavon	2	72
Tullycarnet	2	21
Vionville Rural	2	2
Wandsworth	2	8
	No. of applicants	650

Albertbridge Rd.	3	7
Ardcarn	3	6
Ashfield	3	9
Ballybeen	3	33
Ballyhackamore	3	10
Bloomfield/Ravenscroft	3	16
Branial	3	24
Castlereagh	3	11
Cherryvalley	3	1
Clarawood	3	5
Coronation Park	3	1
Downshire Park	3	3
Dundela	3	4
Edenvale	3	2
Galway Drive/Mews	3	1
Garnerville	3	3
Inverary	3	6
Knocknagoney	3	11
Lwr Beersbridge/The Mount	3	8
Mawhinney Park	3	1
Moatview Park	3	2
Newtownards Road	3	19
Short Strand	3	20
Summerhill	3	3
Sydenham/Sandbrook/Lisavon	3	27

Common Landlord Area	No. of bedrooms required	No. of applicants on waiting list
Tullycarnet	3	6
Vionville Rural	3	1
Wandsworth	3	7
	No. of applicants	247

Albertbridge Rd.	4	3
Ballybeen	4	5
Ballyhackamore	4	2
Bloomfield/Ravenscroft	4	7
Braniel	4	4
Castlereagh	4	4
Cherryvalley	4	2
Clarawood	4	1
Dundela	4	3
Edenvale	4	2
Garnerville	4	2
Inverary	4	1
Lwr Beersbridge/The Mount	4	2
Newtownards Road	4	5
Short Strand	4	4
Summerhill	4	1
Sydenham/Sandbrook/Lisavon	4	4
Wandsworth	4	1
	No. of applicants	53

Albertbridge Rd.	5	1
Bloomfield/Ravenscroft	5	1
Edenvale	5	1
Garnerville	5	1
Knocknagoney	5	1
Newtownards Road	5	2
Sydenham/Sandbrook/Lisavon	5	3
	No. of applicants	10

Ballyhackamore	6	1
Bloomfield/Ravenscroft	6	2
Inverary	6	1
	No. of applicants	4
	Total no. of applicants	2411

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.

Mr Easton asked the Minister for Social Development to detail the number of people claiming Jobseeker's Allowance in North Down.

(AQW 49592/11-16)

Mr Storey: The most recently published Jobseeker's Allowance statistics refer to May 2015. At that date there were 1,460 Jobseeker's Allowance claimants in the North Down Assembly Area.

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.

Northern Ireland Assembly Commission

Mr Allister asked the Assembly Commission when a member of the DUP first approached the Assembly to make arrangements for paying back Ministerial salaries.

(AQW 49608/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): The Northern Ireland Assembly Members' Salaries, Allowances Expenses and Pensions Determination March 2012 (as amended) provides for the payment of Members' and Office Holders' salaries. A Member appointed as a Minister receives an Office Holder salary for each day that he or she serves as a Minister. The Determination makes no provision for the reduction or removal of salary by the Assembly Commission for salary that is properly due to an Office Holder. Any reduction to an Office Holder's salary would be a voluntary reduction by that Member. In these circumstances, the Member would notify the Finance Office in line with the processing deadlines.

An amendment to a Member's salary, either for the current pay period or an earlier pay period, can be submitted in writing to the Assembly Commission's Finance Office up to and including the payroll processing cut-off date for the month in which an adjustment is to be made. The relevant date for September 2015 salaries was 10 September 2015 and the date for October 2015 salaries was 12 October 2015.

It is important to the independence and impartiality of officials that any Member should be able to seek advice confidentially and therefore the Commission does not offer public commentary on the details of informal contacts with Members in respect of their salaries. However, I can confirm that formal notifications were received from DUP Ministers regarding repayment of Office Holder salaries in advance of the October processing deadline on 8 October 2015.

Northern Ireland Assembly

Friday 23 October 2015

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Allister asked the First Minister and deputy First Minister (i) why AQW 29444/11-15 remains unanswered; (ii) when they were provided with a draft answer by officials; and (iii) to provide an answer to the question.
(AQW 41794/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): We refer the Member to the answer which was provided on 12 October 2015.

Mr Nesbitt asked the First Minister and deputy First Minister what progress has been made to meet the Programme for Government 11-15 commitment to use the Social Protection Fund to help individuals and families facing hardship due to the economic downturn.
(AQW 48376/11-16)

Mr P Robinson and Mr M McGuinness: The Social Protection Fund was designed specifically to help individuals and families facing hardship due to the ongoing economic downturn.

In early 2012 some £22 million was distributed by the Department for Social Development and the Department of Health, Social Services and Public Safety as Winter Fuel Payments for benefit recipients and cancer patients.

Since then we decided to subsume the Social Protection Fund into one consolidated and integrated 'Delivering Social Change Fund' which affords us the opportunity to respond quickly, and in a flexible manner, to urgent social needs as they arise and address the specific needs of some of our most vulnerable individuals and families.

This Fund has enabled the £26m package for the six initial Delivering Social Change Signature Programmes, announced in October 2012, to progress to their current advanced stage; and a further £58m package for three joint-funded Atlantic Philanthropies Signature Programmes for an early intervention, transformation programme, shared education and dementia services, announced in September last year. These Programmes are in addition to the £80m for the Social Investment Fund and the £12m allocation for Childcare provision.

Collectively, all of these Delivering Social Change Programmes are providing a range of holistic interventions to encourage re-engagement in education, training or employment and prospects to become full participants in society. These include a series of mentoring, counselling and psycho-education support for those children, young people and families directly experiencing social hardship.

Mr Lyttle asked the First Minister and deputy First Minister what action they are taking in response to the Syrian refugee crisis.
(AQW 48390/11-16)

Mr P Robinson and Mr M McGuinness: Over recent months, there has been a vast increase in the number of refugees fleeing Syria and elsewhere. This issue is clearly one of the greatest challenges facing countries across Europe today.

As responsibility for immigration lies with Westminster the only formal programme under which we might receive refugees is the UK Government's Vulnerable Persons Relocation (VPR) scheme. This scheme aims to identify those left most vulnerable by the Syrian conflict and resettle them where they can get the quality of support they need. The VPR scheme aims to support the most vulnerable individuals including victims of violence, women and children at risk and those in need of advanced medical care.

We signalled to the UK Government our willingness to welcome between 50 and 100 of the most vulnerable refugees by December, through the VPR, with the expectation that further groups would arrive on a phased basis.

To be able to accommodate vulnerable people we must ensure we can meet their needs effectively and we are currently making the necessary preparations to do so

Officials have begun significant, cross-departmental preparatory work to ensure that we are in a position to respond effectively to the needs of what will likely be a very vulnerable group of refugees. We need to ensure that we can provide access to appropriate services such as healthcare, housing, education, community support and employment opportunities.

We have had discussions with NGOs who are already active in supporting refugees, about their capacity to assist with this, and will continue to liaise and engage with the voluntary and community sector and wider society. This will include appropriate communication and meaningful engagement with receiving communities.

The UK Government has indicated that it will provide some additional funding to the Executive to meet the needs of any refugees received under the VPR scheme in their first year. The detail of this funding and resourcing for future years is currently under consideration.

We wish to assure you of our commitment to identifying what can be done to alleviate the ongoing situation and providing appropriate support where possible

Mr Ó Muilleoir asked the First Minister and deputy First Minister what steps can be taken to expedite plans to bring in Syrian refugees.

(AQW 48412/11-16)

Mr P Robinson and Mr M McGuinness: Over recent months, there has been a vast increase in the number of refugees fleeing Syria and elsewhere. This issue is clearly one of the greatest challenges facing countries across Europe today.

As responsibility for immigration lies with Westminster the only formal programme under which we might receive refugees is the UK Government's Vulnerable Persons Relocation (VPR) scheme. This scheme aims to identify those left most vulnerable by the Syrian conflict and resettle them where they can get the quality of support they need. The VPR scheme aims to support the most vulnerable individuals including victims of violence, women and children at risk and those in need of advanced medical care.

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To be able to accommodate vulnerable people we must ensure we can meet their needs effectively and we are currently making the necessary preparations to do so

Officials have begun significant, cross-departmental preparatory work to ensure that we are in a position to respond effectively to the needs of what will likely be a very vulnerable group of refugees. We need to ensure that we can provide access to appropriate services such as healthcare, housing, education, community support and employment opportunities.

We have had discussions with NGOs who are already active in supporting refugees, about their capacity to assist with this, and will continue to liaise and engage with the voluntary and community sector and wider society. This will include appropriate communication and meaningful engagement with receiving communities.

The UK Government has indicated that it will provide some additional funding to the Executive to meet the needs of any refugees received under the VPR scheme in their first year. The detail of this funding and resourcing for future years is currently under consideration.

We wish to assure you of our commitment to identifying what can be done to alleviate the ongoing situation and providing appropriate support where possible

Mr McKinney asked the First Minister and deputy First Minister (i) to detail the plans they have in place to facilitate refugees and migrants coming to Northern Ireland as a result of the Mediterranean crisis; and (ii) whether they will provide assurances that refugees and migrants will have access to the shelter, care and support they need.

(AQW 48437/11-16)

Mr P Robinson and Mr M McGuinness: Over recent months, there has been a vast increase in the number of refugees fleeing Syria and elsewhere. This issue is clearly one of the greatest challenges facing countries across Europe today.

As responsibility for immigration lies with Westminster the only formal programme under which we might receive refugees is the UK Government's Vulnerable Persons Relocation (VPR) scheme. This scheme aims to identify those left most vulnerable by the Syrian conflict and resettle them where they can get the quality of support they need. The VPR scheme aims to support the most vulnerable individuals including victims of violence, women and children at risk and those in need of advanced medical care.

We signalled to the UK Government our willingness to welcome between 50 and 100 of the most vulnerable refugees by December, through the VPR, with the expectation that further groups would arrive on a phased basis.

To be able to accommodate vulnerable people we must ensure we can meet their needs effectively and we are currently making the necessary preparations to do so

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We wish to assure you of our commitment to identifying what can be done to alleviate the ongoing situation and providing appropriate support where possible.

Mr Middleton asked the First Minister and deputy First Minister for an update on the progress of the Urban Village project in Foyle.

(AQW 48610/11-16)

Mr P Robinson and Mr M McGuinness: Our Department has recently assumed lead responsibility for delivery of the headline action in relation to Urban Villages. Our Officials are working closely with the Strategic Investment Board (SIB) to ensure that the programme activities continue to progress and that momentum is achieved. SIB is establishing a dedicated design team to take forward the development of design plans for each of the Urban Village projects as well as the implementation and completion of capital build and public realm works.

Following the announcement of the Bogside and Fountain area as an Urban Village in January 2015, there has been early engagement in the area with local community groups and representatives. SIB has engaged with statutory organisations including the Department for Social Development's North West Development Office; Derry City and Strabane District Council; Transport NI and the NI Housing Executive.

We are working to establish a project team for the Urban Village to engage and work with the community further to determine the boundaries, assess what is required and develop the priorities for the area. In line with other areas across the Urban Village programme, an Urban Village Strategic Regeneration Framework will be developed for the Bogside/Fountain locality.

Capital investment in excess of £0.5M is planned for projects within the Bogside and Fountain Urban Village area in 2015/16. Projects include environmental improvement schemes, community projects and interface enhancement initiatives.

Ms Sugden asked the First Minister and deputy First Minister (i) for an update on the development of the 2014-2017 Child Poverty Strategy; and (ii) to detail the timescale for the publication of the strategy.

(AQW 48692/11-16)

Mr P Robinson and Mr M McGuinness: Significant work has been undertaken, across departments, since the publication of the Executive's first Child Poverty Strategy. Much has been documented in Annual Reports and a review of the Strategy was conducted last year. The proposed revised Child Poverty Strategy (2014-17) has also been informed by considerable work including research, the development of a Child Poverty Outcomes Framework; and public consultation.

Our vision is that no child here is disadvantaged by poverty or deprivation. We aim to reduce the number of children in poverty and deprivation and reduce the impact on children.

The revised strategy will contain actions focused on four high level outcomes; that:

- Families experience economic well being;
- Children in poverty learn and achieve;
- Children in poverty are healthy; and
- Children in poverty live in safe, secure and stable environments.

The revised Strategy sets out not only the actions we plan to take but also a new approach to our efforts to tackling child poverty, which will allow us to better assess performance and focus on the outcomes that we intend to achieve.

The revised Child Poverty Strategy will be published following Executive agreement and after laying in the Assembly.

Mr Easton asked the First Minister and deputy First Minister for an update on all Social Investment Fund projects in North Down.
(AQW 48750/11-16)

Mr P Robinson and Mr M McGuinness: There are five projects, prioritised by the Steering Group in the South Eastern Zone, which, subject to approval and affordability, will directly benefit those living in the North Down constituency. Details of these and their current position are provided in the table below.

SIF Projects in North Down

Project	Type	Description	Position
Transitions /Early Intervention	Revenue	An early intervention project which seeks to improve educational attainment by targeting school readiness and transition between primary and post primary	Service Delivery Organisations appointed and delivery expected to commence in early November 2015

Project	Type	Description	Position
Training for Employability	Revenue	Training courses to help the unemployed improve their chances of finding employment	Appraisal approval ongoing
Youth Intervention	Revenue	Targeting young people aged 11-16 to reduce the risk of them becoming NEETs	Appraisal approval ongoing
Community Operated Sports Facilities	Capital	3 community sports facility builds including a 3G pitch in Kilcooley	Appraisal approval ongoing
Community Houses	Capital	Refurbishment of 8 NIHE owned houses which are currently used by community groups, 6 of which are expected to be in North Down.	Scoping Study complete and resulting full appraisal approval ongoing

Ms Sugden asked the First Minister and deputy First Minister to detail (i) all outstanding targets within the Disability Strategy 2011-2015; and (ii) the forward work programme within the extended Disability Strategy that will ensure outstanding targets are met.

(AQW 48791/11-16)

Mr P Robinson and Mr M McGuinness: The Executive's Disability Strategy does not contain targets; it focuses on twelve themes and eighteen strategic priorities. Progress against the strategic priorities has been recorded in the first Annual Report, which is available at <http://www.ofmdfmi.gov.uk/disability-strategy-report-2013-2014.pdf>

When the Strategy was published in 2013, a baseline indicator report was also launched, which set a strategic baseline to underpin the Strategy's themes and priorities. To monitor progress on an annual basis, a set of indicators has been publicly consulted on; our department is currently considering the feedback from the consultation.

As departments are continuing to work towards implementing the strategic priorities, the Executive has extended the lifespan of the strategy until March 2017.

Ms Sugden asked the First Minister and deputy First Minister to detail (i) the projects submitted by Departments in order to deliver the objectives identified within the Disability Strategy 2011-2017; and (ii) how accepted projects will be funded.

(AQW 48792/11-16)

Mr P Robinson and Mr M McGuinness: We are still considering a range of projects from departments to deliver the Executive's Disability Strategy's strategic priorities. The proposed projects cover a range of disabilities and age groups, from children to older people.

As there are no ring-fenced funds available to take forward these projects, departments will have to find the proposed projects from within their core business.

Ms Sugden asked the First Minister and deputy First Minister to detail the funding targeted at reducing rural poverty and social and economic isolation since 2011.

(AQW 48929/11-16)

Mr P Robinson and Mr M McGuinness: Since April 2011, the Department of Agriculture and Rural Development has invested approximately £16.5 million of funding through the Tackling Rural Poverty and Social Isolation Programme.

Through the Delivering Social Change framework we are working with all departments to improve children and young people's health, well being and life opportunities, and to break the long-term cycle of multi-generational problems across Northern Ireland, including for those living in rural areas.

The benefits of this approach have been illustrated by the multi-departmental, multi-agency and multi sectoral implementation of six cross cutting signature programmes, costing some £26m, which are multi-faceted and span across Northern Ireland. The programmes have sought to provide a wide range of holistic interventions to encourage re-engagement in education, training or employment and enhance prospects to become full participants in society.

Together: Building a United Community is the Executive's comprehensive strategy to improve community relations. It contains a package of significant and strategic actions aimed at improving community relations and building a united, shared and reconciled society.

Whilst the focus of the Strategy is not targeted at reducing rural poverty and social and economic isolation, some of the actions and commitments will impact on rural areas.

The Executive's draft ten year strategy for Affordable and Integrated Childcare was launched for public consultation on 28 July, with consultation due to run for 16 weeks until 13 November 2015. Within the context of the draft Strategy, we have been working closely with colleagues in DARD who wish to develop appropriate childcare interventions in rural areas. Through the creation of appropriate rural childcare models, the aim is to improve the sustainability and affordability of rural childcare

provision and by doing so, enhance the accessibility to rural families. It is also intended that rural childcare needs will be mainstreamed across the full range of actions in the final Childcare Strategy.

Our vision is that no child here is disadvantaged by poverty or deprivation. A review of the Child Poverty Strategy was conducted last year which has helped inform the development of a revised Child Poverty Strategy.

Our aims are to reduce the number of children affected by poverty and deprivation and to reduce the impact on children.

The revised Strategy will contain a range of actions focused on four high level outcomes to deliver a sustained reduction in poverty and social exclusion issues by way of better joined up working between Government departments. Actions include supporting young people in rural areas in relation to; education, employment, childcare, fuel poverty, financial matters and community development.

Mr Douglas asked the First Minister and deputy First Minister for an update on the Urban Villages programme.
(AQO 8670/11-16)

Mr P Robinson and Mr M McGuinness: The first two Urban Villages were announced by the First Minister and deputy First Minister in March 2014 as Colin Town Centre and Lower Newtownards Road, now known as Lower Eastside. We made three further announcements on additional Urban Village locations at the beginning of 2015; the areas of the Markets/Donagall Pass/Sandy Row and Bogside/Fountain as well as Ardoyne/Ballysillan. This brings the number of Urban Village projects to five, one more than originally committed to within Together: Building a United Community.

Our next step is to establish a project team for each Urban Village to engage and work with the community to determine the boundaries of the urban villages, assess what is needed and develop priorities for each area. Overall engagement with the local communities, Government Departments and other organisations is ongoing.

Our Department has recently assumed lead responsibility for delivery of the headline action in relation to Urban Villages. This includes consideration of the most appropriate approach, delivery and governance structures that are required to maintain progress going forward. Our officials are continuing to work closely with SIB to ensure that engagement continues in the five localities and that momentum is achieved. Our Department's role will be to provide effective Programme oversight to ensure efficient delivery of this programme.

The Strategic Investment Board is establishing a dedicated team to take forward the development of design plans for the Urban Village projects and the implementation and completion of capital build.

Ms Ruane asked the First Minister and deputy First Minister how they will ensure a collaborative approach across the Executive to welcoming refugees.
(AQO 8668/11-16)

Mr P Robinson and Mr M McGuinness: Over recent months, there has been a vast increase in the number of refugees fleeing Syria and elsewhere. This issue is clearly one of the greatest challenges facing countries across Europe today.

As responsibility for immigration lies with Westminster the only formal programme under which we might receive refugees is the UK Government's Vulnerable Persons Relocation (VPR) scheme. This scheme aims to identify those left most vulnerable by the Syrian conflict and resettle them where they can get the quality of support they need. The VPR scheme aims to support the most vulnerable individuals including victims of violence, women and children at risk and those in need of advanced medical care.

We signalled to the UK Government our willingness to welcome between 50 and 100 of the most vulnerable refugees by December, through the VPR, with the expectation that further groups would arrive on a phased basis.

To be able to accommodate vulnerable people we must ensure we can meet their needs effectively and we are currently making the necessary preparations to do so

Officials have begun significant, cross-departmental preparatory work to ensure that we are in a position to respond effectively to the needs of what will likely be a very vulnerable group of refugees. We need to ensure that we can provide access to appropriate services such as healthcare, housing, education, community support and employment opportunities.

We have had discussions with NGOs who are already active in supporting refugees, about their capacity to assist with this, and will continue to liaise and engage with the voluntary and community sector and wider society. This will include appropriate communication and meaningful engagement with receiving communities.

The UK Government has indicated that it will provide some additional funding to the Executive to meet the needs of any refugees received under the VPR scheme in their first year. The detail of this funding and resourcing for future years is currently under consideration.

We wish to assure you of our commitment to identifying what can be done to alleviate the ongoing situation and providing appropriate support where possible

Mr Sheehan asked the First Minister and deputy First Minister to outline the preparations being made by the Executive to receive refugees.
(AQO 8776/11-16)

Mr P Robinson and Mr M McGuinness: Over recent months, there has been a vast increase in the number of refugees fleeing Syria and elsewhere. This issue is clearly one of the greatest challenges facing countries across Europe today.

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Ms Sugden asked the First Minister and deputy First Minister, under the new departmental structures, to detail which Department will be responsible for age discrimination in respect of goods, provisions and services.
(AQW 49470/11-16)

Mr P Robinson and Mr M McGuinness: Policy responsibility for age discrimination in respect of goods, facilities and services under the new departmental structures is currently under consideration.

Ms Sugden asked the First Minister and deputy First Minister what feedback they have received in relation to the proposal to extend age discrimination legislation only to people that are over sixteen years of age.
(AQW 49471/11-16)

Mr P Robinson and Mr M McGuinness: Public consultation on policy proposals to extend age discrimination legislation to the provision of goods, facilities and services closed on 8 October 2015. The responses received during the consultation period are currently being analysed. A consultation report, which will provide an overall summary and analysis of the consultation responses, will be published in due course.

Ms Sugden asked the First Minister and deputy First Minister to detail (i) the function of the £12 million childcare budget as allocated in 2011; (ii) the amount spent to date been spent to date; and (iii) a breakdown of the expenditure.
(AQW 49611/11-16)

Mr P Robinson and Mr M McGuinness: When the Executive's Childcare Fund was established in 2011 it was envisaged that it would provide all departments who have a role in childcare with an opportunity to deliver against improving the affordability and accessibility of quality childcare. With the launch of "Bright Start" the first phase of the Childcare Strategy in 2013, the Childcare Strategy Programme Board agreed that the Fund should be used strategically to meet priority needs, notably the need for school age childcare

To date, we have spent £4.2 million from Central Funds. This approach will maximise the impact of the £12m Fund, delivering long term benefits that address real childcare needs. The balance will continue to be used to resource the Key First Actions contained in Bright Start.

A full break down of spending to date on Bright Start (Key First Actions) implementation is shown below.

Financial Year	Spend
2011/12	£322,000
2012/13	£1,482,000
2013/14	£692,000
2014/15	£934,975

Financial Year	Spend
2015/16 (April-September)	£775,000

Ms McGahan asked the First Minister and deputy First Minister whether they plan to extend the Historical Institutional Abuse Inquiry to include mother and baby homes.

(AQO 8234/11-15)

Mr P Robinson and Mr M McGuinness: The Historical Institutional Abuse Inquiry was initiated by the 2009 Assembly debate about historical institutional abuse of children. Its Terms of Reference refer to children under 18, and it was on that basis that the inquiry was designed, and its chairperson and panel members appointed.

Mother and Baby homes and Magdalene Laundries were not established principally for the care of children and would not have had many residents under the age of 18.

The Inquiry will consider applications it has received from people who spent time in a home of this type here, while under the age of 18. Until all applicants have been interviewed it will not be possible for the Inquiry to make a final decision on whether these cases properly fall within the Terms of Reference or indeed whether there is any indication of systemic abuse.

We are sensitive to the views of those who have suffered abuse who fall outside the scope of the Inquiry and are mindful of the equally destructive impact it has had on many people.

To consider amending the scope of its Terms of Reference at this stage would undermine the work that has already gone into reaching this critical juncture of the Inquiry.

Officials have completed a scoping exercise in relation to Mother and Baby Homes, Magdalene Laundries and clerical abuse, which we are presently giving careful consideration.

Mrs Cochrane asked the First Minister and deputy First Minister to outline the measures put in place, since August 2015, to ensure that refugees can gain immediate access to local public services.

(AQO 8775/11-16)

Mr P Robinson and Mr M McGuinness: Over recent months, there has been a vast increase in the number of refugees fleeing Syria and elsewhere. This issue is clearly one of the greatest challenges facing countries across Europe today.

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Department of Agriculture and Rural Development

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 48998/11-16, whether any compensation was paid to farmers for herds in each year (i) with TB reactors; and (ii) tested as TB reactors but later confirmed not to have TB.

(AQW 49510/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Compensation is paid to farmers when TB reactors are removed by my Department. A bovine is considered a TB reactor when it reacts to the skin test. This compensation is paid irrespective of whether TB is subsequently confirmed.

I must point out that the skin test is the primary diagnostic test for bovine TB.

The specificity of the skin test (its performance in identifying TB clear animals as negative) is very high (approx 99.98%) and so false positive reactor animals are very rare. This means that we can say with great certainty that a TB reactor animal has TB, whether it is later confirmed or not. A reactor is never later confirmed not to have TB.

The table below shows the amount of compensation paid to farmers for removal of TB skin test reactors in the last three years together with the number of herds with skin test reactors one or more of which was positive to post-mortem examination or laboratory tests and the number of herds with skin test reactors all of which were negative to post-mortem examination and laboratory tests.

Year	Compensation paid for skin test reactors (£)	Herds with skin test reactors, one or more of which was subsequently positive to post-mortem examination or laboratory tests	Herds with skin test reactors, all of which were subsequently negative to post-mortem examination and laboratory tests
2012	14,617,422	1489	583
2013	11,467,100	1412	487
2014	11,702,523	1371	398

The compensation data is based on the year in which the reactor animal died and will not completely correlate with the data for breakdown herds in the table, for example, some reactor animals will have been disclosed in December of one year but slaughtered in January of the next year.

Please note that some reactor animals which were not lesioned at post-mortem will not have had further laboratory tests.

In addition, please note that because the data presented in the table are based on tests completed during a calendar year, there may have been reactor animals detected in the same herd previous to or subsequent to the calendar year that will have had TB confirmed.

Ms Sugden asked the Minister of Agriculture and Rural Development what consideration she has given to the appointment of an Agricultural Ombudsman for Northern Ireland.

(AQW 49522/11-16)

Mrs O'Neill: I have considered the role fulfilled by the NI Ombudsman, which provides for complaints relating to the activities of public bodies, including government departments, and I am content that the current arrangements are satisfactory. Therefore, I do not consider the appointment of an Agricultural Ombudsman is necessary in the north.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 49269/11-16, according to APHIS, how many calves were born into the herds which did not have a TB Reactor, in each of the last three years.

(AQW 49528/11-16)

Mrs O'Neill: According to APHIS, the number of calves born into herds which did not have a TB reactor in each of the last three years is shown in the table below:

Year	Number of calves born into herds which did not have a TB reactor
2012	426,932
2013	411,001
2014	416,573

Mr Agnew asked the Minister of Agriculture and Rural Development how the five freedoms of a sea lion can be met in travelling circuses, in particular the need (i) for a suitable environment; (ii) to be able to exhibit normal behaviours; and (iii) to be housed with, or apart from, other animals.

(AQW 49628/11-16)

Mrs O'Neill: Although no circuses are currently based here, those that travel here must comply with the Welfare of Animals Act 2011. This provides a range of powers to safeguard the welfare of all animals in circuses and to ensure the needs of an animal for which a person is responsible are met to the extent required by good practice. This includes (i) its need for a suitable environment; (ii) its need to be able to exhibit normal behavior patterns; and (iii) any need it has to be housed with, or apart from other animals. The 2011 Act is enforced by Councils for non-farmed animals, including those animals kept in circuses.

The most comprehensive academic study of animal welfare in circuses was conducted in 2007 and was set out in some detail in a report by Mike Radford, Chairman of the Circus Working Group. The Working Group, which consisted of a six-person academic panel nominated by animal welfare groups and industry representatives, concluded that there appeared to be “little evidence to demonstrate that the welfare of animals kept in travelling circuses is any better or worse than that of animals kept in other captive environments”.

My officials are continuing to work with officials from the Department of Agriculture, Food and the Marine, who, following their engagement with circus operators, Local Authorities and the European Circus Association, are considering the potential for a Circus Code of Practice. My officials will continue to engage on this issue as it progresses with a view to having an agreed All-island Code of Practice.

Defra has published guidance on their Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 which you may find useful. This guidance makes specific reference to the care of sea lions. A copy can be found on the Defra website at the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69610/pb13835-circus-animals-regulation-guidance.pdf

Mr Agnew asked the Minister of Agriculture and Rural Development how the five freedoms of a tiger can be met in travelling circuses, in particular the need (i) for a suitable environment; (ii) to be able to exhibit normal behaviours; and (iii) to be housed with, or apart from, other animals.

(AQW 49629/11-16)

Mrs O'Neill: Although no circuses are currently based here, those that travel here must comply with the Welfare of Animals Act 2011. This provides a range of powers to safeguard the welfare of all animals in circuses and to ensure the needs of an animal for which a person is responsible are met to the extent required by good practice. This includes (i) its need for a suitable environment; (ii) its need to be able to exhibit normal behavior patterns; and (iii) any need it has to be housed with, or apart from other animals. The 2011 Act is enforced by Councils for non-farmed animals, including those animals kept in circuses.

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Defra has published guidance on their Welfare of Wild Animals in Travelling Circuses (England) Regulations 2012 which you may find useful. This guidance makes specific reference to the care of large cats including tigers. A copy can be found on the Defra website at the following link:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69610/pb13835-circus-animals-regulation-guidance.pdf

Mr Allister asked the Minister of Agriculture and Rural Development what savings have been made by her Department within the 2015/16 budgetary allocations.

(AQW 49647/11-16)

Mrs O'Neill: As you will be aware, public sector finances are under significant pressure as a result of the Tory Government's ideologically driven assault on the Executive's block grant. Such attacks are having a very real impact on public services and my ability to deliver for agricultural and rural communities.

My Department's Draft Budget 2015-16 Spending and Savings Proposals consultation document which was published in November 2014 set out the following savings proposals for that year totalling £29.9m.

Savings	Target £m
Reduce General Running Costs	3.0
Reduce Estate Maintenance	0.7
Cost Reductions	3.7
Staff Reductions	5.6
Increased EU Veterinary Fund Receipts	4.0

Savings	Target £m
Increased AFBI Income	2.0
Raising Additional Revenue	6.0
Rural Development Programme	9.1
AFBI Approved Work Programme	3.0
Tackling Rural Poverty and Social Isolation	1.7
Animal Disease Programme	0.8
Scaling Back Programmes	14.6
Total	29.9

Most of the savings are on track to be achieved at this stage of the year. However the phasing of the Voluntary Exit Scheme means that the full £5.6m Staff Reductions savings envisaged will now not be realised. My Department is considering options to cover this shortfall as part of the January Monitoring Round.

Ms Sugden asked the Minister of Agriculture and Rural Development what fiscal support exists for farm businesses in the agri-food sector which are seeking to expand.

(AQW 49672/11-16)

Mrs O'Neill: The 2007-2013 Rural Development Programme (RDP) is now being wound up, having provided £14.13m of fiscal support to farm businesses through the Farm Modernisation Programme.

Looking forward, the Farm Business Improvement Scheme (FBIS) will be a cornerstone of the 2014-2020 RDP and will be the main source of fiscal support from DARD for farm businesses seeking to expand. It will consist of a package of measures aimed at knowledge transfer, cooperation, innovation and capital investment.

The resource element of FBIS will comprise of support aimed at knowledge transfer, training, innovation, and cooperation. Supporting capital investment in the farming industry will be an important element of the FBIS and will likely be provided in a tiered manner that will be linked to the needs identified in the farmer's business plan.

The main capital intervention is the Business Investment Scheme (BIS), aimed at assisting on-farm efficiency by supporting those who wish to invest to improve farm practices, grow their business and increase farm competitiveness. It has an indicative allocation of up to £193 million.

The plan is to roll out the FBIS package in a phased way. The early focus will be on making advice and support available to farmers through knowledge transfer measures to assist farmers to clearly identify their needs and make informed decisions about their business.

The first phase is expected to open for applications in October this year. This will establish Business Development groups for farmers to help them improve their knowledge of business management, new technologies and innovative ways of working. DARD is also planning to deliver Farm Family Key Skills training schemes, including farm safety and business planning in this initial phase.

It is anticipated that these early schemes will help farmers think carefully about their business plans in advance of the opening of the proposed BIS in 2016, and in particular before they decide to take on additional financial commitments.

Mr Swann asked the Minister of Agriculture and Rural Development how the projected income from wind turbines in her budgetary forecasts will be effected by the recent announcement by the Minister of Enterprise, Trade and Investment on ending support for wind turbines.

(AQW 49681/11-16)

Mrs O'Neill: I am aware that the Minister for Enterprise, Trade and Investment has recently published his proposals in regard to renewables support. Forest Service is considering the potential impact of the proposed changes on the commercial potential for developing wind energy projects in forests. Forest Service view is that the likely impact of the proposals will be to reduce the return on investments. Whether investment takes place or not also depends on affordability, regulatory and planning assessments, the interest shown by commercial partners and community acceptance. It is premature to include project income from wind turbines in budgetary forecasts.

Mr Frew asked the Minister of Agriculture and Rural Development for her assessment of the current TB herd and animal incidence levels.

(AQW 49777/11-16)

Mrs O'Neill: The 12 month moving average TB herd incidence was 5.95% in September 2014, and has risen to 6.88% in August 2015. The 12 month moving average TB animal incidence was 0.502% in March 2014, and has risen to 0.636% in August 2015.

The latest confirmed TB prevalence figures are to the end of April 2015. These have mirrored the changes in incidence rising from 6.84 in April 2014 to 7.58% in April 2015 at herd level and from 0.266% in April 2014 to 0.339% in April 2015 at animal level. This indicates that the rise in these indicators is a true reflection of increased levels of TB infection.

Tuberculosis Disease Statistics in the north of Ireland are available on the DARD internet.

<http://www.dardni.gov.uk/index/statistics/animal-disease-statistics/statistics-tuberculosis.htm>

My Department remains committed to the progressive reduction and the eventual eradication of bovine TB, adopting a phased strategic approach. No single factor is likely to have caused the current increase in disease levels. My Department will continue to implement its EU approved TB eradication programme in parallel with the ongoing development, via the TB Strategic Partnership Group, of a long-term strategy and an associated implementation action plan to eradicate TB from cattle herds in the north.

Department of Culture, Arts and Leisure

Mr Flanagan asked the Minister of Culture, Arts and Leisure, pursuant to AQW 43179/11-15 and AQW 40461/11-15, when the investigation into the death of elvers in Lough Erne in 2014 will be completed.

(AQW 49458/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): The internal investigation into the elver kill at the ESB facility at Ballyshannon in 2014 has been completed and steps have been made to avoid any such incidents occurring in the future. The outcome of the formal investigation has not yet been completed and therefore it would not be appropriate for me to comment further.

A new protocol defining roles and responsibilities for the capture and transport of elvers around the dams at Ballyshannon has been agreed by my Department, the Department of Communications, Energy and Natural Resources, ESB and Inland Fisheries Ireland. In addition ESB has made a number of physical improvements to the three elver traps at Ballyshannon and this has operated effectively in the 2015 season.

As a result of the loss of elvers in 2014 agreement has also been reached between all the parties on the mitigation measures for the loss and these will be communicated shortly.

Lord Morrow asked the Minister of Culture, Arts and Leisure whether any staff grievances which occurred as a result of issues within the former NI Events Company were transferred to, and dealt with by, her Department following the closure of the company.

(AQW 49462/11-16)

Ms Ní Chuilín: No staff grievances were transferred to, or dealt with, by my Department.

Lord Morrow asked the Minister of Culture, Arts and Leisure whether any whistleblowers by-passed the NI Events Company Board and raised concerns directly with her Department; and how these concerns were addressed.

(AQW 49531/11-16)

Ms Ní Chuilín: Concerns were raised and dealt with by the Department as follows:

- | | |
|------------------|--|
| Aug 2004 | A departmental official on temporary secondment to the NI Events company approached a senior colleague informally regarding concerns with paperwork. This concern was not escalated. |
| Oct 2005 | A constituent made a complaint through an elected representative. This was referred by the Department to the Chair of the NIEC Board in line with the Companies complaints procedure. |
| June 2006 | A supplier made allegations of inappropriate and damaging remarks by the NIEC CEO. This was referred by the Department to the Chair of the NIEC Board in line with the Companies complaints procedure. |
| Aug 2006 | A supplier alleged an unfair advantage to a competitor. The DCAL Deputy Secretary met with the complainant and his solicitor on 25/8/06 and referred the complaint to the Chair of the NIEC Board on 28/9/06. |
| Late 2006 | Two employees of NIEC alleged issues with payments and paperwork. DCAL commissioned its own internal audit to investigate. The deficit was uncovered prior to this report being finalised. |
| 2006-2008 | A number of concerns were raised throughout this period related to a sports promoter. The Department requested an investigation by an independent third party who finalised his report in June 2007. These complaints were further investigated by a separate independent third party who finalised his report in October 2008. The Department responded on a number of occasions in order to update the promoter. The final correspondence was in October 2008 finding insufficient evidence to substantiate allegations. |

Lord Morrow asked the Minister of Culture, Arts and Leisure, in relation to the NI Audit Office report into issues around the NI Events Company and in particular Part 4, (i) whether there are now robust risk assessments and scrutiny procedures in place, as well as stringent monitoring and accountability around funding and management of the Departments' arm's-length bodies; and (ii) how often these have been reviewed or updated since the NI Events Company collapsed.

(AQW 49634/11-16)

Ms Ní Chuilín: There is a wide range of measures and procedures in place which monitor and provide assurance to my Department in respect of the good governance of its arms length bodies (ALBs). These include regular risk assessments of each ALB; accountability meetings between the Senior Departmental Sponsor and the Chief Executive; review of each ALBs Board and Audit Committee papers; and review of bi-annual assurance statements signed by the Chair and Chief Executive of each ALB. I and my Permanent Secretary meet regularly with the Chairs of each body to review, among other things, the ALB's key performance indicators.

There are also appropriate controls in place to manage the drawdown of funding to our ALBs and to monitor budget performance. Each ALB has an internal audit function and the Department reviews the level of internal audit activity together with outcomes. Internal Audit providers are subject to external quality review to ensure they comply with Public Sector Internal Audit Standards.

A comprehensive review of sponsorship and governance of all of DCAL's ALBs was carried out by the Chartered Institute of Public Finance & Accountancy (CIPFA) following the collapse of the NI Events Company in 2008. The resultant report contained 56 recommendations which were subsequently followed up by the Department's internal auditors in 2010 and 2011. Since then the Department has carried out two further internal reviews of governance arrangements; one in 2014 and one in 2015.

Mr McKinney asked the Minister of Culture, Arts and Leisure what action her Department is taking to promote Arts and Drama based therapies for people with mental ill-health and for those suffering personal loss.

(AQW 49641/11-16)

Ms Ní Chuilín: My Department's funding for the Arts is mainly disbursed through the Arts Council.

As you will be aware from my response to your recent Assembly Question AQW 48783/11-16, the Arts Council's communications strategy for Promoting Positive Mental Health and Wellbeing through the Arts aims to raise awareness of the following:

- (i) Participation in the arts promotes positive mental health
- (ii) The Public Health Agency's relevant information
- (iii) The Lifeline organisation
- (iv) The Lifeline telephone number
- (v) Suicide prevention messages

The Arts Council funds a number of creative activities for people with mental ill-health and those suffering personal loss. Many of the Arts Council's Annually Funded clients have arts activities targeted at people with mental ill-health, including Streetwise Community Circus, Drake Music, Kids in Control, Partisan Productions, ArtsCare and Arts & Disability Forum.

The following are examples of Arts Council funded projects;

- Partisan Productions and Colin Neighbourhood Partnership joined forces to present '**I Never See The Prettiest Thing**', a play exploring the causes and consequences of suicide in a community with one of the highest rates in Belfast. The play was staged in the Brook Activity Centre, Twinbrook – in the very heart of the community that its narrative deals with. A workbook was also developed for use across the Southern Health Trust area.
- The Arts & Disability Forum recently launched its '**Arts & Biscuits**' programme, targeting people with dementia and carers.
- The Arts Council's Lottery funded Small Grants Programme has supported a number of relevant projects including (1) **Cuin Muire**, Newry, using art, guitar tuition and choral work in a rehabilitation programme for people with addictions (2) **Action Mental Health**, Fermanagh, challenging the stigma associated with mental illness while highlighting how the arts can promote better mental health; and (3) **Brain Injury Matters**, supporting yearlong drama activities for people with acquired brain injury.
- The Arts Council's Lottery funded Arts & Older People Programme (AOPP) supports positive mental health for older people through arts activities. To date, the AOPP has funded 81 projects with older people across Northern Ireland. Examples include; (1) **Big Telly Theatre Company** targeting isolated older men through drama and art (2) **Mindwise** supporting participants through art and drama activities (3) **NIAMH** (NI Association for Mental Health), working through storytelling and drama with older men in the Derry area; and (4) **Spectrum Centre's 'Social Sofa'** in Hemsworth Court, a supported accommodation facility for people with dementia. The project engaged with tenants over 7 months to produce a mosaic design reflecting the area and tenants' memories and recollections, alongside personal portrayals of the impact of dementia on their lives.
- Open Arts Choir is an inclusive Choir that features people of all ages from all sections of the community. People with physical disabilities, mental health difficulties and learning disabilities meet to sing together and perform regularly.

My Department, through NI Screen, also funds the Belfast Film Festival. The festival has organised a number of screenings and outreach events with Lighthouse (an organisation supporting those affected by suicide and self-harm), Addiction NI, and a series illustrating the effects of domestic abuse.

Libraries NI aims to raise general awareness about mental health issues through its Health in Mind programme, funded by the Big Lottery and in partnership with Aware Defeat Depression, Cause, Mindwise and Action Mental Health. Libraries NI hosted the 'Aisling' exhibition, a Lighthouse Men's Photographic Retrospective facilitated by the Community Dialogue organisation. A group of men were given disposable cameras to capture their vision of themselves and their community. The images were exhibited at a number of venues including four libraries. The project has reportedly had a profound impact on those taking part, many of whom had been affected by suicide. DCAL also provided funding for equipment during the project.

Mr Byrne asked the Minister of Culture, Arts and Leisure what discussions her Department has had with Fermanagh and Omagh District Council regarding the football grounds at St. Julian's Road, Omagh.
(AQW 49836/11-16)

Ms Ní Chuilín: I can advise that no approach has been made to my Department or Sport NI, an arms length body of my Department, by any organisation, including Fermanagh and Omagh District Council, to discuss the football grounds at St. Julian's Road, Omagh.

Mr Humphrey asked the Minister of Culture, Arts and Leisure for a breakdown of the cost of the Liofa Project to date.
(AQW 49869/11-16)

Ms Ní Chuilín: The total spend on Liofa, since it was launched in September 2011 to date is £831,318. A breakdown by year is detailed below:

Financial Year	Cost
September 2011 – March 2012	£ 2, 625
April 2012 – March 2013	£ 97, 850
April 2013 – March 2014	£ 390, 445
April 2014 – March 2015	£ 257, 573
April 2015 – date	£ 82, 825
Total to Date	£ 831,318

Mr Humphrey asked the Minister of Culture, Arts and Leisure how many civil servants have been deployed within her Department, to work on the Liofa project.
(AQW 49870/11-16)

Ms Ní Chuilín: A full time permanent Liofa Development Officer (Staff Officer grade) was appointed on 19 October 2015. A permanent Liofa Support Officer (Executive Officer 1 grade) is due to be appointed shortly. There are no other civil servants working full time on the Liofa project.

The Liofa Officers work within a management structure and as is normal practice for the civil service, they receive guidance and support from the wider team as required.

Department of Education

Mr Hussey asked the Minister of Education for a breakdown of the money spent in the (i) Controlled; (ii) Maintained; (iii) Integrated; and (iv) Irish-medium sectors, in each of the last three years.
(AQW 49408/11-16)

Mr O'Dowd (The Minister of Education): The last complete Financial Year for which data is available is 2014/15. The table below therefore provides the requested information for the financial years 2012/13, 2013/14 and 2014/15 (data relates to resource expenditure only – capital expenditure is excluded).

Certain costs cannot be disaggregated - for example meals, transport, central administration etc. Data exclude all costs for Special Schools, centralised IT services, etc. Figures provided reflect identifiable resource (delegated and non delegated) expenditure only for grant-aided schools.

	Total Expenditure 2012/13	Total Expenditure 2013/14	Total Expenditure 2014/15
Controlled Schools	£528,351,999	£534,388,112	£534,999,337

	Total Expenditure 2012/13	Total Expenditure 2013/14	Total Expenditure 2014/15
Maintained Schools	£526,515,544	£531,665,679	£529,881,904
Integrated Schools	£98,490,507	£100,892,321	£102,828,135
Irish Medium Schools	£13,807,200	£15,304,022	£16,153,458
All Schools	£1,167,165,250	£1,182,250,134	£1,183,862,834

Notes:

- (i) Data supplied by the Education Authority (expenditure data for Grant-Maintained Integrated Schools (included in Integrated Schools totals) supplied by Department of Education).
- (ii) It is not possible to disaggregate the expenditure incurred by an Irish Medium Unit attached to a host English Medium school.
- (iii) Data for the Controlled Sector includes Controlled Grammar schools. Voluntary Grammar schools are not included in data in this answer.
- (iv) Data for the Integrated Sector includes Controlled Integrated and Grant-Maintained Integrated Schools.
- (v) Data for the Maintained Sector includes 'Other Maintained' schools and Maintained Irish Medium schools;
- (vi) Data for Irish Medium Sector includes Controlled Irish Medium schools;

Mr Hussey asked the Minister of Education to detail the spend per head in each of the (i) Controlled; (ii) Maintained; (iii) Integrated; and (iv) Irish-medium sectors before the most recent budget cuts.

(AQW 49409/11-16)

Mr O'Dowd: The latest complete Financial Year for which data is available is 2014/15. The Table below provides the requested information (data relates to resource expenditure only, identifiable at school level – capital expenditure is excluded). It should be noted that there has not been a budget cut to the Aggregated Schools' Budget and that the budget actually increased from 2014/15 to 2015/16.

	Total Average Expenditure Per Pupil 2014/15
Controlled Schools	£4,257
Maintained Schools	£4,434
Integrated Schools	£4,767
Irish Medium Schools	£4,688
All Schools	£4,381

Notes:

- (i) Data supplied by the Education Authority (expenditure data for Grant-Maintained Integrated Schools (included in Integrated Schools totals) supplied by Department of Education).
- (ii) It is not possible to disaggregate the expenditure incurred by an Irish Medium Unit attached to a host English Medium school.
- (iii) Data for the Controlled Sector includes Controlled Grammar schools. Voluntary Grammar schools are not included in data in this answer.
- (iv) Data for the Integrated Sector includes Controlled Integrated and Grant-Maintained Integrated Schools.
- (v) Data for the Maintained Sector includes 'Other Maintained' schools and Maintained Irish Medium schools;
- (vi) Data for Irish Medium Sector includes Controlled Irish Medium schools;

Mrs D Kelly asked the Minister of Education for an update on the proposals for Drumcree College, Portadown.

(AQW 49474/11-16)

Mr O'Dowd: I have been advised that the Council for Catholic Maintained Schools (CCMS), as the managing authority for Drumcree College, Portadown, have asked the Education Authority (EA) to publish a Development Proposal (DP) proposing the closure of Drumcree College. CCMS has also asked the Education Authority to publish a DP to open a new Key Stage 3 school on the existing Drumcree College site.

The EA is currently consulting with those local schools which may be affected by the proposals. Following this consultation, the EA will then publish the DPs which will initiate a statutory two-month objection period for any comments and/or objections to be submitted to the Department.

Each DP will be assessed on the basis of its own particular circumstances against the six criteria in the Sustainable Schools Policy. I will consider all the information and comments pertinent to the proposal prior to making a decision on the proposed change. Each DP is assessed on its own merits and my overriding consideration in each proposal is to ensure that pupils have access to a high quality education.

Ms Sugden asked the Minister of Education to detail the policies which exist to identify and safeguard the needs of small schools that are considered strategically important.

(AQW 49557/11-16)

Mr O'Dowd: The Department has a range of policies which apply to all schools and the main thrust of these policies is to support schools in the delivery of the curriculum and quality education to meet the needs of all pupils.

The Sustainable Schools Policy stipulates minimum enrolment criteria for school size at both primary and post-primary level. All schools are assessed against the six criteria and associated indicators to determine the sustainability of a school into the future. One of the criteria is 'stable enrolment trends'. However, sustainability is not assessed simply on the number of pupils, but rather across the full range of criteria in the policy on a case by case basis, taking account of local circumstances. The key focus for all schools is the quality of education and it is for the school managing authorities to explore all the options for providing a school that is viable and sustainable into the future, including various models of collaboration.

The Department has specific arrangements in place to support schools which are small to ensure they are able to deliver the curriculum.

Delegated funds for schools are distributed under the Common Funding Scheme (CFS); and the funding formula distributions are based on a number of factors, including the Small Schools' Support funding factor (SSSF). The SSSF is intended to target more resources towards smaller schools in order to facilitate the delivery of the curriculum. The SSSF is one of a range of funding support streams for small schools within the CFS, others being Primary Principal Release Time, Teachers Salary Protection and Foundation Stage Funding.

In addition to funding allocated directly to school budgets by means of the relevant funding stream, schools will also have access to central funds for specified purposes and the CFS sets out common arrangements governing disbursement of these funds by Funding Authorities.

Mr Allen asked the Minister of Education to detail (i) what additional resources will be given to schools that accommodate Syrian refugees; and (ii) how those resources will be funded.

(AQW 49604/11-16)

Mr O'Dowd: The current financial position is that the UK Government will provide some additional funding to the Executive to meet the needs of any refugees received under the Vulnerable Persons Relocation scheme in their first year. The operational details of how the Vulnerable Persons Relocation scheme will work here have not yet been finalised. The detail of this funding and resourcing for future years is under consideration, and the subject of ongoing discussion with the Home Office.

Local schools who have pupils designated as Newcomer receive an additional factor of approximately £1000 per pupil. The Inclusion and Diversity Service is also funded by my Department to provide support for newcomers in schools and key services include interpreting and translation services, a multi-lingual website for teacher and parents and toolkits for diversity in the primary school.

Mr Flanagan asked the Minister of Education whether he has provided guidance to schools on how to deal with issues such as uniforms, changing rooms and toilet facilities for transgender students.

(AQW 49618/11-16)

Mr O'Dowd: The Department of Education (DE) has not provided any specific guidance to schools in relation to issues such as uniforms or accommodation for transgender students. However, DE's guidance to schools on their school uniform policy provides flexibility to enable individual schools to consider the needs of a range of pupils, including transgender pupils. In addition, the current School Building Handbook contains guidance in relation to universal access to facilities.

Mr Allister asked the Minister of Education what savings have been made by his Department within the 2015-16 budgetary allocations.

(AQW 49651/11-16)

Mr O'Dowd: In order to deliver a balanced 2015-16 budget, a Savings Delivery Plan (SDP) has been developed to ensure that the Department remains within budget.

This SDP which provides the information you have requested can be found by accessing the link below

http://www.deni.gov.uk/microsoft_word_-_final_budget_2015-16__savings_delivery_plan.pdf

Mr Easton asked the Minister of Education how his Department plans to address accommodation issues at Clifton Special School, Bangor.

(AQW 49680/11-16)

Mr O'Dowd: The Education Authority (EA) has responsibility for minor capital works in the controlled sector which includes provision at Clifton Special School. I understand that the EA has discussed the matter of additional accommodation requirements with the school Principal and has agreed arrangements which satisfy the requirements for projected entry in September 2016.

Mr Anderson asked the Minister of Education to detail (i) the expenditure on new school site purchases; (ii) the location of the sites for new school builds; and (iii) from whom such sites were procured, in each year since 2000.

(AQW 49696/11-16)

Mr O'Dowd: Please see below a table detailing the information requested. This information relates only to major work projects announced since 2010 as to obtain the details prior to this would have incurred disproportionate cost to the Department.

School	Site Purchase Cost	Site Vendor/s	New School Site Address
Dromore HS	£1,306,000	2 Private Vendors plus the National Asset Management Agency	Quillyburn Industrial Estate, Barranstown Road, Dromore
Scoil an Droichid	£210,000	Department of Social Development	20-32 Ormeau Road, Belfast
Drumlins IPS	£200,000	Department of Culture Arts and Leisure	Windmill Lane, Ballynahinch
Omagh IPS	£400,000	Department of Health, Social Services and Public Safety	13 Crevenagh Road, Omagh
Edenderry Nursery School	£80,000	Department of Social Development	Lanark Way, Mayo Link
Colaiste Feirste	£2,357,448	Belfast City Council	Beechmount Leisure Centre
Dromore Central PS	£6,820,000	Graham Developments	Mossvale Terrace, Dromore
Foyle College	£14,500,000	Department of Social Development	Clooney Barracks, Clooney Road, Londonderry
St Clare's Abbey PS	£205,000	Abbey Christian Brothers Trustees	Courtney Hill, Newry, Co Down, BT34 2EA
St Joseph's Convent PS	£270,000	Dromore Diocese	Edward Street, Newry, Co Down
Bangor Grammar School	£5,555,000	South Eastern Education and Library Board	Gransha Road, Bangor, Co Down
Carrick PS	£96,500	St Mary's Parish, Burren	61 Ballydesland Road, Burren, Warrenpoint, BT34 3AQ
Corrany & Cornagogue PS	£320,000	Private Vendor	Tattynageeragh, Aghadrumsee, Co Fermanagh
Dromintee PS	£300,000	Private Vendors	6 Ballynamada Road, Newry BT35 8TD
Magherafelt PS	£905,000	Office of the Minister and Deputy First Minister/Northern Ireland Office	32 Castledawson Road, Magherafelt, BT45 6AT
Scoil Na Fuisseoige	£114,000	NI Housing Executive	Summerhill Road, Twinbrook, Dunmurry, BT17 0RL
St Columba's PS, Straw	£424,025	Private Vendors	82 Sixtowns Road, Draperstown, Magherafelt BT45 7BB
St Oliver Plunkett PS	£675,000	Private Vendor	91 Main Street, Forkhill, Newry, BT35 9SH
Strathearn GS	£350,000	Belfast City Council	188 Belmont Road, Belfast, BT4 2AU

Ms Sugden asked the Minister of Education to detail how his Department is working with the Department for Employment and Learning; and the Department of Enterprise, Trade and Investment to develop a formal and holistic strategy for 14-19 year olds.

(AQW 49708/11-16)

Mr O'Dowd: My Department's policy on education for 14-19 year olds is to ensure our young people have access to economically relevant and individually engaging courses that have clear progression pathways for their future.

I have tasked my officials, working with officials in the Department for Employment and Learning (DEL), with producing a joint statement on the range of policies and programmes that the two Departments deliver to support young people in the 16-19 age group, including identifying any gaps and actions required. This age group is where Departmental policies naturally complement each other in terms of the choices open to young people once compulsory schooling is completed.

Mr Allister asked the Minister of Education to detail (i) the number of classes that have more than 20 pupils in the Irish-medium sector; and (ii) how this compares with class sizes in the (a) Controlled; and (b) Maintained sectors.

(AQW 49718/11-16)

Mr O'Dowd: The following table shows the number and proportion of classes in primary schools (years 1-7) that have more than 20 pupils:

All classes	5,237	77.0%
Classes in Irish medium schools/units	73	40.3%
Classes in controlled schools	2,430	79.5%
Classes in Catholic Maintained schools	2,396	75.9%

Source: NI school census

Notes:

- 1 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 2 Figures include primary year 1 - 7 classes only.
- 3 Figures include classes in Irish medium schools and units.
- 4 There are a small number of Irish medium schools and schools with Irish medium units in the controlled and Catholic Maintained sectors. These classes have been included as part of the controlled and Catholic Maintained totals as well as the Irish medium totals.

Mr Allister asked the Minister of Education how many Irish-medium schools have fewer than 100 pupils.

(AQW 49719/11-16)

Mr O'Dowd: Out of 29 Irish medium schools (28 primary and 1 post-primary), 14 have enrolments of fewer than 100 pupils.

Source: NI school census

Notes:

- 5 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 6 Figures for primary includes nursery, reception and year 1 - 7 classes.
- 7 Figures only include Irish medium schools; they do not include schools with Irish medium units.

Mr McCarthy asked the Minister of Education how many organisations or groups have expressed an interest in securing the transfer of Ballygolan Primary School in North Belfast, under the community asset transfer scheme.

(AQW 49720/11-16)

Mr O'Dowd: One organisation, Greater Whitewell Community Surgery (GWCS), expressed an interest in securing the transfer of the former Ballygolan Primary School under the Executive's Community Asset Transfer Policy.

Lord Morrow asked the Minister of Education, pursuant to AQW 49002/11-16, to detail (i) the number of appeals lodged per Education Authority Region; and (ii) how many of those appeals were (a) withdrawn; and (b) unsuccessful.

(AQW 49729/11-16)

Mr O'Dowd: The requested information is provided in the table below:

EA Area	Number of appeals lodged	Number of appeals withdrawn	Number of unsuccessful appeals
Belfast	52	12	38
North Eastern	42	5	30
South Eastern	64	11	40
Southern	110	12	48
Western	37	6	29

Mrs Pengelly asked the Minister of Education to detail all the new initiatives his Department has introduced in (i) North Belfast; (ii) East Belfast; (iii) South Belfast; and (iv) West Belfast, in each financial year since May 2011.

(AQW 49734/11-16)

Mr O'Dowd: The Department of Education has introduced the new initiatives listed below on an NI wide basis. These initiatives will have benefitted North, East, South and West Belfast along with many other areas.

Year	Initiative
2011/12	Community Relations, Equality and Diversity (CRED) Policy
	Smart Technology
	SEN Early Years Settings Pilot
	SEN Educational Testing Pilot
2012/13	CRED Enhancement Scheme
	Schools Enhancement Programme
	Strategic Development Fund
	Extended Schools – Enhancing the Use of the Irish Language in Schools and Communities
	Extended Schools – Parenting Programmes
	Additional funding to the Youth Budget to increase access to mainstream youth services in disadvantaged areas
	SEN Literacy Continuing Professional Development (CPD) Project
	Education Works Advertising Campaign
2013/14	IT's Your Choice
	Healthy Food for Healthy Outcomes – Food in Schools Policy
	Community Education Initiatives Programme
	Delivering Social Change Literacy and Numeracy Signature Programme including DE Expansion Programme
	T:BUC Shared Education Campuses Programme
2014/15	Delivering Social Change – Shared Education Signature Project
	Extended Services – funding for eligible non-statutory pre-school settings
	NI Languages Council
	Post Primary – Primary Pilot Area Learning Community Expansion
	SEN Early Years Interim Arrangements
	Key Stage 2/3 Literacy and Numeracy CPD Programme

The Department also introduced new initiatives in East, South and West Belfast. Details of these initiatives are included in the tables below. There were no new initiatives introduced specifically in North Belfast.

East Belfast

Year	Initiative
2011/12	N/A
2012/13	Sure Start phased expansion of services into the Cregagh Ward commenced.
2013/14	N/A
2014/15	N/A

South Belfast

Year	Initiative
2011/12	N/A
2012/13	N/A
2013/14	Sure Start phased expansion of services into the Minnowburn Ward commenced.
2014/15	N/A

West Belfast

Year	Initiative
2011/12	N/A
2012/13	N/A
2013/14	West Belfast Community Project
	Greater West Belfast Schools Project
2014/15	N/A

Mrs Pengelly asked the Minister of Education to detail the cost of initiatives introduced to address educational underachievement in each financial year since May 2011.

(AQW 49735/11-16)

Mr O'Dowd: Teachers and school leaders are best placed to identify pupils requiring additional support and, through high quality teaching and learning, to identify the most appropriate action to meet individual pupil needs. However, schools may require additional support to address low achievement and I have continued to implement policies and provide funding for a range of additional interventions which focus on the factors which international evidence and best practice tells us will improve outcomes.

The costs of initiatives introduced to address educational underachievement since May 2011 are listed below.

Initiative	Cost (£000s)			
	2011/12	2012/13	2013/14	2014/15
Achieving Belfast and Achieving Derry-Bright Futures Programmes	720	720	720	720
DSC Literacy and Numeracy Signature Programme (OFMdFM –Funded)	n/a	n/a	3,500	7,525
DSC Literacy and Numeracy Signature Programme – DE Expansion (DE-Funded)	n/a	n/a	166	1,174
Community Education Initiatives Programme	n/a	n/a	2,138*1	2,000
Key Stage 2/3 Literacy and Numeracy CPD Programme	n/a	n/a	43	394
West Belfast Community Project	n/a	n/a	231	257
Greater West Belfast Schools Project	n/a	n/a	293	408
Education Works Advertising Campaign	n/a	222	159*2	160*2
Extended Schools	10,202	11,754	12,364	12,587
Full Service Programmes	700	734	752	770
SEN Early Years Settings Pilot	1,100	2,800	2,800	1,600
SEN Early Years Interim Arrangements*3	n/a	n/a	n/a	1,519

Initiative	Cost (£000s)			
	2011/12	2012/13	2013/14	2014/15
SEN Literacy CPD Project	n/a	1,023	1,516	1,524
Sure Start	21,600	22,352	23,342	24,749
Early Years Fund	2,378	2,349	1,699	1,718
Toybox	348	357	356	356
Nurture Units	n/a	52	1,740	1,948
Strategic Development Fund (Area Learning Communities)	n/a	424	890	500
Post Primary –Primary Pilot (Area Learning Communities Expansion Project)	n/a	n/a	n/a	200

- *1 Includes £53,000 to support Easter Schools and £85,000 for Summer Transition Schools.
- *2 Includes costs associated with the sponsorship package.
- *3 Early Years Interim arrangements were in place from Oct 2014 until March 2015 and these were further extended from April 15 until August 2015. This was to avoid losing the momentum of the Early Years pilot until the new Early Years Inclusion Service was available in September 2015.

Mr Lunn asked the Minister of Education whether it is departmental policy that (i) new school buildings for a school with an enrolment of 350 pupils and an annual admission of 50 pupils, should have twelve classrooms; and (ii) such a school should have composite classes.

(AQW 49740/11-16)

Mr O'Dowd:

- (i) The School Building Handbook and associated Schedules of Accommodation are used as the basis for the specification and design of new schools. The Schedule of Accommodation indicates the number of classrooms and other areas of accommodation that a school is entitled to in accordance with its enrolment. For an enrolment of 350 pupils, a school is entitled to 12 classrooms. The Schedules of Accommodation for new primary schools are available on the Department of Education's (DE) website - http://www.deni.gov.uk/bab_-_section_3b_-_schedules_of_accommodation_-_final_web_version_-_16611.pdf
- (ii) DE does not have a policy specific to composite class sizes. The responsibility for determining class sizes sits with each individual School Principal and Board of Governors. Legislation requires primary schools to ensure that class sizes at Foundation (Years 1 and 2) and Key Stage 1 (Years 3 and 4), including composite classes, do not exceed 30 pupils, however the issue of how class sizes are organised is a matter for each school management to decide taking their budget and staffing complement into account.

Mr Lunn asked the Minister of Education for his assessment of whether a school with a long term enrolment of 350 pupils and 50 pupils in each of its seven year groups can (i) be accommodated within twelve classrooms without creating composite classes; and if so (ii) to detail how this can be achieved.

(AQW 49741/11-16)

Mr O'Dowd: The Schedule of Accommodation (SOA) which accompanies the School Building Handbook specifies the number of classrooms and other areas of accommodation that a school is entitled to in accordance with its enrolment. It is for the school to determine how to arrange classes within the accommodation provided. For a school with a long term enrolment of 350 pupils the SOA specifies 12 classrooms.

The responsibility for determining class sizes and pupil/teacher ratios sits with each individual school Principal and Board of Governors. Legislation requires primary schools to ensure that class sizes at Foundation (Years 1 and 2) and Key Stage 1 (Years 3 and 4), including composite classes, do not exceed 30 pupils, however the issue of how class sizes are organised is a matter for each school management to decide taking their budget and staffing complement into account.

Mr Lunn asked the Minister of Education how many primary schools have composite classes of 30 or more pupils; and for each of those schools to detail (i) the name of the school; (ii) the class size; (iii) the key stage groups the classes relate to; and (iv) which classes were established due to the school having an insufficient number of classrooms.

(AQW 49751/11-16)

Mr O'Dowd: There are 66 primary schools that have composite classes of 30 or more pupils in 2014/15. A breakdown of all 85 composite classes with 30 or more pupils is as follows:

School	Year 1-7 enrolments	Foundation stage	Key Stage 1	Key Stage 2
Andrews Memorial Primary School	32		a	a
Annalong Primary School	30			a
Ballycarry Primary School	31		a	a
Ballyclare Primary School	31			a
Ballydown Primary School	30		a	a
Ballydown Primary School	30	a	a	
Birches Primary School	33			a
Bronte Primary School	31			a
Cairncastle Primary School	30	a	a	
Carniny Primary School	30	a		
Carniny Primary School	30		a	a
Clare Primary School	30			a
Clonalig Primary School	32	a		
Derrychrin Primary School	30			a
Derrychrin Primary School	33		a	a
Derrylatinee Primary School	31		a	a
Drumgor Primary School	30			a
Drumrane Primary School	30		a	
Edendork Primary School	30			a
Edendork Primary School	30			a
Fourtowns Primary School	30		a	a
Fourtowns Primary School	30	a	a	
Gibson Primary School	30			a
Glendermott Primary School	30			a
Gorran Primary School	30		a	
Harmony Primary School, Belfast	30	a		
Hezlett Primary School	30			a
Holy Cross Primary School, Kilkeel	30			a
Howard Primary School	33			a
Howard Primary School	31			a
Howard Primary School	32			a
Killylea Primary School	31			a
Knockmore Primary School	30	a	a	
Lead Hill Primary School	32		a	a
Lead Hill Primary School	33			a
Leaney Primary School	31	a	a	
Lislagan Primary School	31			a
Magherafelt Controlled Primary School	30		a	a
Magherafelt Controlled Primary School	30			a
Maguiresbridge Primary School	30		a	a

School	Year 1-7 enrolments	Foundation stage	Key Stage 1	Key Stage 2
Markethill Primary School	32			a
Meadow Bridge Primary School	30		a	
Moat Primary School	30			a
Orchard County Primary School	30	a	a	
Orchard County Primary School	30		a	
Orchard County Primary School	30		a	a
Our Lady Queen of Peace Primary School	32		a	a
Our Lady Queen of Peace Primary School	31			a
Parkhall Primary School	30			a
Portrush Primary School	30			a
Recarson Primary School	32	a		
Rich Mount Primary School	32		a	a
Rich Mount Primary School	30			a
Roan St Patrick's Primary School	31			a
Round Tower Integrated Primary School	30		a	
St Brigid's Primary School, Ballymena	32			a
St Brigid's Primary School, Ballymena	32			a
St Clare's Abbey Primary School, Newry	32		a	a
St Colman's Primary School, Dromore	30	a		
St Columba's Primary School, Clady	31		a	
St Columba's Primary School, Clady	31			a
St Eoghan's Primary School	30		a	a
St Finlough's Primary School, Sistrakeel	33	a	a	
St John's Primary School, Swatragh	30		a	a
St John's Primary School, Swatragh	30		a	
St Joseph's Primary School, Drumquin	31		a	a
St Joseph's Primary School, Dunloy	30	a		
St Joseph's Primary School, Lisnaskea	31		a	
St Malachy's Primary School, Carnagat	31			a
St Mary's Primary School, Aughlisnafin	30	a	a	
St Mary's Primary School, Aughnacloy	31		a	a
St Mary's Primary School, Divis St	31			a
St Mary's Primary School, Draperstown	30		a	a
St Mary's Primary School, Saintfield	30		a	a
St Matthew's Primary School, Limavady	30	a		
St Oliver Plunkett's Primary School, Ballyhegan	31	a	a	
St Oliver Plunkett's Primary School, Ballyhegan	30		a	a
St Patrick's Primary School, Magheralin	34			a
St Patrick's Primary School, Magheralin	30		a	a
St Peter's Primary School, Cloughreagh	30		a	a

School	Year 1-7 enrolments	Foundation stage	Key Stage 1	Key Stage 2
St Peter's Primary School, Collegelands	31		a	a
Strabane Controlled Primary School	30			a
Strabane Controlled Primary School	30		a	a
Towerview Primary School	30		a	a
Windsor Hill Primary School	30			a

The Department does not hold information on the reason for the establishment of a composite class size within a school.

It is a matter for each school's Principal and Board of Governors to decide on individual class sizes, including composite class arrangements, taking account of the school's budget and staffing complement and also the statutory requirement to keep the class size for pupils in Years 1-4 to a maximum of 30 pupils.

Source: NI school census

Notes:

- 8 Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 9 Figures include year 1 - 7 pupils only.
10. Foundation stage refers to years 1 and 2, key stage 1 refers to years 3 and 4 and key stage 2 refers to years 5, 6 and 7.

Mr Lunn asked the Minister of Education whether he will consider development proposals for the provision of additional classroom accommodation at primary schools where there are, or will be, composite classes of 30 or more children solely as a result of an insufficient number of available classrooms.

(AQW 49757/11-16)

Mr O'Dowd: Publication of a Development Proposal (DP) is not the process to be used to provide additional classrooms in order to address accommodation deficiencies at a school.

However, a DP is required to effect a significant change to education provision, such as opening a school, establishing a nursery or learning support unit or increasing the enrolment numbers at a school. While the outworking of these types of proposals may require additional accommodation, approval of a proposal does not automatically entitle a school to additional accommodation. The normal processes must be observed and will be worked through by the Department and the school managing authorities in the context of the available budgets.

The principal and the Board of Governors are responsible for managing and operating the school within my Department's guidelines. Any concerns about class sizes, composite classes or the use of accommodation should be raised directly with them.

Mrs Overend asked the Minister of Education at which key stage the First World War is taught as part of the History curriculum in (i) primary; and (ii) post-primary schools.

(AQW 49764/11-16)

Mr O'Dowd: Teaching about World War I (WWI) is not a statutory requirement in our curriculum. However, there are opportunities for teaching the topic at all Key Stages.

The focus in many schools is likely to be on the Battle of the Somme, the Ulster Regiments, casualties, and memorial and commemoration events.

As in History, there is no statutory requirement for schools to teach about WWI in Local and Global Citizenship at Key Stages 3 and 4. However, schools can explore the causes and consequences of conflict in relation to WWI and the Battle of the Somme. This perspective allows schools to consider how the past impacts on the present and its influence on cultural identity.

Primary and post-primary teachers also have the flexibility to use a thematic approach to teaching about WWI, the Battle of the Somme and the role of soldiers in the British Army. Teachers could, for example, focus on the relationships developed by soldiers from the north and south of Ireland who enlisted in the British Army by exploring this theme and making learning connections between History and other subjects such as English, Local and Global Citizenship, Art and Drama.

Mrs Overend asked the Minister of Education at which key stage the contribution of soldiers from the island of Ireland in the British Army (i) at the Battle of the Somme; and (ii) in the First World War is taught as part of the History curriculum in (a) primary; and (b) post-primary schools.

(AQW 49765/11-16)

Mr O'Dowd: Teaching about World War I (WWI) is not a statutory requirement in our curriculum. However, there are opportunities for teaching the topic at all Key Stages.

The focus in many schools is likely to be on the Battle of the Somme, the Ulster Regiments, casualties, and memorial and commemoration events.

As in History, there is no statutory requirement for schools to teach about WWI in Local and Global Citizenship at Key Stages 3 and 4. However, schools can explore the causes and consequences of conflict in relation to WWI and the Battle of the Somme. This perspective allows schools to consider how the past impacts on the present and its influence on cultural identity.

Primary and post-primary teachers also have the flexibility to use a thematic approach to teaching about WWI, the Battle of the Somme and the role of soldiers in the British Army. Teachers could, for example, focus on the relationships developed by soldiers from the north and south of Ireland who enlisted in the British Army by exploring this theme and making learning connections between History and other subjects such as English, Local and Global Citizenship, Art and Drama.

Mrs Overend asked the Minister of Education at which key stage the contribution of soldiers from the island of Ireland in the British Army (i) at the Battle of the Somme; and (ii) in the First World War is taught as part of (a) Local and Global Citizenship; and (b) other cross curricula themes in both primary; and post-primary schools.

(AQW 49766/11-16)

Mr O'Dowd: Teaching about World War I (WWI) is not a statutory requirement in our curriculum. However, there are opportunities for teaching the topic at all Key Stages.

The focus in many schools is likely to be on the Battle of the Somme, the Ulster Regiments, casualties, and memorial and commemoration events.

As in History, there is no statutory requirement for schools to teach about WWI in Local and Global Citizenship at Key Stages 3 and 4. However, schools can explore the causes and consequences of conflict in relation to WWI and the Battle of the Somme. This perspective allows schools to consider how the past impacts on the present and its influence on cultural identity.

Primary and post-primary teachers also have the flexibility to use a thematic approach to teaching about WWI, the Battle of the Somme and the role of soldiers in the British Army. Teachers could, for example, focus on the relationships developed by soldiers from the north and south of Ireland who enlisted in the British Army by exploring this theme and making learning connections between History and other subjects such as English, Local and Global Citizenship, Art and Drama.

Mr Campbell asked the Minister of Education to detail the number of post-primary teaching staff that undertook their Post Graduate Certificate in Education (Further Education) while not employed as a teacher in an Institute of Further Education prior to May 2015.

(AQW 49774/11-16)

Mr O'Dowd: The General Teaching Council (GTC) is responsible for approving the qualifications required in order to register to teach here. The GTC has, in exceptional circumstances, registered 17 people who completed the Post Graduate Certificate in Education (Further Education) while not employed in an Institute of Further Education. Of the 17 people currently registered, one has a permanent teaching post and 3 have temporary posts.

Mr Easton asked the Minister of Education how many (i) pupils attend Bangor Academy and Sixth Form College; and (ii) places can the school accommodate.

(AQW 49776/11-16)

Mr O'Dowd: In 2014/15, 1,448 pupils were enrolled in Bangor Academy and Sixth Form College. Its approved enrolment is 1,420.

Source: NI school census

Notes:

- Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Easton asked the Minister of Education how many (i) pupils attend Bangor Grammar School; and (ii) places can the school accommodate.

(AQW 49779/11-16)

Mr O'Dowd: In 2014/15, 875 pupils were enrolled in Bangor Grammar School. Its approved enrolment is 850.

Source: NI school census

Notes:

- Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Allister asked the Minister of Education how many Irish-medium sector schools have a capacity of less than 100 pupils. (AQW 49791/11-16)

Mr O'Dowd: Out of 30 Irish medium schools (28 primary and 2 post-primary), 12 have approved enrolments of fewer than 100 pupils (11 primary and 1 post-primary).

Source: DE schools access approved enrolments

Notes:

13. Figures relate to approved enrolments in the 2015/16 academic year.
14. Figures only include Irish medium schools; they do not include schools with Irish medium units. This is because approved enrolments data is only available at an individual school level.

Mr Weir asked the Minister of Education how many partnerships were given letters of offer under the Shared Education Signature Project.

(AQW 49793/11-16)

Mr O'Dowd: To date 34 partnerships have been issued with their letters of offer under the Shared Education Signature Project.

Further partnerships who have applied will be issued with their letters of offer shortly.

Mr Weir asked the Minister of Education, pursuant to AQW 49165/11-16, whether the requirement that funding is dependant on the return of Key Stage 3 data is a requirement insisted on by his Department or the Education Authority.

(AQW 49794/11-16)

Mr O'Dowd: Use of Key Stage data was a requirement in the business case approved by DFP and agreed by the joint funders. As operational delivery falls to EA, they are responsible for implementing this requirement.

The use of Key Stage data is in line the Education Committee's recommendation in their report on Shared and Integrated Education which was endorsed by the Assembly "...that the Department should give consideration to a wide range of agreed, objective impact measures for Shared Education based on educational improvement in the first instance and societal reconciliation progress in the second".

The statutory assessment arrangements offer a common framework for the assessment of core skills across the school system, and are the only adequate means of reporting attainment against the cross-curricular skills as key educational outcomes defined in the curriculum.

Mr Moutray asked the Minister of Education to detail the percentage of pupils receiving grades A*-C in (i) GCSE Maths; and (ii) GCSE English in (a) each of the last two years; and (b) broken down by each respective post-primary school, in the Southern region of the Education Authority.

(AQW 49808/11-16)

Mr O'Dowd: No single measurement can constitute a fair or accurate evaluation of a school, but should be considered in the context of other information about a school and its pupils; these data in the table below should be interpreted in that light.

Year 12 pupils achieving grades A*-C in GCSE English and GCSE maths, 2012/13 and 2013/14

School Name	% year 12 pupils achieving GCSE English grades A*-C		% year 12 pupils achieving GCSE maths grades A*-C	
	2012/13	2013/14	2012/13	2013/14
Abbey Christian Brothers Grammar School	95.6	95.6	95.6	97.8
Aughnacloy High School	70.8	52.8	70.8	52.8
Banbridge Academy	98.5	99.0	98.5	99.0
Banbridge High School	54.8	52.5	46.0	35.3
Brownlow Integrated College	38.3	53.1	23.4	43.8
City Armagh High School	29.0	46.9	33.9	36.7
Cookstown High School	62.1	52.2	62.7	51.6
Craigavon Senior High School	38.4	42.3	60.7	49.9
Dromore High School	74.8	64.1	56.0	49.7
Drumcree College	*	41.7	42.3	56.3

School Name	% year 12 pupils achieving GCSE English grades A*-C		% year 12 pupils achieving GCSE maths grades A*-C	
	2012/13	2013/14	2012/13	2013/14
Drumglass High School	34.2	36.9	51.9	50.8
Fivemiletown College	56.9	45.8	59.7	57.8
Holy Trinity College	42.2	48.0	45.1	63.5
Integrated College Dungannon	38.6	51.2	45.8	45.2
Kilkeel High School	68.5	61.5	64.6	55.6
Lismore Comprehensive School	57.4	65.4	46.3	32.7
Lurgan College	100.0	97.4	96.6	94.0
Markethill High School	42.7	67.7	64.1	69.7
New-Bridge Integrated College	57.3	50.0	56.2	55.8
Newry High School	45.9	41.0	47.3	45.8
Newtownhamilton High School	54.1	68.9	48.6	64.4
Our Lady's Grammar School	96.1	99.2	96.1	94.9
Portadown College	98.0	98.0	96.6	95.1
Rathfriland High School	77.8	67.3	68.3	60.0
Sacred Heart Grammar School	98.3	99.2	95.9	99.2
St Brigid's High School	39.0	42.1	14.6	34.2
St Catherine's College	84.4	90.0	61.3	72.4
St Ciaran's High School	58.7	57.2	52.4	64.5
St Colman's College	97.0	98.4	95.6	96.1
St Columban's College	36.4	57.1	38.2	53.1
St Joseph's Boys' High School	32.1	33.3	38.5	37.0
St Joseph's College	30.9	34.7	24.5	31.9
St Joseph's Grammar School	93.4	91.5	97.4	89.0
St Joseph's High School	50.4	63.2	39.0	45.3
St Louis Grammar School	94.0	100.0	92.9	97.6
St Mark's High School	51.6	65.0	57.4	67.5
St Mary's High School, Lurgan	34.8	52.3	26.1	67.7
St Mary's High School, Newry	65.6	65.6	50.0	48.4
St Michael's Grammar	97.2	92.4	96.5	96.6
St Patrick's Academy	92.5	91.5	94.0	98.5
St Patrick's College, Banbridge	59.3	52.9	56.8	50.0
St Patrick's College, Dungannon	34.5	45.5	34.5	41.6
St Patrick's Grammar School	94.0	93.3	94.8	95.0
St Patrick's High School	75.0	85.8	72.0	76.1
St Paul's High School	41.8	66.4	55.8	60.1
St Paul's Junior High School	*	14.6	33.3	*
The Royal School Armagh	92.7	94.0	93.6	90.0
The Royal School Dungannon	93.0	90.7	99.0	92.8

Sources: RM Education, Annual School Census

Notes:

- 1 ** denotes fewer than 5 pupils
- 2 Data do not include equivalent qualifications

Mr Moutray asked the Minister of Education to detail the percentage of pupils leaving school with less than five GCSEs grades A*-C in (a) each of the last four years; and (b) broken down by each respective post-primary school, in the Southern region of the Education Authority.

(AQW 49812/11-16)

Mr O'Dowd: The information presented in the table below is sourced from the School Leavers Survey which collects the qualifications and destinations of all pupils leaving the grant-aided mainstream school system. While these data provide an accurate measurement at overall system level they cannot be interpreted as a reflection of individual school performance as they only include pupils at the point of leaving the school system. Therefore the attainment of pupils who transfer to another school after year 10 or year 12 to continue their education will not be included in the data until the point at which they leave the school system, when they will be included in the data for the school from which they leave. This has particular implications for data covering Junior High Schools and schools without a post-16 provision.

In addition, no single measurement can constitute a fair or accurate evaluation of a school, but should be considered in the context of other information about a school and its pupils; these data should be interpreted in that light.

Percentage of school leavers attending schools in the Southern region of the Education Authority not achieving 5 GCSEs A*-C (or equivalent) 2010/11 to 2013/14

	2010/11	2011/12	2012/13	2013/14
Abbey Christian Brothers Grammar School	*	7.4	*	*
Aughnacloy High School	28.6	48.5	0.0	32.4
Banbridge Academy	*	*	*	0.0
Banbridge High School	72.7	44.5	30.6	43.3
Brownlow Int College	45.5	43.7	62.6	45.3
City Armagh High School	56.3	44.0	47.3	59.2
Clounagh Junior High School	100.0	100.0	100.0	*
Cookstown High School	34.5	34.0	31.5	39.1
Craigavon Senior High School	51.1	64.9	43.1	57.0
Dromore High School	55.8	25.3	27.6	41.1
Drumcree College	58.3	53.1	46.9	33.3
Drumglass High School	31.9	34.2	35.3	45.8
Fivemiletown College	22.0	9.3	19.2	30.7
Holy Trinity College	9.4	10.3	10.4	25.0
Integrated College Dungannon	45.5	33.3	29.1	37.3
Kilkeel High School	19.3	34.8	23.2	34.7
Lismore Comprehensive School	29.5	27.5	37.9	30.2
Lurgan College	*	*	*	0.0
Markethill High School	24.0	20.6	23.3	33.3
New-Bridge Integrated College	21.8	25.3	21.0	33.7
Newry High School	33.0	34.7	40.6	43.0
Newtownhamilton High School	24.3	*	28.6	32.4
Our Lady's Grammar School	*	*	0.0	*
Portadown College	*	*	*	0.0
Rathfriland High School	19.6	20.0	*	44.7
Sacred Heart Grammar School	*	*	*	0.0
St Brigid's High School	73.8	75.0	86.2	71.4

	2010/11	2011/12	2012/13	2013/14
St Catherine's College	12.8	9.9	7.6	14.1
St Ciaran's High School	24.6	29.4	22.4	23.4
St Colman's College	3.2	3.8	*	*
St Columban's College	78.9	71.7	63.4	55.9
St Joseph's Boys' High School	45.6	47.4	40.0	61.4
St Joseph's College	89.1	75.6	77.8	85.7
St Joseph's Grammar School	0.0	0.0	0.0	0.0
St Joseph's High School	28.4	24.0	25.3	34.6
St Louis Grammar School	0.0	*	*	0.0
St Mark's High School	32.8	18.3	22.2	28.8
St Mary's High School, Lurgan	78.6	73.0	59.6	46.9
St Mary's High School, Newry	36.6	27.2	17.8	24.4
St Michael's Grammar	7.7	*	*	4.2
St Patrick's Academy	*	*	*	*
St Patrick's College, Banbridge	55.1	41.8	34.8	45.9
St Patrick's College, Dungannon	50.0	42.2	51.8	39.1
St Patrick's Grammar School	8.1	*	8.1	5.1
St Patrick's High School	16.4	17.8	9.1	13.6
St Paul's High School	27.8	26.7	25.9	25.0
St Paul's Junior High School	81.8	64.2	45.2	46.7
Tandragee Junior High School	*	100.0	*	100.0
The Royal School Armagh	6.1	*	*	*
The Royal School Dungannon	5.2	4.2	*	*

Source: School Leavers Survey

Notes:

- 1 ** denotes fewer than 5 pupils
- 2 Caution should be exercised when interpreting School Leavers Data at individual school level to avoid drawing unwarranted conclusions as GCSE achievements of pupils who transfer between schools are attributed to the final school which may not reflect where the results were obtained.

Mr Moutray asked the Minister of Education to outline what actions his Department is taking to raise awareness of Anti-Bullying Week 2015.

(AQW 49814/11-16)

Mr O'Dowd: My Department funds the local Anti-Bullying Forum (NIABF) to raise awareness of bullying and provide a range of practical support, resources and guidance to schools, parents and pupils. One of its key awareness raising activities is the annual Anti-Bullying Week (ABW).

ABW 15 will run from 16 to 20 November with a formal launch to be held at the RADAR Centre, Belfast on 18 November. I have accepted an invitation to open this event.

The theme for this year is "What Bullying Means To Me." and will focus on the definition and understanding of bullying in all its forms. This theme reflects one of the proposals in my new Addressing Bullying in Schools Bill – the provision of a legal definition of bullying.

A key part of ABW is an anti-bullying competition where pupils are invited to submit artwork, creative writing or short videos to share their own experience and understanding of bullying. Last year the competition attracted over 4,000 entries and NIABF are hoping to double that level of participation in 2015.

The Forum has been raising awareness for ABW 15 in a variety of ways:

- Distribution of posters to the 800 schools who have registered for ABW, with a note urging them to get involved through the NIABF website.
- Translink are helping to fund the bus advertising and radio campaigns, displaying ABW 15 posters at bus and rail stations and providing transport for young people to attend the launch event.
- ABW 15 posters have been sent to all libraries (approx 100) and health centres (approx 350).
- ABW 15 posters have been sent to all MLAs, MPs, MEPs, Lord Mayors and Council Chairs for display on constituency offices and advice centres.
- ABW 15 posters, including an Irish language version, are available to download from the NIABF website.

ABW will also be used to remind schools of the importance of regularly reviewing and updating their anti-bullying policies to take account of emerging problems and of the need for pupils and their parents to be actively involved in this process.

Mr Easton asked the Minister of Education to detail (i) the number of pupils currently attending St Columbanus College; and (ii) the number of places the school can accommodate.

(AQW 49853/11-16)

Mr O'Dowd: In 2014/15, 593 pupils were enrolled in St Columbanus College. Its approved enrolment is 500.

Source: NI school census

Notes:

15. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Easton asked the Minister of Education to detail (i) the number of pupils currently attending Priory College, Holywood; and (ii) the number of places the school can accommodate.

(AQW 49855/11-16)

Mr O'Dowd: In 2014/15, 549 pupils were enrolled in Priory College, Holywood. Its approved enrolment is 500.

Source: NI school census

Notes:

16. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Easton asked the Minister of Education to detail (i) the number of pupils currently attending Bangor Central Primary School; and (ii) the number of places the school can accommodate.

(AQW 49857/11-16)

Mr O'Dowd: In 2014/15, 602 pupils were enrolled in Bangor Central Primary School. Its approved enrolment is 618.

Source: NI school census

Notes:

17. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Easton asked the Minister of Education to detail (i) the number of pupils currently attending Sullivan Upper School, Holywood; and (ii) the number of places the school can accommodate.

(AQW 49859/11-16)

Mr O'Dowd: In 2014/15, 1,077 pupils were enrolled in Sullivan Upper School, Holywood. Its approved enrolment is 1,060.

Source: NI school census

Notes:

18. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Easton asked the Minister of Education for an update on a new school build for St Columbanus College.

(AQW 49864/11-16)

Mr O'Dowd: On 18 February 2015 I approved a Development Proposal to increase the approved enrolment at St Columbanus College from 500 to 750 on a phased basis by 2025. This permitted the school to increase its admissions number from 90 to 115 pupils with effect from 31 August 2015, or as soon as possible thereafter. I understand that any outstanding area planning

issues have now been resolved which will enable the school to be considered alongside other priorities, as part of any future capital announcement. The timing of any future announcement will be dependent on the capital budget available to Education in the next budget cycle (April 2016 onwards).

Mr Weir asked the Minister of Education to detail (i) the budget allocated for the Shared Education Signature Project since its inception; and (ii) how much of the budget has been spent.
(AQW 49868/11-16)

Mr O'Dowd:

- (i) The budget allocated for the Shared Education Signature Project until June 2018 is £25 million, £85,000 was allocated in 2014/15 financial year and £3.4 million has been allocated to the 2015/16 financial year.
- (ii) The actual spend up to the end of the first quarter of the 2015/16 financial year is £302,000.

Mr B McCrea asked the Minister of Education to detail how many pupils were enrolled in Loughshore Educational Resource Centre in each of the last 3 years, broken down by month.
(AQW 49872/11-16)

Mr O'Dowd: Data on enrolments in EOTAS centres has only been collected for the first time in October 2015 as part of the Annual School Census. There are 64 pupils currently enrolled at Loughshore Educational Resource Centre according to this return.

Mr B McCrea asked the Minister of Education whether his Department provides any funding for community programmes administered by Belfast Community Circus.
(AQW 49873/11-16)

Mr O'Dowd: The Youth Council have confirmed that Belfast Community Circus received funding of £6,395 for the year 2015-16, the funding has been allocated under the heading of salaries.

Mr Allister asked the Minister of Education to detail the (i) average time; and (ii) longest time taken by his Department to respond to a Freedom of Information request since 2012.
(AQW 49877/11-16)

Mr O'Dowd: From January 2012 to the end of September 2015, 761 requests for information under the Freedom of Information Act (2000) have been received by my Department.

The average time taken by my officials to respond to a Freedom of Information request is 14 days. The longest time is 55 days.

Mr Ó Muilleoir asked the Minister of Education for an update on plans to locate a new library and special educational needs room at Holy Rosary Primary School in South Belfast.
(AQW 49889/11-16)

Mr O'Dowd: A minor works application requesting the provision of additional accommodation to meet Special Educational Needs (SEN) and Library requirements has been scoped by the Education Authority.

The scoping report provided two options which are currently under consideration. The Department intends to meet with the school authorities, a representative from the Council for Catholic Maintained Schools (CCMS) and the Education Authority to discuss the best way forward to address the accommodation issues at this school.

Mr Easton asked the Minister of Education to detail (i) the number of pupils currently attending Holywood Primary School; and (ii) the number of places the school can accommodate.
(AQW 49891/11-16)

Mr O'Dowd: In 2014/15, 419 pupils were enrolled in Holywood Primary School. Its approved enrolment is 523.

Source: NI school census

Notes:

- 19. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

Mr Easton asked the Minister of Education to detail the budget for the current financial year for Clifton Special School, Bangor.
(AQW 49896/11-16)

Mr O'Dowd: Special schools do not receive budget allocations directly from the Department. Their budgets are determined and allocated by the Education Authority.

The Education Authority has confirmed that under Article 60 Clifton Special School has been delegated a budget of £100,418 for the current financial year.

All staffing costs, (including sick and maternity absence) school rates and maintenance costs are met directly by the Authority from a non-delegated budget.

Mr Weir asked the Minister of Education to detail (i) any new post-primary school built; (ii) any existing post-primary school with a new build in the last five years; and in each case (iii) the current enrolment figures for Years 8 to 12.

(AQW 49899/11-16)

Mr O'Dowd: The following table details the post primary schools included in the Departments Major Capital Programme over the last five years together with current enrolment figures for Years 8 to 12. The schools marked with an asterisk are those where the new build will accommodate an amalgamation of two or more schools.

Year Announced	Name of School	Enrolment Yrs 8 - 12, Academic year 2014/15	Current Status of the Project
2010	Bangor Grammar School	660	Complete
2010	Strathearn Grammar School	570	Complete
2012	Colasite Feirste, Belfast	452	Design stage
2012	Foyle College, Derry	623	On site
2013	Holy Trinity College, Cookstown	803	Business case stage
2013	St Patrick's Academy, Dungannon	988	Tender stage
2013	Portora Royal/Collegiate, Enniskillen *	369 / 362	Feasibility stage
2013	St Ronan's College, Lurgan *	1,070	Design stage
2013	Devenish College, Lisnaskea, Enniskillen	420	Tender stage
2013	Parkhall Integrated College, Antrim	667	On site
2013	Strabane Academy	466	Design stage
2013	Down High School	653	Design stage
2014	Breda Academy *	851	Design stage
2014	St Joseph's High School, Crossmaglen	481	Feasibility stage
2014	Abbey Community College, Newtownabbey *	614	Business case stage
2014	St Killian's College, Carnlough	665	Feasibility stage
2014	Dunclug High School, Ballymena	691	Business case stage
2014	Methodist College, Belfast	1,252	Design stage
2014	Lismore Comprehensive, Craigavon	948	Business case stage
2014	Cullybackey High School	552	Business case stage

Source of enrolment figures: NI school census

Notes:

- Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on 9 October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- Schools marked with an asterisk are those that have amalgamated in the 2015/16 academic year (other than Portora Royal School and Collegiate Grammar School that, to date, have not amalgamated). Enrolments refer to the combined enrolments of schools in 2014/15.

Mr Weir asked the Minister of Education to detail the current enrolment figures for (i) any new primary school opened; and (ii) any existing primary school with a new build in the last five years.

(AQW 49900/11-16)

Mr O'Dowd:

(i) Any new primary school opened

Year Opened	Name of School	Enrolment Academic year 2014/15	Status
2010/11	Gaelscoil an tSeanchaí	103	New school
2010/11	St John The Baptist Primary School, Belfast	415	Amalgamation
2011/12	Gaelscoil Leim an Mhadaidh	53	Previously an independent school
2011/12	Our Lady and St Patrick Primary School	433	Amalgamation
2011/12	Gaelscoil Aodha Rua	67	New school
2011/12	St Macartan's Primary School, Roslea	123	Amalgamation
2012/13	Gaelscoil NeAchtain	77	New school
2012/13	Ardstraw Jubilee Primary School	89	Amalgamation
2012/13	Gaelscoil Eoghain	67	New school
2012/13	Holy Family Primary School, Omagh	397	Amalgamation
2012/13	St Mary's Primary School, Strabane	702	Amalgamation
2012/13	Gaelscoil Na mBeann	40	Previously an independent school
2013/14	John Paul II PS	262	Amalgamation
2013/14	St Patrick's PS, Belfast	520	Amalgamation
2014/15	St Catherine's PS	475	Amalgamation
2014/15	St Clare's Abbey PS, Newry	500	Amalgamation

(ii) Any existing primary school with a new build in the last five years

Year Announced	Name of School	Enrolment Academic year 2014/15	Current Status of the Project
2010	Carrick PS, Warrenpoint	409	Complete
2010	St Macartans PS, Roslea	123	Complete
2010	Dromintee PS, Newry	182	Complete
2010	Magherafelt Controlled PS	254	Complete
2010	Scoil na Fuisgeoige PS, Twinbrook	125	Complete
2010	St Colman's, Lambeg	393	Complete
2010	St Columba's PS, Draperstown	161	Complete
2010	St Joseph's PS, Madden	127	Complete
2010	St Mary's PS, Newcastle	373	Complete
2010	St Oliver Plunket PS, Forkhill	141	Complete
2010	Taughmonagh PS, Belfast	233	Complete
2012	Tannaghmore PS, Lurgan	633	On site
2012	Bunscoil Bheann Mhadagain, Belfast	142	On site
2012	St Theresa's PS, Lurgan	172	On site
2012	Victoria Park PS, Belfast	335	Complete
2012	St Joseph's Convent PS, Newry	489	On site

Year Announced	Name of School	Enrolment Academic year 2014/15	Current Status of the Project
2012	St Clare's Convent and St Colman's Abbey PS, Newry	500	On site
2012	St Mary's PS, Banbridge	476	Tender stage
2012	Eglinton PS, Derry	214	Complete
2012	Dromore Central PS, Co Down	700	On site
2012	Ebrington Controlled PS, Derry	424	On site
2012	Enniskillen Model PS	433	Design stage
2013	St Joseph's and St James PS, Poyntzpass	127	Business Case stage
2013	Gaelscoil Ui Dhochartaigh, Strabane	160	Business Case stage
2013	Gaelscoil Ui Neill	189	Design stage
2013	St Bronagh's PS, Rostrevor	173	Tender stage
2013	St Mary's PS /Glenravel PS, Ballymena	67 / 160	Design stage
2013	Omagh Integrated PS	371	Tender stage
2013	Braidside Integrated PS, Ballymena	349	Design stage
2013	Portadown Integrated PS	289	Business Case stage
2013	Tamnaherin PS, Derry3	114	Design stage
2013	Corran Integrated PS, Larne	194	Design stage
2013	Edendork PS, Dungannon	301	Business Case stage
2013	Elmgrove PS, Belfast	560	Business Case stage
2013	Glenwood PS, Belfast	513	Business Case stage
2014	Drumlins PS, Ballynahinch	171	Design stage
2014	Scoil an Droichid, Belfast	154	Design stage
2014	Holy Evangelist's PS, Twinbrook2	593	Design stage
2014	Gaelscoil na gCrann, Omagh	131	Design stage
2014	St Patrick's PS, Belfast	520	Design stage
2014	Woodburn PS, Carrickfergus	190	Design stage
2014	Iveagh PS, Rathfriland	240	Business Case stage
2014	Roe Valley Integrated PS, Limavady	162	Feasibility stage

Source for enrolment data: NI school census

Notes:

- 1 Figures for primary includes nursery, reception and year 1 - 7 classes.
- 2 Holy Evangelist PS, Twinbrook amalgamated St Mark's and St Lukes PS's in 2015. The 2014/15 enrolments related to the combined enrolments of its original schools
- 3 Tamnaherin PS, Derry is a planned amalgamation of Mullabuoy and Listress PS's. The 2014/15 enrolments relate to the combined enrolments of these schools.

Mr Weir asked the Minister of Education to detail how many primary schools currently have (i) less than 75 pupils; (ii) less than 50 pupils; and (iii) less than 23 pupils currently enrolled.

(AQW 49903/11-16)

Mr O'Dowd: In 2014/15, there are:

- (i) 160 primary schools with fewer than 75 pupils enrolled;
- (ii) 76 primary schools with fewer than 50 pupils enrolled;

(iii) 12 primary schools with fewer than 23 pupils enrolled.

Source: NI school census

Notes:

22. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.

23. Figures for primary includes nursery, reception and year 1 - 7 classes.

Mr Weir asked the Minister of Education what consideration he has given to schools that have received extra pupils after the census day assessment of pupil numbers, to either apportion the pupil premium according to the portion of the year that they will attend that school, or provide some additional resource to the school taking in additional pupils.

(AQW 49925/11-16)

Mr O'Dowd: As detailed in the Common Funding Scheme available at, (<https://www.deni.gov.uk/articles/common-funding>) schools are funded using a range of measures, and pupil count arrangements are detailed at Annex B of the Scheme. The school's Funding Authority verifies the data for funding purposes, including pupils enrolled and identified additional needs.

Part 6 of the Scheme outlines Resources held at centre, including provision for in-year growth in pupil numbers. Each Funding Authority can use Contingency funding to support schools in meeting significant and unavoidable additional costs arising from changes in-year to their pupil enrolments.

The existence of the contingency fund for exceptional cost demands does not absolve schools from their obligation to meet less severe eventualities by prudent management of their delegated budgets. The Funding Authority will take into account the individual circumstances of the school, and its responsibilities to other schools in its area, in determining allocations from Contingency.

Schools are not funded for 'pupil premium'. The funding formula for our schools include specific funding to reflect social deprivation and educational need, alongside funding for the identified needs of children from the Traveller Community, Newcomer, Looked After and children from the families of service personnel. In determining any in-year funding support for schools for pupil changes, Funding Authorities will give sympathetic consideration to funding adjustments, other than core Age Weighted Pupil Unit funding; in particular where intakes involve identified need children or where significant numbers of pupils are assessed as being socially deprived.

Mr Weir asked the Minister of Education to detail the pupil numbers for each (i) primary; and (ii) post-primary school in North Down, in each of the last five years.

(AQW 49926/11-16)

Mr O'Dowd: Enrolments of schools in North Down over the last five years are as follows:

Primary

School name	2010/11	2011/12	2012/13	2013/14	2014/15
Ballyholme Primary School	593	618	627	625	627
Ballymagee Primary School	409	405	404	403	437
Ballyvester Primary School	68	85	97	109	113
Bangor Central Integrated Primary School	572	577	604	604	602
Bloomfield Primary School	332	371	394	422	434
Clandeboye Primary School	132	149	181	211	250
Connor House Prep School	85	n/a	n/a	n/a	n/a
Crawfordsburn Primary School	219	232	212	216	220
Donaghadee Primary School	418	429	431	449	447
Glencraig Integrated Primary School	226	219	221	221	211
Glenlola Collegiate Prep Dept	83	54	62	67	65
Grange Park Primary School	363	364	394	402	406
Hollywood Primary School	324	306	340	363	419
Kilcooley Primary School	144	145	165	165	175
Kilmaine Primary School	670	667	670	668	668
Millisle Primary School	172	172	190	202	215

School name	2010/11	2011/12	2012/13	2013/14	2014/15
Rathmore Primary School	551	575	598	595	612
Redburn Primary School	76	66	n/a	n/a	n/a
St Anne's Primary School, Donaghadee	31	33	46	53	49
St Comgall's Primary School, Bangor	290	287	302	298	297
St Malachy's Primary School, Bangor	330	346	351	369	398
St Patrick's Primary School, Holywood	217	226	249	259	272
Sullivan Upper School, Prep Dept	184	188	180	180	191
Towerview Primary School	369	389	391	404	399

Post-primary

School name	2010/11	2011/12	2012/13	2013/14	2014/15
Bangor Academy and 6th Form College	1412	1434	1466	1464	1448
Bangor Grammar School	901	880	864	858	875
Glenlola Collegiate	1073	1077	1069	1065	1060
Priory College	481	509	492	500	549
St Columbanus' College	558	597	608	601	593
Sullivan Upper School	1070	1071	1080	1076	1077

Source: NI school census

Notes:

24. Figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
25. Figures for primary includes nursery, reception and year 1 - 7 classes.

Mr Weir asked the Minister of Education to detail the current maximum pupil enrolment cap for each (i) primary; and (ii) post-primary school in North Down.

(AQW 49927/11-16)

Mr O'Dowd: The requested information is provided in the table below:

School Name	School Type	Approved Enrolment number
Ballyvester Primary School	Primary	109
Holywood Primary School	Primary	523
Crawfordsburn Primary School	Primary	221
Ballyholme Primary School	Primary	630
Donaghadee Primary School	Primary	466
Clandeboy Primary School	Primary	406
Millisle Primary School	Primary	225
Bloomfield Primary School	Primary	408
Grange Park Primary School	Primary	402
Kilcooley Primary School	Primary	205

School Name	School Type	Approved Enrolment number
Rathmore Primary School	Primary	560
Towerview Primary School	Primary	334
Kilmaine Primary School	Primary	610
Ballymagee Primary School	Primary	406
St Patrick's Primary School, Holywood	Primary	316
St Anne's Primary School, Donaghadee	Primary	76
St Comgall's Primary School, Bangor	Primary	290
St Malachy's Primary School, Bangor	Primary	437
Bangor Central Integrated Primary School	Primary	618
Glencraig Integrated Primary School	Primary	252
Bangor Academy and 6th Form College	Post-Primary	1420
St Columbanus' College	Post-Primary	525
Priory College	Post-Primary	500
Glenlola Collegiate	Post-Primary	1100
Bangor Grammar School	Post-Primary	850
Sullivan Upper School	Post-Primary	1060

Mr Dallat asked the Minister of Education to detail (i) the total number of cases of cheating that have taken place by (a) pupils; and (b) teachers in the public examinations process; and (ii) the extent of disciplinary action taken against offenders.
(AQW 49938/11-16)

Mr O'Dowd: The information contained in this response has been provided to me by the CCEA Regulator and is drawn from the Statistical Release published by Ofqual on behalf of the three qualifications regulators in December 2014 (Ofqual/14/5572). The Ofqual release presents the data on reported malpractice for England, Wales and the north of Ireland. Details relating to the north of Ireland are summarised below.

There were 54 penalties issued to candidates in the summer 2014 exam series, compared with 42 in summer 2013, a 29 per cent increase. These penalties ranged from a candidate being disqualified from all qualifications offered by an awarding organisation, to loss of marks for a qualification or a warning.

There were 3 penalties issued to school/ college staff in the summer 2014 exam series. These were all written warnings. This is down from 2013 when there were 8.

One penalty, also a written warning, was issued to a centre in the summer 2014 exam series. This is down from 2 in summer 2013.

The comparisons made across 2013 and 2014 are in the context of a 2% increase in entries from summer 2013 to 2014.

Data on the summer 2015 series will be published in December 2015.

Mr McGlone asked the Minister of Education for an update on the planned new playground for St Patrick's Primary School, Ardboe.
(AQW 49939/11-16)

Mr O'Dowd: The Department does not have a Capital Minor Works Application for a new playground at St Patrick's Primary School, Ardboe. A Minor Works Application from the School for fencing around the playground area was received by my Department and forwarded to Central Procurement Directorate (CPD) for scoping and estimate of costs.

Approval has been given to CPD to commence the necessary works which will be completed this financial year.

Mr Easton asked the Minister of Education to detail the number of Catholic Maintained local primary schools.
(AQW 49956/11-16)

Mr O'Dowd: In 2015/16, there are 374 Catholic Maintained primary schools. This includes one Irish medium school.

Source: NI school census

Mr Easton asked the Minister of Education to detail the number of Controlled local primary schools.
(AQW 49957/11-16)

Mr O'Dowd: In 2015/16, there are 390 Controlled schools. This includes two Irish medium schools and 20 controlled integrated primary schools.

Source: NI school census

Lord Morrow asked the Minister of Education whether (i) he has given any consideration to the introduction of defibrillators in schools, particularly post-primary schools where more emphasis is placed on both curricular and extra-curricular sports; and (ii) he will discuss an inter-departmental strategy on this matter with the Minister for Culture, Arts and Leisure.
(AQW 49961/11-16)

Mr O'Dowd:

- (i) There is no legislative requirement for schools to have a defibrillator. A defibrillator is an optional addition to first aid provision in schools and should be considered in the context of the school's first aid risk assessment. The decision to acquire a defibrillator and train staff in its use is therefore a matter for each school. Guidance has been developed and provided to schools that have or are considering purchasing a defibrillator. A number of schools have now installed defibrillators and trained their staff.
- (ii) I do not have any plans to discuss an inter-departmental strategy on the introduction of defibrillators in schools with the Minister for Culture, Arts and Leisure. DE and DCAL were among the partners involved in the development of the Community Resuscitation Strategy, published by DHSSPS in July 2014. One of the objectives of the Strategy is to improve the availability of, and access to, the automated external defibrillator. My Department and the Education Authority will continue to support schools that have or are considering purchasing a defibrillator which will contribute to this objective.

Mr Weir asked the Minister of Education to detail which schools in North Down will receive assistance from the £9m reallocation for furniture and minor works.
(AQW 49963/11-16)

Mr O'Dowd: The recent additional £9m allocation of funding is for school maintenance. This funding is from the recurrent budget and is therefore unable to be used for minor works, which requires capital funding. It will be for the Education Authority to prioritise its revised maintenance budget across Controlled and Maintained schools. During 2015/16 priority is being given to inescapable maintenance commitments, such as health and safety, and obligations under the Disability Discrimination Act. A further £1m has been allocated separately for Furniture & Equipment to deal with inescapable in year pressures.

Ms Sugden asked the Minister of Education (i) for an update on his Department's proposed Pathways Fund from April 2016; (ii) what correspondence he has had with Early Years funded groups regarding the proposed Pathways Fund; and (iii) whether the fund will provide services for children up to three years of age.
(AQW 49980/11-16)

Mr O'Dowd: The Pathway Fund will be introduced from April 2016. Procurement for the Fund Administrator is underway with Central Procurement Directorate (CPD) DFP, which is a Centre of Procurement Expertise (CoPE).

The aim is to engage the Fund Administrator from December 2015 to allow sufficient time for development of the Fund so that it becomes fully operational with awards made from 1 April 2016. This will allow for the seamless closure of the Early Years Fund in its current form.

In order that the inequity of the current Early Years Fund is not perpetuated, the Pathway Fund will be open to all providers of Early Years education (aged 0-4) to apply.

The criteria for funding are currently being developed and they will align with DE's strategic objectives, with the aim of ensuring that high quality provision can be supported in areas of greater disadvantage.

Officials wrote to current Early Years Fund recipients in July 2015 to advise them of the creation of the Pathway Fund.

Department for Employment and Learning

Ms Sugden asked the Minister for Employment and Learning whether his Department has given any consideration to extending Special Educational Needs Statements to 21 years of age for young people that require a longer period of time to achieve their education goals.
(AQW 49224/11-16)

Dr Farry (The Minister for Employment and Learning): My Department first became aware of this matter when the Committee for Education expressed a desire to extend a young person's statement into Further Education (FE) and Higher Education (HE) in June 2012.

As a result, officials from FE and HE Divisions met with Department of Education (DE) officials in October 2012 to discuss existing provision for young people with disabilities in FE and HE, and explore whether or not there would be merit in considering the extension of Special Educational Needs (SEN) statements up to and including age 24.

Following informal discussions with the FE and HE sectors, both indicated that they did not consider the extension of SEN statements up to and including the age of 24 to be of any added educational benefit to students. It was also considered that statements flowing from schools were unlikely to reflect an individual's support needs as they move into adulthood and into an FE or HE environment. It was considered that the existing assessment procedures in place for both FE and HE are more appropriate and reflective of the needs, provision and support available to students enrolling in FE or HE courses. This additional support provided to students in both FE and HE is irrespective of age and extending the age range of SEN statements would not have an impact on the support students would receive.

Mr Weir asked the Minister for Employment and Learning to detail the actions and strategies being pursued or proposed to address youth unemployment in North Down.

(AQW 49372/11-16)

Dr Farry: In my response of 2 June 2015 in relation to your previous question on measures to address youth unemployment in North Down, I highlighted the impact that the Youth Employment Scheme has had on young people aged between 18-24 in the catchment area for Bangor JobCentre, provided details of the engagement with local employers and identified the range of work-focused provision and support which is available across the network of Employment Service offices.

In August 2015, I introduced a refreshed Youth Employment Scheme as part of the wider Employment Service Client Offer. The purpose of the scheme is to offer high quality work experience placement opportunities to job ready unemployed 18-24 year olds. Young people will have the opportunity to undertake a short period of work experience lasting between two and eight weeks with employers in the private, public and community and voluntary sectors. During his/her placement, participants will be introduced to the reality of working life within a willing organisation and have the opportunity to learn and apply the soft skills increasingly valued by employers. Participation will also help young people to make informed choices about their futures and allow them to learn more about specific industries and job roles.

In addition, since my correspondence to you in June, my Department has published "Generating our Success: The Northern Ireland Strategy for Youth Training". The development and implementation of this strategy is one of my key priorities in preparing our young people for the world of work and sustained employment through improving skill levels. The strategy aims to establish a new system of professional and technical learning for all young people, aged 16-24, requiring training at level 2 (broadly equivalent to GCSE).

The new youth training system will have a dual purpose, providing young people with a solid foundation of skills, experience and qualifications recognised and valued by employers and relevant in today's labour market. It will provide them with a broad-based knowledge and skills as the basis from which they can access future opportunities for employment or study at a higher level.

In advance of implementation of the youth training strategy, my Department is currently undertaking a series of pilots to test the delivery of the components established in the strategy – in particular the development of new curriculum.

The Department has engaged with the six further education colleges, including South Eastern Regional College, and was open to specific approaches from employers and sector partnerships to develop pilot proposals.

The approved pilots, covering a range of occupational areas, are currently being delivered across Northern Ireland. These include Horticulture and Professional Cookery which are both being delivered to youth training participants in the North Down area.

Mr Easton asked the Minister for Employment and Learning to detail the funding available from his Department for postgraduates.

(AQW 49393/11-16)

Dr Farry: Funding for postgraduates, in particular PhDs, can be accessed from a number of sources on a competitive basis, including the UK Research Councils and Horizon 2020. My Department actively encourages our universities to increase their draw down from these funding sources for PhDs.

To further support an increase in the number of postgraduate students, my Department funds a Postgraduate Studentship Awards Scheme which is administered by Queen's University Belfast and the Ulster University. Postgraduate Studentship Awards funded by my Department are only a proportion of the overall PhD numbers. Postgraduate Studentship Awards are non-means-tested and non-repayable, and are available for full-time PhD, Taught Masters and Master of Research study. The Universities select, by competition, the students to receive these awards within the limits of funding available.

Awards consist of a personal maintenance grant of £14,057 (£7,028 for Taught Masters and Master of Research students); payment of approved tuition fees up to £3,628; a Research Training Support Grant of £1,472; and relevant training to the value of £800 to help develop/ enhance employability skills.

Where applicable, Disabled Student's Allowance is also payable.

To be eligible for consideration for the Postgraduate Studentship Awards Scheme, candidates must satisfy certain criteria based on nationality, residency, citizenship and academic qualifications.

During Academic Year 2015/16, my Department has funded 729 Postgraduate Studentship Awards, representing a financial commitment of more than £14.5m.

Mr Easton asked the Minister for Employment and Learning to detail the cost of student loans or grants to foreign students over the last three academic years.

(AQW 49396/11-16)

Dr Farry: I can advise the member that there is no cost for international students in terms of grants and loans. Whilst there are no maintenance loans or grants available, the total cost of tuition fee loans to students from the European Union (outside the United Kingdom) over the last three academic years available is as follows:

Academic year	No of students EU (outside UK)	Amount paid (£m)
2011/2012	400	1.2
2012/2013	400	1.3
2013/2014	400	1.2
Total cost		£3.7m

The figures for the 2014/2015 academic year will not be available until around February 2016.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48213/11-16, for an update on the spend in relation to the remaining £2.7m.

(AQW 49422/11-16)

Dr Farry: The Department's remaining European Social Fund Technical Assistance budget of £2.7m will be spent as follows –

£1.5m - Transfer to Priority 2 of the European Social Fund Programme

£0.015m - Printing of new Programme documents and launch event

£0.1m - Payments to £0.05m - Audit

£1.035m - Departmental staff salaries

Ms Sugden asked the Minister for Employment and Learning how his Department plans to develop mechanisms for young people to expand their engagement with the implementation of the Pathways to Success strategy; with particular focus on their involvement when setting revised outcomes.

(AQW 49442/11-16)

Dr Farry: The 'Pathways to Success' approach has a particular focus on helping those young people who face barriers to participation, while also dovetailing with complementary proposals to tackle the wider problem of youth unemployment in the current challenging economic context.

In developing the 'Pathways to Success' strategy, my Department helped establish the independent NEET (not in employment, education or training) forum to engage and help join up those organisations in the voluntary and community sector who deliver services in this area. Forum members are also represented on the NEET Advisory Group.

The NEET Strategy Forum has established the NEET Youth Forum (NYF), a regional network of young people who have experienced difficulties in accessing meaningful education, employment and training. Regional NEET Youth Hubs provide the members for a NYF. To support this work, my Department has recently agreed to provide £108,000 funding to continue the work of the Forum in 2015/16.

The NEET Youth Forum takes a 'learning by doing' approach. Members share knowledge and lived experiences, and develop a collective understanding of the NEET reduction agenda, and the workings of associated strategy. Through this active engagement and participation, they develop an informed collective position that enables them to proactively engage in the development of policy, programmes and services. The ultimate aim is that members have influenced the improvement of economic outcomes for young people further removed from the labour market.

Mr Easton asked the Minister for Employment and Learning to detail the employment opportunities available to help people with disabilities.

(AQW 49481/11-16)

Dr Farry: My Department's Disability Employment Service (DES) provides a range of services and programmes aimed at helping people with disability and health related barriers to employment. DES, in partnership with the local disability sector, also provides additional and specialist support to local employers to help them recruit and retain people with disabilities.

The purpose of this specialist disability service is to help as many people as possible to progress towards, move into and then sustain paid employment opportunities.

The Condition Management Programme, Work Connect and Steps 2 Success are all designed to help people with disabilities to make positive progress towards and into employment, whereas, my Department's Workable (NI) and Access to Work (NI) programmes are particularly relevant to someone who acquires a disability while in employment, and requires specific support to help them remain at work.

All of these employment services can be accessed via the Employment Service Advisers, based in 35 Jobs and Benefits offices or Job centres throughout Northern Ireland. Through this range of provision, my Department has assisted more than 2000 people with disabilities to move into or remain in employment during the past twelve months. Further information on these programmes is available at <http://www.nidirect.gov.uk/index/information-and-services/people-with-disabilities/employment-support/work-schemes-and-programmes.htm>

The European Social Fund, which is administered by my Department, is also helping to fund 25 local disability projects, all of which are aimed at improving the employability and employment prospects of people with a wide range of disability related barriers.

My Department has committed substantial funding to each of these specialist projects, in recognition of the employment opportunities that they will help to create for people with disabilities over the next three to five years.

My Department has also been working with the representatives of many local disability organisations and other relevant stakeholders on the development of a new 'Employment Strategy for People with Disabilities'.

The Strategy, which aims to build on the success of existing disability employment services, and which will focus on the needs of those people with significant disability related barriers to work, is currently out for public consultation. It is anticipated that the Disability Strategy will be launched in early 2016.

Mr Easton asked the Minister for Employment and Learning to detail the criteria needed to be met for people to take part in the Bridge to Employment Programme.

(AQW 49498/11-16)

Dr Farry: The programme is open to anyone who is unemployed, over the age of 18 and eligible to work within the United Kingdom.

In addition, as Bridge to Employment is customised to the needs of employers, there may be further entry requirements specified by the participating company.

Mr Weir asked the Minister for Employment and Learning whether the exchange rate on the 2007-2013 European Social Fund Programme was triggered by the drawdown of funds or the date of claim or expenditure.

(AQW 49501/11-16)

Dr Farry: Under the European Social Fund (ESF) Programme, the exchange rate used is that which is current at the time when the European Commission pays the ESF Managing Authority, following the ESF Managing Authority's claim to the Commission for drawdown.

Mr Weir asked the Minister for Employment and Learning to clarify whether there is still activity and spend permitted on priority 2 of the 2007-2013 European Social Fund Programme until the end of 2015.

(AQW 49502/11-16)

Dr Farry: The Letter of Offer related to the ApprenticeshipsNI element under Priority 2 of the 2007-2013 European Social Fund programme was extended until 31 August 2015. As such, activity has been extended until this date, with any allowable claims being related to spend incurred up until this date.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, to detail the expenditure of £81.38 given that a similar trip to Dublin was made in January 2015 at the cost of £65.

(AQW 49503/11-16)

Dr Farry: The trip made to Dublin in January 2014 consisted of a return train journey costing £65.

The cost of the trip made in August 2013 can be broken down as follows:

■ Return Train Journey:	£65
■ DART Train Journey:	£2.97
■ Subsistence:	£6.16
■ Parking:	£5.00
■ Home to Station Mileage:	£2.25
■ Total:	£81.38

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, to detail the breakdown of £1749.72 to include (i) the grade of staff attending; (ii) the hotel and subsistence claimed per participant; and (iii) whether the most economical option was utilised.

(AQW 49505/11-16)

Dr Farry: The costs relate to the attendance of one Principal Officer and one Deputy Principal at a two day meeting with the EU Commission. The costs can be broken down as follows:

■ Flights:	£978.92 (2 people)
■ Hotel: £758.00 (2 people for 2 nights)	
■ City Tax:	£12.80
■ Total	£1,749.72

This was the most economical option.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, referring to the EU co-ordination meeting in Brussels with associated travel costs of £122.50 for one attendee, to detail a full breakdown of this expenditure which is considerably lower than the two day meeting for two participants in October 2013 at a cost of £1749.72.

(AQW 49600/11-16)

Dr Farry: The costs of £122.50 relate to costs incurred for travel. Flights and accommodation costs in this instance were covered by the European Commission. The costs of £122.50 are broken down as follows:

■ Taxis:	£100.20
■ Metro:	£10.28
■ Trains:	£12.02
■ Total:	£122.50

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48762/11-16, and the two attendees who attended a meeting with UK colleagues to finalise the Operational Programme in London, to detail (i) the location and length of the meeting; (ii) the number of days hotel accommodation was claimed for; (iii) the grade of staff attending and the hotel; and subsistence costs claimed per participant.

(AQW 49601/11-16)

Dr Farry:

- (i) The meeting took place in London, over the course of two days (7-8 March 2013);
- (ii) Hotel accommodation was claimed for two people for one night; and
- (iii) The two members of staff were both Principal Officers; and their hotel costs were £180 per person. We do not hold details of any subsistence costs claimed.

In the original response to AQW 48762/11-16, the total figure of £812.21 was quoted in relation to the meeting with UK colleagues on finalising the Operational Programme. Our records indicate that this figure erroneously included £108.57, which related to a one-night hotel cost in Dublin, for a Principal Officer who was travelling to Brussels on an early morning flight. As such, the actual costs relating to the meeting with UK colleagues on the Operational Programme was £703.64. I apologise for this oversight.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48213/11-16, to ask the Minister for Employment and Learning to detail a breakdown of costs for the figure of £1,141,646 for support structure only project.

(AQW 49602/11-16)

Dr Farry: The figure of £1,141,646 provided in response to the previous Assembly Question relates to the general costs incurred under the European Social Fund (ESF) 2007-2013 Programme support contract.

Whilst the general costs involved relate to salaries; premises costs; and insurance, claims were not broken down into these individual categories.

It is therefore not possible to disaggregate the total sum into separate categories.

Mr Weir asked the Minister for Employment and Learning, given that European Social Fund participants are required to present themselves at Jobs and Benefits offices, to detail the barriers this creates for the most disadvantaged.

(AQW 49605/11-16)

Dr Farry: In August 2015, guidance and relevant templates were issued to all European Social Fund (ESF) 2014-2020 Project Promoters regarding the required steps to satisfy the eligibility of participants, as well as to advise participants of their benefit entitlements, when participating on an ESF-funded programme.

Some Project Promoters have raised with my Department some practical attendance issues involved in this requirement, particularly for those participants who have a disability, including the need for some of them to be accompanied. We are also aware that there may be issues surrounding what constitutes an acceptable form of identification.

Officials are examining the ways in which my Department, including colleagues in the Employment Service, as well as Project Promoters, can work collaboratively to remove some of these barriers, and ensure that participants are able to receive advice on their benefit entitlements, without being unduly inconvenienced.

Mr Weir asked the Minister for Employment and Learning to clarify whether the requirement for 2014-2020 European Social Fund participants to present themselves to Jobs and Benefits offices was also a requirement on the 2007-2013 European Social Fund Programme as indicated to the Committee for Employment and Learning by departmental Officials on 23 September 2015.

(AQW 49606/11-16)

Dr Farry: As was stated by Departmental officials to the Committee on 23 September 2015, the requirement for European Social Fund (ESF) participants to present themselves to Jobs and Benefits offices is not a new requirement. Whilst this requirement was also in place under the ESF 2007-2013 Programme, it was not operated in the same way across all the projects or even across all Employment Service offices. The approach under the 2014-2020 Programme is standardising the process, and the required steps were communicated to all 2014-2020 Project Promoters in August 2015.

Ms Sugden asked the Minister for Employment and Learning to detail the number of student applications to study Modern Languages at Ulster University, Coleraine, (i) from within Northern Ireland; and (ii) from outside of Northern Ireland, in each of the last three years.

(AQW 49617/11-16)

Dr Farry: My Department does not hold the information you have requested. You may wish to write to the University directly on this matter.

Mr Easton asked the Minister for Employment and Learning to detail how many people are currently taking part in the Training for Success Programme.

(AQW 49623/11-16)

Dr Farry: At 30 April 2015, the number of participants on the Training for Success programme was 5,854. This data is included in the most recently published statistical bulletin (see link below).

<http://www.delni.gov.uk/training-for-success-and-programme-led-aprenticeships-statistics-from-september-2007-to-april-2015.pdf>

My Department provides a guarantee of a training place on the Training for Success programme to all 16 and 17 year olds who are not in education or full time employment, with extended eligibility up to 22 years for persons with a disability, and up to 24 years for persons from an "in care" background.

Mr Easton asked the Minister for Employment and Learning to detail the criteria required for people who wish to take part in the Training for Success Programme.

(AQW 49624/11-16)

Dr Farry: At 30 April 2015, the number of participants on the Training for Success programme was 5,854. This data is included in the most recently published statistical bulletin (see link below).

<http://www.delni.gov.uk/training-for-success-and-programme-led-aprenticeships-statistics-from-september-2007-to-april-2015.pdf>

My Department provides a guarantee of a training place on the Training for Success programme to all 16 and 17 year olds who are not in education or full time employment, with extended eligibility up to 22 years for persons with a disability, and up to 24 years for persons from an "in care" background.

Mr Easton asked the Minister for Employment and Learning to detail how many people from North Down are currently taking part in the Management and Leadership Development Programme.

(AQW 49625/11-16)

Dr Farry: Any applicant to the Management and Leadership Development Programme must be a permanent employee at managerial level in a Northern Ireland-based Micro Business, Small to Medium-sized Enterprise or Social Economy Enterprise which at the date of application employs fewer than 250 permanent, full-time equivalent employees.

In addition, a Social Economy Enterprise must be a registered company limited by guarantee, have a commercial activity at its core and generate revenue through a business activity rather than through donations.

Applicants will be ineligible for financial assistance irrespective of whether or not they meet the eligibility criteria, if their employer is in receipt of core funding from any public sector organization or is an Invest NI Client claiming Management and Leadership support for the same programme.

Mr Easton asked the Minister for Employment and Learning to detail the criteria used for people to take part in the Management and Leadership Development Programme.
(AQW 49626/11-16)

Dr Farry: Any applicant to the Management and Leadership Development Programme must be a permanent employee at managerial level in a Northern Ireland-based Micro Business, Small to Medium-sized Enterprise or Social Economy Enterprise which at the date of application employs fewer than 250 permanent, full-time equivalent employees.

In addition, a Social Economy Enterprise must be a registered company limited by guarantee, have a commercial activity at its core and generate revenue through a business activity rather than through donations.

Applicants will be ineligible for financial assistance irrespective of whether or not they meet the eligibility criteria, if their employer is in receipt of core funding from any public sector organization or is an Invest NI Client claiming Management and Leadership support for the same programme.

Mr Easton asked the Minister for Employment and Learning how many groups initially awarded European Social Funding have failed to gain match funding.
(AQW 49656/11-16)

Dr Farry: There are no groups that have failed to get match funding.

Mr Weir asked the Minister for Employment and Learning to detail (i) whether facilitators who fail to complete the Ulster University Certificate in Training Level 4 within the lifetime of their 2014-2020 European Social Fund Project will have associated costs clawed back from relevant projects; (ii) what provision the Managing Authority has put in place to monitor this; and (iii) what date can the Managing Authority claw back costs for facilitators they may deem ineligible in the future.
(AQW 49664/11-16)

Dr Farry: My Department retains the right to seek to claw back associated funding under the European Social Fund 2014-2020 Programme, where tutors have not achieved a recognised teaching qualification by the end of the project.

In order to give my Department assurance of the qualifications held or being worked towards, it requires that Project Promoters submit a workforce development plan to the Managing Authority. The plan should clearly demonstrate how the Project Promoter intends to ensure that relevant staff will have achieved the Certificate in Teaching (CIT), where this is required, by the end of the project period.

The development plan must contain the following information:

- a list of all relevant project staff delivering training on the project;
- details of staff who already hold qualified teaching status, including the qualification held; and
- a list of all remaining staff required to undertake the CIT.

For those staff who are required to undertake the CIT, the following information will also be required:

- details of those enrolled on the 2015-16 CIT course; and
- details of when any remaining staff will be enrolled, to ensure they are qualified by the end of the period of the Letter of Offer.

As per the above, any potential claw back would not take place until at least the final year of the relevant Letter of Offer.

Mr Weir asked the Minister for Employment and Learning to detail (i) how his Department will meet its Article 10 responsibility in the new 2014-2020 European Social Fund Programme to ensure transnational activity; and (ii) what budget has been allocated for this activity both at programme level and Managing Authority level.
(AQW 49665/11-16)

Dr Farry: The European Social Fund (ESF) Managing Authority is already part of a number of ESF Learning Networks which focus on specific thematic and governance issues, such as the Informal Network of Information Officers. Participation in these networks will continue, according to the timetables arranged by the EU Commission.

The Managing Authority will also consider participation in, and dissemination of, individual calls/proposals for transnational work with ESF authorities, implementing bodies, and strategic stakeholders across Europe, whenever they are announced.

Any costs incurred in the promotion of transnational activity emerge as and when they are required. Consequently, these costs not been specifically profiled at this stage.

Mr Weir asked the Minister for Employment and Learning, pursuant to AQW 48213/11-16, to detail (i) those organisations who carried out Economic Appraisals for the 2007-2013 European Social Fund Programme; (ii) how many Economic Appraisals were carried out by each organisation; and (iii) the average cost of an Economic Appraisal.

(AQW 49666/11-16)

Dr Farry: Whilst the overall category heading 'Economic Appraisals' was provided in the response to AQW 48213/11-16, this category heading also included activity relating to the scoring of applications by external consultants during the first and second call of the Programme.

The activity relating to the scoring of applications amounted to £32,363. Consequently, the total amount of funding which related exclusively to the carrying out of economic appraisals was £283,262.

The table below provides information in respect of which organisations carried out the economic appraisals, the number of economic appraisals carried out by each organisation, and the number of applications scored by each organisation (where this was the case).

Organisation	Number of Economic Appraisals	Number of Applications Scored
FPM Chartered Accountants	23	202
ASM Horwath	22	0
Deloitte	42	0
Tribal	21	0
Grant Thornton	21	0
Total	129	202

The average cost of an economic appraisal was £2,196.

Mr Weir asked the Minister for Employment and Learning, given that some successful organisations have been unable to secure full match funding in the 2014-2020 European Social Fund Programme, how does his Department propose to meet its announced targets if budgets and programme activity have been reduced.

(AQW 49682/11-16)

Dr Farry: The 2014-2020 European Social Fund Programme is currently in its first year of operation. As the budget for the first call for applications remains over-committed, even after some projects have re-profiled their projected expenditure, I do not currently have any concerns about the ability of the programme to meet its announced targets.

Mrs Pengelly asked the Minister for Employment and Learning, pursuant to AQW 48812/11-16, to detail (i) how many of these organisations have bases in South Belfast; and (ii) how many provide childcare.

(AQW 49724/11-16)

Dr Farry: The Department does not readily hold this information. The Member may therefore wish to contact, directly, the organisations listed in the response to AQW 48812/11-16.

Mr Ramsey asked the Minister for Employment and Learning to detail what funding is available for students from Northern Ireland that have to travel to England or Wales to undertake Graduate Entry courses in Medicine.

(AQW 49745/11-16)

Dr Farry: Policy responsibility for medical students and student financial support rests with the Department for Health and Social Services and Public Safety (DHSSPS), and any change in student funding policy going forward is a matter for that Department. The DHSSPS has historically aligned financial support for their medical students in accordance with my Department's statutory rule: The Education (Student Support) (No.2) (Northern Ireland) Regulations (as amended).

Under the Regulations, graduates who already have an honours degree qualification from a United Kingdom, Republic of Ireland or an overseas institution are not generally eligible for any element of tuition fee or maintenance support for a second degree. However, in certain circumstances, where the second degree course leads to a professional qualification, for example, as a medical doctor or dentist, then a maintenance loan for living costs can be awarded.

The DHSSPS is aware that, by using the terms of the Student Support Regulations to fund medical students, graduate medical students will not generally be eligible for financial support, except in the form of a maintenance loan.

Mr Weir asked the Minister for Employment and Learning whether Proteus is still undertaking vouching on behalf of the Managing Authority; and if so what timeline is in place for the completion of Proteus activity.

(AQW 49749/11-16)

Dr Farry: Proteus is undertaking some vouching on behalf of my Department. This arrangement is scheduled to continue until December 2015.

Department of the Environment

Mr Agnew asked the Minister of the Environment, pursuant to AQW 46886/11-15, to detail why the question remains unanswered.

(AQW 48951/11-16)

Mr Durkan (The Minister of the Environment): AQW 46886/11-15 was answered on 6 October 2015.

Mrs Dobson asked the Minister of the Environment to detail (i) the number; (ii) make and model; and (iii) individual cost of all new vehicles purchased in each of the last three years by his Department and any of its arm's-length bodies.

(AQW 49071/11-16)

Mr Durkan: Details of the vehicles purchased by my department during the last three full financial years are set out below.

2012-13

Number Purchased	Make & Model	Individual Cost of Each Vehicle £
6	Toyota Hilux D/Cab Pick Up	15,470
9	Nissan Cabstar	17,736
1	Citroen C5 1.6 HDI	13,677
1	Citroen C4 1.6 HDI	11,265
1	BMW - G650GS Motorcycle	6,834
1	Peugeot - 308 Active	10,198
5	Hyundai - i40 estate	13,993

2013-14

Number Purchased	Make & Model	Individual Cost of Each Vehicle £
1	Toyota Prius	15,057
2	Volkswagen Caddy C20 Van	10,702
7	Mitsubishi 2.5 Double Cab (Open)	13,845
1	Mitsubishi Shogun 3.2	20,850
1	Mitsubishi L200 2.5 Double Cab (Unmarked - Environment Crime Unit)	15,679
3	Fiat Doblo Cargo Van	9,660
1	Grand Cherokee Jeep	27,343
4	Mitsubishi L200 Double Cab	15,343
1	Renault Traffic Van	12,350
1	Grand Cherokee Jeep	26,891
1	Citroen - C4	12,223
2	Seat - Alhambra	20,787 / 21,222
1	Triumph - Trophy motorcycle	9,500

2014-15

Number Purchased	Make & Model	Individual Cost of Each Vehicle £
2	Mitsubishi L200 Double Cab	13,674
6	Citroen Berlingo Van	8,798
1	Nissan Cabstar	18,149
2	Nissan Navara Outlaw Vehicle	26,388
1	Fiat – Dubio Van	12,031

Mr Weir asked the Minister of the Environment for an update on the regulation of Belfast City Airport and the restrictions in place to prevent early morning flights.

(AQW 49121/11-16)

Mr Durkan: The Planning Agreement between the Department and George Best Belfast City Airport, last modified in 2008, regulates operations at the Airport and restricts the hours of operation to 06.30 hrs to 21.30 hrs. No flights are permitted before 6.30am.

In March 2012 GBBCA submitted a request to the Department to vary the terms of their Planning Agreement. This process is ongoing and a public inquiry into the Airports proposals took place in May. The Airport requested that the Seats for Sale restriction be removed from the Agreement and replaced with a noise contour control cap but did not include any proposed change to early morning flights. Early morning flights were however raised by residents and discussed at the Inquiry. The independent report of the Inquiry is expected in October but has not yet been received.

Mr Agnew asked the Minister of the Environment for an update on the Northern Ireland Environment Agency's enforcement case relating to the unauthorised in-river works and damage to the riverbank at the site of the proposed Green Road, Ardmore Hydropower scheme on the River Faughan Special Area of Conservation; including (i) when the unauthorised works were first reported; (ii) what actions his Department has taken; and (iii) whether the complainants have been kept informed.

(AQW 49374/11-16)

Mr Durkan: The Department first received a report of alleged unauthorised works at Green Road, Ardmore on the River Faughan on 27th February 2013. This matter is the subject of an ongoing investigation and as such it would be inappropriate to comment further at this time. I understand that the complainants were informed of this in January 2014.

Mr Agnew asked the Minister of the Environment, given his recent confirmation to the Northern Ireland Assembly that he is guided by the precautionary principle of the Habitats Directive, to detail how the continued unauthorised sand extraction from Lough Neagh Special Protection Area conforms with the application of that principal.

(AQW 49413/11-16)

Mr Durkan: This matter is now subject to legal challenge and it is not appropriate for me to comment further pending the outcome of the judicial process.

Mr Allister asked the Minister of the Environment what savings his Department has made to date in the 2015-16 budgetary allocations.

(AQW 49427/11-16)

Mr Durkan: My Department's 2015-16 opening Budget suffered a very significant cut requiring plans for immediate reductions of £12.4 million.

This gave rise to a number of areas of financial pressure across my department, including the Rates Support Grant, the De-Rating grant along with other grants to Councils and NGO's. Operational areas as well as other community support programmes, including support for road safety programmes, also suffered as a result of the department's very difficult Budget settlement.

At the time of agreeing the 2015-16 opening budget there was no confirmation that a voluntary exit scheme would go ahead. I therefore took a prudent approach to the budget allocations and allocated sufficient budget to cover the pay bill costs for the full financial year based on the staff in post at the beginning of the year.

The Voluntary Exit Scheme has now been given the go ahead which in turn will mean my Department will be able to secure in-year savings from a reduction in pay bill costs. This will help manage in year pressures, and release resources for reallocation to public spending priorities in future years.

My Department is forecasting estimated pay bill savings of £3.3 million arising from the Voluntary Exit Scheme this financial year. This figure is an estimate at this stage as the outcome of tranche 3 is not yet known.

Lord Morrow asked the Minister of the Environment to detail the (i) number of pollutant spillages into rivers and waterways; (ii) cause or source of each spillage; and (iii) damage caused by each spillage in each of the last three years.

(AQW 49434/11-16)

Mr Durkan: Tables A, B, C and D detail the numbers of confirmed pollution, pollution cause, pollution source and damage classified as severity respectively.

(i) Table A

Year	2012	2013	2014
Pollution Confirmed	1175	1310	1238

(ii) Table B

Cause	2012	2013	2014
Unknown	257	317	289
Equipment Failure	192	228	237
Poor Working Practice	172	151	184
Deliberate dumping	75	136	121
Negligence	114	120	116
Inadequate Equipment	129	137	97
Accident / Emergency	103	99	85
Other	74	67	58
Weather	44	44	46
Malicious 3rd Party Damage	15	11	5

Table C

Source	2012	2013	2014
Farm	380	353	444
Other	177	242	269
Industry	199	243	177
Domestic	214	240	174
Northern Ireland Water	181	214	161
Transport	24	18	13

(iii) Table D

Severity*	2012	2013	2014
Low	970	1095	1013
Medium	198	193	202
High	7	22	23

The severity has been assessed in line with procedures and indicates the damage would have been one or more of the impacts listed under the relevant severity category in the procedures attached.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48373/11-16, to detail (i) the number of cases in which enforcement action was taken: and (ii) the outcome of any enforcement action,

(AQW 49445/11-16)

Mr Durkan:

- (i) There were 18 cases in which enforcement action was taken.
- (ii) The outcome of the enforcement action is
 - Conviction – 7 incidents
 - Not Guilty – 1 incident

- Warning Letter – 5 incidents
- Withdrawn by PPS – 1 incident
- Prosecution Pending – 4 incidents

There were 12 incidents where enforcement action was not taken, of these incidents 3 were classified as low severity and enforcement action was not appropriate, 3 had no polluter identified, 5 did not have pollution confirmed and 1 resulted in a breach under agricultural cross compliance.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48373/11-16, to detail the river or body of water in which each fish kill incident took place.

(AQW 49446/11-16)

Mr Durkan: Table A provides the answer to AQW 48373/11-16 amended to include the water body in which each fish kill incident took place.

Table A

NIEA Incident Number	Date	Kill Count	Water Body
WR 8/12/0002	09-Jan-12	20	Upper Lough Erne
WR 4/12/0094	02-Mar-12	50	Three Mile Water
WR 4/12/0778	19-May-12	5	Ballinderry River
WR 6/12/0780	24-May-12	55	Cusher River
WR 3/12/0143	07-Aug-12	20	Plaskets Burn
WR 6/12/0182	17-Aug-12	100	Corcrair River
WR 7/13/0044	25-Feb-13	137	Blackwater tributary
WR 6/13/0068	28-Feb-13	6500	Cusher River
WR 4/13/0040	04-Mar-13	1000	Ravernet River
WR 6/13/0157	04-Jun-13	60	County Water
WR 8/13/0074	10-Jul-13	1000	River Erne tributary
WR 8/13/0854	25-Jul-13	1540	Ballycassidy River
WR 5/13/0120	31-Jul-13	9	Comber River
WR 8/13/0855	09-Aug-13	60	Colebrooke River Fivemiletown
WR 5/13/0134	21-Aug-13	4939	Enler River
WR 2/13/0856	03-Sep-13	6	Agivey River
WR 1/13/0135	24-Sep-13	120	Ballykelly River
WR 6/13/0260	04-Oct-13	90	Cusher River
WR 1/13/0139	08-Oct-13	100	Gelvin River
WR 2/14/0046	26-Feb-14	76	Aghaveagh streams
WR 2/14/0056	07-Mar-14	300	Drumawhiskey River
WR 7/14/0777	20-Apr-14	1918	Oona Water
WR 8/14/0854	02-Jun-14	201	Swanlinbar River tributary
WR 4/14/0860	10-Jun-14	45	Three Mile Water
WR 8/14/0856	15-Jun-14	235	Ballinamallard River tributary
WR 4/14/0123	27-Jun-14	398	Glenavy River
WR 7/14/0781	08-Jul-14	400	River Blackwater
WR 6/14/0207	23-Jul-14	582	Bessbrook River
WR 5/14/0712	27-Jul-14	48	Ballynahinch River tributary
WR 3/14/0227	29-Oct-14	964	Six Mile Water

Mr Frew asked the Minister of the Environment, in relation to planning application G/2011/0162/F, whether the developer and applicant have carried out any work relating to the planning conditions set on the approval.

(AQW 49450/11-16)

Mr Durkan: From 1 April 2015 the majority of planning functions transferred from the Department to the relevant District Council. Consequently responsibility for application G/2011/0162/F and any post approval requirements now sit with Mid and East Antrim District Council. I would suggest you refer this matter to the Chief Executive Mrs Anne Donaghy who may be contacted at the following address:-

Mid and East Antrim District Council
County Hall
182 Galgorm Road
BALLYMENA
BT42 1QF

Mr Agnew asked the Minister of the Environment whether his Department's latest estimation of one million tonnes of illegal waste being disposed of at Mobuoy Road is correct.

(AQW 49497/11-16)

Mr Durkan: My Department has an ongoing project to assess the potential impacts of the illegally disposed waste at the Mobuoy waste sites on environmental receptors and to evaluate viable initial remediation options. The nature and extent of the illegal waste deposits has been further assessed as part of this work.

On the basis of the new information reported through this project, we have obtained a revised estimate for the amount of illegal waste dumped at the site. This new figure which indicates that the amount of infill could exceed 1 million M3 is under review and is subject to confirmation on receipt of further project reports.

It is important to note that this is a complex project and all revised estimates will be kept under review by my Department.

- "Infill" – This term is deliberately used as the waste was layered with soil and stone making an exact volume metric estimate of these waste streams extremely difficult
- "M3" – The latest estimate is in M3 but this is approximately equivalent to a metric tonne.

Lord Morrow asked the Minister of the Environment to detail the exclusions considered when issuing Public Service Vehicle licences in relation to previous convictions, both spent and unspent.

(AQW 49518/11-16)

Mr Durkan: In assessing applications for a taxi licence, the Department is required to determine whether an applicant can be considered to be a fit and proper person to hold a taxi licence whilst maintaining a balance between the need to ensure the safety of the public and the need to allow for the rehabilitation of offenders.

The Department considers an applicant's repute by using a set of guidelines which rank various convictions according to their seriousness, enabling the Department to make an informed decision. Each individual's case is considered on its merits and the Department's objective is always to ensure that the travelling public are not subjected to unnecessary risk.

Individuals applying for a Public Service Vehicle licence would normally be expected to have a clear record for at least three years in the case of a 'serious' conviction and 12 months for 'minor' convictions.

The guidelines have been considered by the Courts to be an appropriate framework for assessing the grant, refusal, suspension or revocation of taxi licences.

Mr Maskey asked the Minister of the Environment to outline the timeframe for the reviews of strategic policy on development in the countryside and strategic policy on renewable energy, recently announced as part of the Strategic Planning Policy Statement.

(AQO 8862/11-16)

Mr Durkan: As I previously stated in the Assembly Chamber, my Department will undertake a full review of the SPPS within 5 years. However, my Department is now taking forward a full review of strategic planning policy for development in the countryside and of strategic policy for renewable energy.

This work will require significant additional research and consideration, an updated evidential context and extensive engagement with key stakeholders. It will examine the existing planning policy context elsewhere in the UK and Ireland and will offer stakeholders and other interested parties an opportunity to have their voice heard, and to influence the future strategic planning policy direction on these two important policy areas.

My officials have already commenced preparatory work on the scope and content of these reviews, including the timeframe for their completion. Once I have agreed the full scope and content I will advise Members of the review process timetable and key deliverables. It is however my intention that this work be concluded as expediently as possible.

Mr Agnew asked the Minister of the Environment, given his Department's increased estimate for the illegal waste disposal that took place at Mobuoy Road, to detail the revised figures in relation to the amount of landfill tax which was avoided as a result of this activity.

(AQW 49582/11-16)

Mr Durkan: My Department has an ongoing project to assess the potential impacts of the illegally disposed waste at the Mobuoy waste sites on environmental receptors and to evaluate viable initial remediation options. The nature and extent of the illegal waste deposits has been further assessed as part of this work.

On the basis of the new information reported through this project, we have obtained a revised estimate which indicates that the amount of infill could exceed 1 million M3 for the amount of illegal waste dumped at the site. This new figure is under review and is subject to confirmation on receipt of further project reports.

It is important to note that this is a complex project and all revised estimates will be kept under review by my Department.

Landfill tax avoidance needs to be updated in the light of revised estimates of waste illegally disposed. A Mobuoy prosecution case is ongoing in respect of this site and this information will form the basis of the evidence presented by my Department to the Court. To avoid any risk of prejudice to this case, it is not possible at this stage to provide any revised estimates of landfill tax avoided as a result of the illegal waste disposed at Mobuoy.

- "Infill" – This term is deliberately used as the waste was layered with soil and stone making an exact volume metric estimate of these waste streams extremely difficult
- "M3" – The latest estimate is in M3 but this is approximately equivalent to a metric tonne.

Mr Agnew asked the Minister of the Environment to detail the rationale behind the reduction in the estimated clean up costs for Mobuoy Road from £140 million in February 2015 to £50 million in June 2015 given the estimated amount of illegal waste has increased from 516,000 tonnes to one million tonnes.

(AQW 49584/11-16)

Mr Durkan: My Department has an ongoing project to assess the potential impacts of the illegally disposed waste at the Mobuoy waste sites on environmental receptors and to evaluate viable initial remediation options. The nature and extent of the illegal waste deposits has been further assessed as part of this work.

On the basis of the new information reported through this project, we have obtained a revised estimate for the amount of illegal waste dumped at the site. This new figure which indicates that the amount of infill could exceed 1 million M3 is under review and is subject to confirmation on receipt of further project reports.

It is important to note that this is a complex project and all revised estimates will be kept under review by my Department.

At this stage, only best-case estimates and worst case estimates have been provided for each of the short-listed remediation options.

I would add however that the remediation costs for Mobuoy will not be fully understood until the short-listed options have been further assessed and an integrated remediation strategy developed for the site.

- "Infill" – This term is deliberately used as the waste was layered with soil and stone making an exact volume metric estimate of these waste streams extremely difficult
- "M3" – The latest estimate is in M3 but this is approximately equivalent to a metric tonne.

Mr Swann asked the Minister of the Environment what legislation is in place to prevent a person drawing a salary as a Councillor and as a Member of the Legislative Assembly.

(AQW 49599/11-16)

Mr Durkan: Section 3 of the Local Government Act (NI) 2014 provides for the disqualification of certain members of other institutions, including a Member of the Legislative Assembly, from being Councillors. This came into operation on 1 April 2015 via Local Government (2014 Act) (Commencement No.04) Order (NI) 2015 Section 3 and Schedule 1.

Legislation exists under The Local Government (Payments to Councillors) Regulations (Northern Ireland) 2012 that provides for the reduction of the allowances due to a Councillor if they were also a member of another legislative institution by two thirds. These restrictions are no longer necessary and will be updated in due course as these regulations are currently under review.

Ms Sugden asked the Minister of the Environment (i) for an update on the Driver Vehicle Agency's new driver licensing IT; and (ii) whether it will reduce the cost of driving licences.

(AQW 49612/11-16)

Mr Durkan: In response to AQW 46117/11-15, I indicated that the first phase of the replacement driver licensing system is scheduled to go live in April 2016 and that it will deliver improvements to the customer experience, service efficiencies and other enhancements. As these improvements are phased in, and efficiencies in service delivery begin to emerge, this will provide an opportunity to review the level of fees currently charged to applicants.

In the meantime, the Driver & Vehicle Agency will continue to ensure costs are kept to a minimum and all efficiencies are passed onto customers.

Mr Flanagan asked the Minister of the Environment whether he has provided guidance to local authorities on how to deal with issues such as uniforms, changing rooms and toilet facilities for transgender people.

(AQW 49619/11-16)

Mr Durkan: District councils are public authorities and employers within their own right. Therefore each district council is required to have in place its own equality scheme setting out how it will meet its equality duties set out under Section 75 of the NI Act 1998. As an employer each council has obligations under employment law to ensure that they adhere to equality of opportunity and good relations and, like all public authorities, are accountable to the Equality Commission for Northern Ireland.

My Department has therefore not provided any guidance to local authorities on how to deal with employment issues such as uniforms, changing rooms and toilet facilities for transgender people.

Lord Morrow asked the Minister of the Environment (i) whether the Driver and Vehicle Agency policy section are considering the printer requirements and software design in relation to future taxi meters; and if so, (ii) to detail the reasoning behind any decisions that have been made.

(AQW 49622/11-16)

Mr Durkan: My Department is working towards the implementation of new Taximeter, Devices and Maximum Fares regulations that will provide for the fitment of taximeters and printers in most licensed taxis in Northern Ireland.

However, while the new taximeter regulations and related assessment policies are being finalised, the Driver & Vehicle Agency has outlined some taximeter and printer functional requirements, such as the ability for the taximeter and printer combination to produce a receipt for the customer and a technical report, to assist taximeter manufactures with the timely development of their fare changing (software) programmes.

As this is still policy under development no firm decisions have been made.

Mr Kennedy asked the Minister of the Environment what plans and proposals he has in place to ensure planning applications for onshore windfarms are prioritised following the recent decision by the Minister of Enterprise, Trade and Investment to remove subsidies towards such projects at the end of March 2016.

(AQW 49639/11-16)

Mr Durkan: I share the concerns of others surrounding the early closure of the Northern Ireland Renewables Obligation (NIRO) support for onshore wind development from 1 April 2016, and of the implications this may have for renewable energy deployment here in Northern Ireland. In particular, it will have a significant impact on the achievement of the Programme for Government target of a 35% reduction in Green House Gas emissions by 2025.

In addition to the impact of the NIRO closure on our ability to meet emissions targets, I am also concerned that in order to be eligible for the early closure grace period cluster connected projects will have to demonstrate, inter alia, that they have the relevant planning permission, dated no later than the 30 October 2015. The eligibility date for non-cluster projects has already passed, being effective from the date of the opening of the DETI consultation on the 30 September 2015.

The majority of applications for onshore wind developments are now determined by councils. I therefore instructed my officials to write to each of the 11 new council Chief Executives to make them aware of the DETI consultation paper, and advise them of the eligibility criteria and dates by which projects have to commission and accredit under the NIRO. Information advising of the DETI consultation paper was also posted on the Planning Portal.

Furthermore, I have already discussed Departmental on-shore wind farm applications with my officials and have asked them to prioritise these cases as quickly as possible in order to meet the proposed eligibility dates.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48942/11-16, (i) whether regulatory issues were recorded on the Aggregates Levy Credit Scheme Certificate files in relation no planning permission being in place for the extraction of sand from the bed of Lough Neagh Special Protection Area; and (ii) to detail how his Department addressed this given it was initially considered a regulatory issue.

(AQW 49670/11-16)

Mr Durkan: Limited information on the regulatory status of sand extraction from Lough Neagh is recorded within the files. However, the onshore sites would seem to have been treated as distinct entities to the sand extraction activity for the purpose of the Aggregates Levy Credit Scheme during the processing of applications in 2004-05. The regulatory status of the sand extraction from Lough Neagh did not form part of the consideration for the issue of certificates.

Mr McNarry asked the Minister of the Environment (i) for his assessment of the pollution caused in (a) rivers; and (b) the overall environment due to run-off from both illegal and authorised car washes; and (ii) whether he plans to take any action in relation to this matter.

(AQW 49673/11-16)

Mr Durkan: For the calendar years 2011 to 2014, NIEA investigated 32 pollution incidents attributable to car washes. These break down as follows:-

Year	Number of pollution incidents
2011	4
2012	6
2013	12
2014	10

An additional 6 incidents have been confirmed to date this year.

Wash water from vehicle washes, especially those using detergents, has polluting potential as it is likely to contain a mixture of detergents, dirt, organic matter and oil residues. Detergents can partially emulsify oils and make them more harmful to aquatic life.

All incidents were confirmed as being of 'low' severity, as determined in accordance with the NIEA pollution severity classification system. In practice, this means that they were assessed as having a localised effect on water quality or aquatic life, localised visible pollution, and minor impact on water users.

Under the Water (Northern Ireland) Order 1999, the consent of the Department of the Environment is required to discharge trade or sewage effluent into a waterway or water contained in underground strata. This includes any discharge of vehicle-washing effluent.

The Northern Ireland Environment Agency administers a system of discharge consents which specify conditions relating to the quality and quantity of effluent that may be discharged. The conditions are formulated to ensure that the discharge can be sustained by the receiving waterway without damage to the aquatic environment and without breaching national or EU Directive standards.

Specific guidance on the disposal of vehicle-wash effluent is published by the Northern Ireland Environment Agency (NIEA). Please find enclosed a copy of this guidance for your information.

To summarise, the options available for disposal are as follows, in order of preference:

- Recycling of effluent without discharge
- Discharge to Northern Ireland Water (NIW) foul sewer. The appropriate permission must be obtained from NIW before making this connection.
- Holding tank and disposal via licensed carrier to a properly authorised treatment facility with the capacity to adequately treat the effluent prior to discharge.
- Water Order consent - this will only be considered either where detergents will not be used or where the effluent is directed to a treatment system that has a separate nutrient supply (e.g. sewage) and has the ability to treat the effluent to an appropriate standard prior to discharge.

Should NIEA become aware of any vehicle washes discharging to the aquatic environment without a consent to discharge, appropriate enforcement action will be taken to bring the discharge in question within regulatory control.

Additionally, NIEA's Pollution Prevention staff are available to provide site specific pollution prevention advice, if required.

Mr Swann asked the Minister of the Environment, as at 30 September 2015, how many applications for wind turbines were in the planning system.

(AQW 49674/11-16)

Mr Durkan: The latest published renewable energy information is available up to 31 March 2015. It is intended to publish further statistical information for the period April-June 2015 by the end of November. I will provide you with updated information at that time.

As of 31 March 2015, there were 521 single wind turbine applications and a further 2 applications for development comprising two turbines in the planning system. In addition there were 40 wind farm applications, defined as development comprising more than 2 turbines, pending in the planning system at 31 March 2015.

Mr Ó Muilleoir asked the Minister of the Environment whether he plans to meet with local residents groups and universities following reports that planning permission is being sought or has been granted for over 6,000 student accommodation units in Belfast without any assessment of need.

(AQO 8852/11-16)

Mr Durkan: The granting of planning permission for the University of Ulster to relocate to Belfast City Centre is a hugely positive development for Belfast, and offers the potential for significant benefits to the area.

I recognise, however, that this has led to a demand for more student accommodation in the area and this can raise some concerns and anxieties with local residents. A development of this scale cuts across a number of public bodies including my

Department, the Department for Social Development, Belfast City Council and others, and I would encourage an inter-agency approach to ensure that developments are planned and managed in a comprehensive and integrated manner which will harnesses the benefits to the area, and also recognise the concerns of local residents.

Proposals for student accommodation must take full account of the statutory planning process which will include the Belfast Metropolitan Area Plan and policies contained within the Houses in Multiple Occupation Subject Plan 2015. As of 1 April the responsibility for determining these proposals lies with Belfast City Council as the planning authority. It will be for them to consider what weight they give to the assessment of need when determining the proposals.

I have met previously with local representatives and residents' groups to discuss issues about student accommodation, including the proposal at Frederick Street/York Street in Belfast. My officials have also engaged with their counterparts in the relevant Departments and agencies including DSD and Belfast City Council to ensure that future development in this area provides an appropriate balance between meeting the future needs of the area whilst safeguarding the residential amenity of local residents. I would be happy to meet with residents' groups again or the university to discuss these matters.

Mr McMullan asked the Minister of the Environment to outline any discussions he has had with the British Ministry of Defence regarding munitions being washed up on the Antrim coastline.

(AQO 8854/11-16)

Mr Durkan: I have not been in contact with the Ministry of Defence on this matter.

Although not definitive, as not all incidents are reported to our pollution hotline, our records would indicate that since 1994 there have been 24 incidents of flares being washed up on the Antrim coastline; however the last incident on this coastline reported to us was in 2004. The last incident reported to us anywhere in Northern Ireland also concerned a flare found in Bangor in 2007.

In previous written correspondence with the Member on this matter, I explained that in the past, the Northern Ireland Environment Agency has co-ordinated the response to such incidents to ensure that washed up munitions on any part of the North's coast are disposed of safely. Responsibility for dealing with any type of munitions washed up today would fall primarily to the PSNI, who will also seek the assistance of other specialists if required.

Mr Hussey asked the Minister of the Environment how the number of successful prosecutions by the Enforcement Team compares to the number of pollution incidents reported to the Northern Ireland Environment Agency since 2012.

(AQO 8858/11-16)

Mr Durkan: The number of successful prosecutions by the Enforcement Team and the number of substantiated pollution incidents reported to the Northern Ireland Environment Agency from 2012 – 2014 are as follows.

In 2012 there were 1189 substantiated pollution incidents of which 34 resulted in a successful prosecution.

In 2013 there were 1316 substantiated pollution incidents of which 38 resulted in a successful prosecution.

In 2014 there were 1241 substantiated pollution incidents of which 21 resulted in a successful prosecution.

* There are 14 prosecution cases pending for substantiated pollution incidents which occurred in 2014.

Mr Ó hOisín asked the Minister of the Environment whether he intends to meet with angling clubs and other interested stakeholders to discuss (i) design briefs and (ii) options and solutions for run-of-river hydro-electric schemes.

(AQW 49761/11-16)

Mr Durkan: The Inter Departmental Group intends to meet with key stakeholders in early spring. Key stakeholders including Local Angling Associations and the Ulster Angling Federation will be invited to present their concerns and proposed options to the Group.

The Inter Departmental Group also envisages consulting formally with stakeholders on the Draft Guidance/ Policy Document in summer 2016.

Mr Ó hOisín asked the Minister of the Environment to detail (i) the number of planning enforcements issued in the last five years; and (ii) the number implemented.

(AQW 49768/11-16)

Mr Durkan: Whilst the majority of Planning functions, including most enforcement cases, transferred to the new councils on 1 April 2015, my Department holds a record of enforcement notices up to 31 March 2015.

Table 1 includes the number of planning enforcement notices that were issued between April 2010/11 and March 2014/15.

Table 1: Planning enforcement notices that were issued between 2010/11 and 2014/15

	2010/11	2011/12	2012/13	2013/14	2014/15	Total
Enforcement Notices	196	159	108	80	57	600

Table 2 includes the number of planning enforcement notices issued between April 2010/11 and March 2014/15 broken down by the outcome.

Table 2: Planning enforcement notices issued between 2010/11 and 2014/15 broken down by the outcome

Outcome	2010/11	2011/12	2012/13	2013/14	2014/15	Total
Appeal Allowed/Notice Quashed	23	20	11	7	7	68
Immune from Enforcement Action	11	13	14	9	6	53
No Breach	7	5	8	5	6	31
Not Expedient	26	23	9	13	48	119
Planning Permission Granted	51	40	35	42	30	198
Remedied/Resolved	133	93	77	80	65	448
Total	251	194	154	156	162	917

The information provided was extracted from Planning administrative systems and does not form part of published and validated DOE Official Statistics.

Mr Lynch asked the Minister of the Environment whether the announced Strategic Planning Policy Statement will prevent fracking in County Fermanagh.
(AQO 8861/11-16)

Mr Durkan: Planning policy for Minerals has now been consolidated and transferred into the final Strategic Planning Policy Statement (SPPS).

The SPPS reaffirms my long established position that there should be a presumption against the exploitation of unconventional hydrocarbon extraction until there is sufficient and robust evidence on all environmental impacts. I believe this is a sensible and reasonable approach.

Members will be aware that the SPPS must be taken into account by Councils in the preparation of new Local Development Plans and is material to all decisions on individual planning applications and appeals. The provisions of the SPPS apply to the whole of Northern Ireland, including County Fermanagh. I believe the SPPS provides clarity and certainty to Councils and everyone affected by and interested in planning decisions in relation to this form of development.

Mr Gardiner asked the Minister of the Environment to detail how many fish have been killed due to pollution incidents since 2012.
(AQO 8863/11-16)

Mr Durkan: Counts of dead fish are provided by DCAL fisheries officers under a service-level agreement with NIEA. NIEA records the figures and the cause. To date NIEA records show that 21,222 fish have been killed due to pollution since 2012.

Ms McCorley asked the Minister of the Environment, given local green house gas emissions targets, how he is working with the Department for Regional Development to introduce local incentives for electric and hybrid cars.
(AQO 8864/11-16)

Mr Durkan: Since 2011 my Department and the Department for Regional Development have jointly lead the ecar electric vehicle project, to actively encourage and promote the uptake of electric and plug-in hybrid electric vehicles in order to help contribute to our climate change, air quality and noise reduction targets.

As part of the ecar project we have successfully installed one of the most modern and comprehensive networks of electric vehicle charging infrastructure in Europe. With over 330 public charge points no household in the North is more than 10 miles from a fast charge point, or 30 miles from a rapid charge point.

On Friday 2nd October we submitted a further bid to the Office of Low Emission Vehicles (OLEV) to become one of up to four Cities or Regions to compete for a share of their £35million Go Ultra Low Scheme fund. The purpose of the bid is to put in place measures that will radically increase the uptake of Ultra Low Emission Vehicles in Northern Ireland, leading to significantly reduced greenhouse gas emissions and greatly improved air quality.

Our bid includes the creation of a range of local incentives and measures to encourage the uptake of electric vehicles across Northern Ireland.

Our bid has adopted a partnership approach and we have included signed Electric Vehicle Charters of Commitment and letters of support from Councils, Universities, Car Dealers/Manufacturers, ESB, Business in the Community and others.

These Charters and letters set out in principle some of the ways in which these organisations would commit practical, financial and specialist support to ensure the successful implementation of the Northern Ireland bid.

We expect to hear in November 2015 if the bid has been successful and the value of funding available to take forward the agreed measures.

The extensive exercise that has been undertaken in preparing this bid has unveiled a range of possibilities and options and forged valuable stakeholder relationships. If the Northern Ireland bid is not successful, I will ask officials to further explore those elements that can feasibly be delivered within existing budgets and resources, with a view to further encouraging the use of Ultra Low Emission Vehicles and other sustainable modes of transport.

Switching to more sustainable modes of transport can deliver considerable benefits the North's environment, economy and society.

Mrs Cochrane asked the Minister of the Environment, given the increased authority provided to local councils regarding planning enforcement, whether he has any plans to reduce the time it takes to resolve planning issues.

(AQO 8866/11-16)

Mr Durkan: The Local Government Act (NI) 2014 sets out the framework for the operation of council performance improvement and also provides the Department with powers to specify performance indicators and standards against which a council's performance will be measured, the purpose being to improve service delivery for the benefit of citizens.

My Department has introduced three specific planning performance indicators and standards for Councils. In relation to planning enforcement the standard set is that 70% of all enforcement cases are progressed to target conclusion within 39 weeks of receipt of complaint.

My Department has the flexibility to adjust performance indicators and standards, and will monitor and review this enforcement standard to take account of the potential for changes and to incorporate learning from the first year of operation of the new two tier planning system.

In addition, the Planning Act (NI) 2011 has further strengthened enforcement powers, for example it has introduced a discretionary power for councils to issue fixed penalty notices for non-compliance with enforcement notices and breach of condition notices which will assist in the reduction of the time taken to resolve planning enforcement issues.

Mr Weir asked the Minister of the Environment to detail the number of (i) prosecutions; and (ii) convictions in relation to (a) river; and (b) sea pollution in North Down, in each of the last five years.

(AQW 49797/11-16)

Mr Durkan: From a search of the NIEA Pollution Incidents Management System (PIMS) for the inclusive period 1 January 2010 to 31 December 2014, one completed prosecution and conviction was identified in the North Down constituency area. This Court action related to a water pollution incident involving a discharge from Cherrymount Wastewater Pumping Station, Bangor to the Ballyholme River in May 2011. NIEA determined that there had been a management failure on behalf of Northern Ireland Water Ltd (NIWL) and submitted a file to PPS for consideration. On 15 March 2013, NIWL were found guilty and fined £2000 in the Magistrates Court.

A file is currently in preparation for submission to PPS in respect of another significant, agriculture related, water pollution incident that impacted an unnamed stream near Helens Bay that occurred in 2014.

All other significant water pollution incidents in the North Down constituency area have been assessed in line with NIEA Enforcement Policy and Procedures and dealt with by means other than Prosecution and Conviction in the Courts.

NIEA enforcement action taken in respect of significant water pollution incidents in the North Down constituency area in the inclusive period 1 January 2010 to 31 December 2014, relate to environmental impacts on rivers or on the coastal areas into which they discharge. There have been no Prosecutions and Convictions for direct sea pollution from shipping in the North Down area.

In summary:

	Prosecutions for River/Coastal Pollution	Prosecutions for Sea Pollution
2010	0	0
2011	1 (£2000 fine)	0
2012	0	0
2013	0	0
2014	1 (Pending)	0

Department of Finance and Personnel

Ms Sugden asked the Minister of Finance and Personnel to define agricultural purposes and agricultural operations in respect of the criteria which are required by farmhouses to qualify for a 20 per cent reduction in their rates payments.
(AQW 49397/11-16)

Mrs Foster (The Minister of Finance and Personnel): Schedule 12 Part II of the Rates (NI) Order 1977 sets out the requirements that apply when assessing the rateable capital value of a farmhouse.

The legislation requires the house to be occupied in connection with agricultural land and used as the dwelling of a person whose primary occupation is the carrying on or directing of agricultural operations. The legislation also allows for the situation where someone is employed in agricultural operations on the land in the service of the occupier and is entitled to use the house while so employed. Where definitions do not appear in legislation, interpretation is guided by case law.

The District Valuer within Land & Property Services will, in carrying out continuous revision of the Valuation List, inspect the property, discuss details with the occupier, and collect all relevant detail to ensure strict compliance with the statutory requirements.

The 2015 Revaluation was in respect of non domestic properties. Farmhouses and other domestic premises, therefore, were not re-valued in 2015.

The total number of properties entered in the Valuation List as farmhouses at the end of September 2015 was just over 32,000. The Valuation List is not compiled on the basis of parliamentary constituency; therefore, it is not possible to provide a figure for East Londonderry.

Ms Sugden asked the Minister of Finance and Personnel to detail how farmhouses are assessed to determine whether they meet the criteria to qualify for a 20 per cent reduction in their rates payment.
(AQW 49398/11-16)

Mrs Foster: Schedule 12 Part II of the Rates (NI) Order 1977 sets out the requirements that apply when assessing the rateable capital value of a farmhouse.

The legislation requires the house to be occupied in connection with agricultural land and used as the dwelling of a person whose primary occupation is the carrying on or directing of agricultural operations. The legislation also allows for the situation where someone is employed in agricultural operations on the land in the service of the occupier and is entitled to use the house while so employed. Where definitions do not appear in legislation, interpretation is guided by case law.

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The total number of properties entered in the Valuation List as farmhouses at the end of September 2015 was just over 32,000. The Valuation List is not compiled on the basis of parliamentary constituency; therefore, it is not possible to provide a figure for East Londonderry.

Ms Sugden asked the Minister of Finance and Personnel to detail the number of farmhouses that have benefited from a 20 per cent reduction in their rate payments following the revaluation of rates in 2015.
(AQW 49399/11-16)

Mrs Foster: Schedule 12 Part II of the Rates (NI) Order 1977 sets out the requirements that apply when assessing the rateable capital value of a farmhouse.

The legislation requires the house to be occupied in connection with agricultural land and used as the dwelling of a person whose primary occupation is the carrying on or directing of agricultural operations. The legislation also allows for the situation where someone is employed in agricultural operations on the land in the service of the occupier and is entitled to use the house while so employed. Where definitions do not appear in legislation, interpretation is guided by case law.

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The total number of properties entered in the Valuation List as farmhouses at the end of September 2015 was just over 32,000. The Valuation List is not compiled on the basis of parliamentary constituency; therefore, it is not possible to provide a figure for East Londonderry.

Ms Sugden asked the Minister of Finance and Personnel to detail the total number of farmhouses paying rates in (i) Northern Ireland; and (ii) East Londonderry.

(AQW 49400/11-16)

Mrs Foster: Schedule 12 Part II of the Rates (NI) Order 1977 sets out the requirements that apply when assessing the rateable capital value of a farmhouse.

The legislation requires the house to be occupied in connection with agricultural land and used as the dwelling of a person whose primary occupation is the carrying on or directing of agricultural operations. The legislation also allows for the situation where someone is employed in agricultural operations on the land in the service of the occupier and is entitled to use the house while so employed. Where definitions do not appear in legislation, interpretation is guided by case law.

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The 2015 Revaluation was in respect of non domestic properties. Farmhouses and other domestic premises, therefore, were not re-valued in 2015.

The total number of properties entered in the Valuation List as farmhouses at the end of September 2015 was just over 32,000. The Valuation List is not compiled on the basis of parliamentary constituency; therefore, it is not possible to provide a figure for East Londonderry.

Ms Sugden asked the Minister of Finance and Personnel to detail the business rates reliefs and exemptions available for the rural and equine sectors.

(AQW 49401/11-16)

Mrs Foster: There is a broad range of support for business rates in Northern Ireland that will apply to business in the rural and equine sectors provided they meet the qualifying criteria. These reliefs and exemptions are:-

Small Business Rate Relief, Small Business Rate Relief for Small Post Offices, Empty Shops Rates Concession, Charitable Exemption, Sports and Recreation Rate Relief, Residential Homes Rate Relief, Industrial Derating, Empty Premises Relief, Hardship Relief, and District Rates Convergence.

There is no provision provided exclusively to the rural and equine sectors except for the rates exemption for ATMs in rural areas. That scheme is legislated for up until 31 March 2016.

Mr Allister asked the Minister of Finance and Personnel what comparative study has been conducted in respect of business rates in Northern Ireland and in Great Britain.

(AQW 49435/11-16)

Mrs Foster: A comparative study has not been undertaken, however, rates are a highly visible tax and individual rateable values and poundage rates are published and placed in the public domain.

Although it varies by district council area, NI charges an average of 55p per pound of rateable value, assessed at rental levels on 1 April 2013. The standard business rate in England is 49.3p and is 49.7p in the City of London. The standard business rate is 48p in Scotland and 48.2p in Wales. Again this is levied per pound of rateable value, but in the rest of the UK these are assessed at rental levels on 1 April 2008.

In general terms, looking at premises of broadly equivalent rental value, rate bills are similar. A DETI study into the Cost of Doing Business in NI, published earlier this month, also noted that anecdotal information, both from government and business consultations, would suggest that rates bills in NI are not higher relative to elsewhere.

The main differences lie in relief schemes:

- NI de-rates manufacturing premises by 70%, the rest of the UK charge full rates.
- Charitable occupation come with full rates exemption, compared to the 80% mandatory relief that applies in the rest of the UK.
- NI charges 50% rates on empty properties, England and Wales charge 100% and Scotland 90%.
- Small business rate relief is another significant difference and the findings from the study undertaken by the Northern Ireland Centre for Economic Policy, published December 2014, sets out in detail the variety of different schemes that exist.

This month the CBI asked for the comparative position to be set out clearly in the consultation paper and my officials have already confirmed this will be done.

Mr Allister asked the Minister of Finance and Personnel to detail any audit that has been conducted on business viability resulting from the recent rate revaluation.

(AQW 49436/11-16)

Mrs Foster: LPS is not equipped nor is there a requirement for it to examine the financial accounts of individual business ratepayers to assess business viability following the revaluation.

The revaluation does not raise additional revenue overall and it redistributes the rating burden between ratepayers based on more up to date market rents. An individual business's rate liability this financial year will not exceed 55% of annual rental value and this is not expected to threaten the viability of the overwhelming majority of business ratepayers, in and of itself. Any ratepayer struggling to pay their rate is encouraged to discuss their position with LPS as soon as possible to discuss options for payment.

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQW 48926/11-16, (i) whether records are kept of goods brought into this part of the United Kingdom from other parts of the United Kingdom and, (ii) to compare this with goods brought in from outside the United Kingdom, shown as a percentage.

(AQW 49483/11-16)

Mrs Foster: HMRC does not publish regional trade statistics relating to goods brought into one part of the UK from other parts and therefore the information requested at part (i) is not available from this source. The Northern Ireland Statistics and Research Agency is currently developing a business survey based estimate which will include the value of goods and services purchased from Great Britain, available in 2016.

Goods imported into Northern Ireland (i.e. goods purchased from outside the UK) were worth £6.0 billion in 2014.

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQW 48924/11-16, to address the question asked, which was not as to the applicable criteria but whether any financial termination packages have been paid or will be paid to any Special Advisers in consequence of ministerial resignations in various Departments since September 2015.

(AQW 49484/11-16)

Mrs Foster: The severance payment criteria for Special Advisers are contained in the 'Code Governing the Appointment of Special Advisers'. It is the responsibility of each department to implement the policy within the Code and to calculate and arrange payment of any severance due.

Mr Flanagan asked the Minister of Finance and Personnel when updated multiple deprivation measures will be published.

(AQW 49508/11-16)

Mrs Foster: The updated Multiple Deprivation Measure is expected to be published in mid 2017.

Mr A Maginness asked the Minister of Finance and Personnel (i) to detail the policy intention behind the decision to exempt properties deemed uninhabitable from rates; (ii) to detail the number of eligible properties which have (a) been made inhabitable and b) remain uninhabitable since the policy became operational; and (iii) for her assessment as to the success of this policy in delivering its intention.

(AQW 49559/11-16)

Mrs Foster: The rating system has developed as a tax on occupation and although this has now been extended to vacant property, it does require a property to be reasonably capable of being occupied to be entered in the Valuation List and thereby valued for rates. There was no decision made, it is simply a longstanding feature of the rating system dating back to the 19th Century. It would not be possible to charge rates on uninhabitable properties without fundamentally changing the nature of the rating system.

The Department only holds data on the number of properties that are valued for rating purposes and included in the Valuation List. DSD, the Housing Executive, DOE or Councils may have some information on the number of uninhabitable properties but I would expect that to be an unknown quantity as it depends on the definition of uninhabitable and whether this includes ruins, derelicts, or simply properties that are weather tight. Furthermore, in terms of properties 'made uninhabitable', LPS will deal with a rating case on the basis of the physical state of the property and will not record whether the ratepayer deliberately rendered it uninhabitable to avoid rates.

The policy of rating empty homes was intended to encourage those who own fit but unused homes to bring them onto the market for sale or rental and to raise some revenue in the process. I think the policy has been successful on both counts. My Department cannot say how many empty homes are now put to good use. This is because ratepayers pay the same in rates whether a home is occupied or lying empty and LPS do not distinguish between them. For the same reason the rates raised from the measure form part of the overall rating pool and cannot be calculated. However, estimates at the time it was introduced indicated between £10m and £15m a year would be raised. Whatever way you look at it, more properties are now paying rates which has helped spread the rating burden and kept average bills down for everyone else.

Mr Allister asked the Minister of Finance and Personnel to detail the cost of staff cover for union officials on facility time with their unions.

(AQW 49609/11-16)

Mrs Foster: The Northern Ireland Civil Service (NICS) does not routinely cover the departmental work of trade union representatives while on facility time with their unions.

My Department considers carefully the use of public money within the NICS and regulates the operation of time off arrangements and ensures there are realistic expectations held by all involved. All NICS staff are fully informed about the circumstances in which staffing resources can be used by trade unions to exercise their statutory right to represent their members.

The NICS sets out to build effective methods of communication, consultation and negotiation between management and representatives. Facility time is considered an acceptable cost in order to maintain good industrial relations.

Mr Allister asked the Minister of Finance and Personnel, pursuant to AQW 48919/11-16, (i) has his Department at any stage held any records of this ministerial meeting with Cerberus; and (ii) why do no records exist currently.

(AQW 49610/11-16)

Mrs Foster: I refer the member to my response to AQW 48343/11-16.

Mr Allister asked the Minister of Finance and Personnel to detail (i) the occasions on which ministerial cars have been used by MLAs who were not Ministers and the MLAs involved; (ii) the cost of the same; and (iii) if any MLAs have approached the Assembly to reimburse the public purse for using Ministerial cars while not Ministers and if so when.

(AQW 49613/11-16)

Mrs Foster: Responsibility for the operation of Ministerial cars rests with each individual department.

Ms P Bradley asked the Minister of Finance and Personnel for an update on the equal pay settlement for people that worked for (i) the PSNI; and (ii) the Northern Ireland Office.

(AQW 49616/11-16)

Mrs Foster: The matter was discussed in the Assembly on Monday 12 October where I placed on record my thanks to all staff who worked in the affected areas during very difficult times.

However, as the matter is a cross cutting issue requiring legislation to provide a route for payment and substantial funding would have to be found within already challenging budgets; it remains with the Executive for consideration.

Mr Swann asked the Minister of Finance and Personnel, pursuant to AQW 48992/11-16, to detail the occasions when the Agriculture Rate Relief has been denied or removed from a premises in each of the last three financial years and this year to date.

(AQW 49637/11-16)

Mrs Foster: In the financial year 1 April 2012 to 31 March 2013, the agricultural rate relief was removed on 735 occasions. In the years 2013/2014 and 2014/2015, it was removed on 1,381 and 1,118 occasions respectively. From 1 April 2015 to 13 October 2015, it was removed 614 times. At the end of September 2015 there continued to be over 32,000 farmhouses in the valuation list benefiting from the relief.

The number of occasions on which the relief was denied is not available. The most common reasons for removing the relief are that the house has become vacant or that the occupier has changed and the new occupier is not primarily engaged in agricultural operations on the land.

Ms Sugden asked the Minister of Finance and Personnel whether she is planning to bring forward any rate reduction schemes for small and medium enterprises, mindful of the impact that the minimum wage will have on operating costs for such enterprises.

(AQW 49667/11-16)

Mrs Foster: The minimum wage was introduced throughout the UK in April 1999 and there is no evidence to date to suggest that it has had a detrimental impact on enterprise or caused job losses.

I have no plans to bring forward rate reductions to address something that has not presented an issue to date.

Mr Ramsey asked the Minister of Finance and Personnel to detail the amount in annual rates which have been paid for each of the last five years on university campuses in Northern Ireland.

(AQW 49678/11-16)

Mrs Foster: The cash receipts received in relation to non-domestic university properties in Northern Ireland in each year from 2010/11 to 2014/15 is given in the table below.

Year	Total Cash Receipts
2010/11	£5,816,746
2011/12	£7,200,206
2012/13	£6,981,237

Year	Total Cash Receipts
2013/14	£6,868,272
2014/15	£6,960,138

Mr Easton asked the Minister of Finance and Personnel to detail how much money has been handed back, in this financial year, as a result of fines by the Treasury due to the failure to implement Welfare Reform.

(AQW 49746/11-16)

Mrs Foster: The UK Government has removed £114 million from the Executive's Resource DEL control total in 2015-16 to compensate the Exchequer for the AME savings foregone as a consequence of welfare reform not being implemented in Northern Ireland.

Department of Health, Social Services and Public Safety

Mr McKinney asked the Minister of Health, Social Services and Public Safety to detail (i) the composition; (ii) the remit; and (iii) the terms of reference of the Strategic Leadership Group.

(AQW 46597/11-15)

Mr Hamilton (The Minister of Health, Social Services and Public Safety): The Strategic Leadership Group will be chaired by my Permanent Secretary and includes a number of Chief Executives from the HSC. The group will drive transformational change and ensure the adoption of evidence-based approaches to service delivery that build on innovation and the adoption of technology. This Group will provide leadership, direction and challenge across the HSC to deliver system wide reform and innovation.

I have placed a copy of the Terms of Reference in the Assembly Library.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for an update on the provision of the meningitis vaccine Bexsero for new born babies.

(AQW 47323/11-15)

Mr Hamilton: The Men B vaccination programme was added to the routine childhood vaccination schedule in Northern Ireland from 1 September, in line with the rest of the UK.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety for an update on the Aseptic Unit Audit which was conducted by a Regional Quality Assurance team at Craigavon Area Hospital in December 2014; and to further detail any non-compliance issues were raised by this audit.

(AQW 47507/11-15)

Mr Hamilton: The RQA's December 2014 Audit made 9 findings. Of these one was classed as 'critical', one as 'major', and 7 as 'other minor'. The critical finding related to the facilities themselves which it judged did not meet EU requirements. A business case has been submitted to the Department and will be considered alongside other capital priorities. Other findings, related to aseptic processing; monitoring; documentation; product approval; materials, components & consumables and adherence to audit schedule, have been addressed. Work to address findings relating to personnel and training & competency assessment will be complete by the end of August 2015, and finally, in relation to management, as soon as possible.

Mrs Dobson asked the Minister of Health, Social Services and Public Safety, pursuant to AQW 46257/11-15, whether he has any plans to announce children in Northern Ireland will receive the Meningitis B Vaccine from September 2015.

(AQW 47571/11-15)

Mr Hamilton: The Men B vaccination programme was added to the routine childhood vaccination schedule in Northern Ireland from 1 September, in line with the rest of the UK.

Department of Justice

Lord Morrow asked the Minister of Justice how many Crown Court cases in the Londonderry Court Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.

(AQW 49464/11-16)

Mr Ford (The Minister of Justice): Up to and including the 4 October 2015 there were 58 cases in the Division of Londonderry in which either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

Lord Morrow asked the Minister of Justice how many Crown Court cases in the Craigavon Court Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.

(AQW 49530/11-16)

Mr Ford: Up to and including the 4 October 2015 there were 47 cases in the Division of Craigavon in which either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

Lord Morrow asked the Minister of Justice, pursuant to AQW 48925/11-16, whether hostels are paid an enhanced fee for monitoring in these instances; and if so, what is said fee compared to other placements where there is less perceived risk.

(AQW 49534/11-16)

Mr Ford: My Department does not have responsibility for the payment of fees to hostels. Payments to hostels are provided for under the Department of Social Development's Supporting People programme budget. Probation Board for Northern Ireland can make a discretionary payment to Approved Hostels where an additional staffing cost may be incurred for providing additional monitoring of a resident. Such instances are infrequent, but should they occur, payment is based on approved hostel staff rates set by the organisation which provides the service.

Lord Morrow asked the Minister of Justice how many Crown Court cases in the Antrim Court Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.

(AQW 49630/11-16)

Mr Ford: Up to and including the 4 October 2015 there were 32 cases in the Division of Antrim in which either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

Lord Morrow asked the Minister of Justice how much has been expended by his Department's arm's-length bodies to Edward Street Hostel, Portadown in each of the last three financial years, broken down by persons (i) on bail; (ii) released from custody; and (iii) in other circumstances.

(AQW 49631/11-16)

Mr Ford: Payments to hostels are provided for under the Department of Social Development's Supporting People Programme budget. Probation Board for Northern Ireland can make a discretionary payment where an additional staffing cost may be incurred for providing additional monitoring of a resident.

The only instance of this relating to Edward Street hostel, in the past three financial years, is a single payment of £33.98. This related to additional staff costs incurred when hostel staff accompanied an offender to a medical appointment.

Mr Allister asked the Minister of Justice what savings have been made by his Department within the 2015/16 budgetary allocations.

(AQW 49648/11-16)

Mr Ford: The savings made by my Department within the 2015-16 budgetary allocations are outlined in the Department of Justice 2015-16 Savings Delivery Plan. This document may be viewed on the Department of Justice website at the following address:

<https://www.dojni.gov.uk/publications/department-justice-savings-delivery-plans>

In addition to the opening budget savings, following advice from the Finance Minister in June, the Department's Accounting Officer asked all DOJ spending areas to identify savings from discretionary spend. The Department continues to work with all business areas to proactively identify further in-year savings needed to manage a range of pressures in order to achieve a balanced budget.

Lord Morrow asked the Minister of Justice, pursuant to AQW 49256/11-16, at what time staff were informed to enter the premises by an alternative entrance; and whether the officer in question received this communication.

(AQW 49676/11-16)

Mr Ford: I do not believe it appropriate to comment publicly on operational matters relating to the safety and security of prison officers.

Mr Easton asked the Minister of Justice to list the courthouses in Northern Ireland.

(AQW 49686/11-16)

Mr Ford: Set out in the table below are the courthouses in Northern Ireland and the number of courtrooms in each location. Both Downpatrick and Newtownards courthouses have four courtrooms each.

Venue	Number of Courtrooms
Antrim	3

Venue	Number of Courtrooms
Armagh	3
Ballymena	3
Bangor***	1
Coleraine	3
Craigavon	4
Downpatrick	4
Dungannon	4
Enniskillen	2
Laganside Courts	16
Larne***	1
Limavady	1
Lisburn	2
Londonderry	4
Magherafelt	2
Mays Chambers**	1
Newry	5
Newtownards	4
Old Town Hall ***	4
Omagh	4
Royal Courts of Justice*	11
Strabane	2

* The Royal Courts of Justice has a number of additional rooms which may be used for hearings.

** A leased building which currently holds Coroner's hearings.

*** Venues are currently closed but remain part of the court estate.

In addition to the above Banbridge Courthouse is currently being used as an Inquiry Centre.

Mr Easton asked the Minister of Justice how many courtrooms there are in Downpatrick courthouse.
(AQW 49688/11-16)

Mr Ford: Set out in the table below are the courthouses in Northern Ireland and the number of courtrooms in each location. Both Downpatrick and Newtownards courthouses have four courtrooms each.

Venue	Number of Courtrooms
Antrim	3
Armagh	3
Ballymena	3
Bangor***	1
Coleraine	3
Craigavon	4
Downpatrick	4
Dungannon	4
Enniskillen	2
Laganside Courts	16
Larne***	1

Venue	Number of Courtrooms
Limavady	1
Lisburn	2
Londonderry	4
Magherafelt	2
Mays Chambers**	1
Newry	5
Newtownards	4
Old Town Hall ***	4
Omagh	4
Royal Courts of Justice*	11
Strabane	2

* The Royal Courts of Justice has a number of additional rooms which may be used for hearings.

** A leased building which currently holds Coroner's hearings.

*** Venues are currently closed but remain part of the court estate.

In addition to the above Banbridge Courthouse is currently being used as an Inquiry Centre.

Mr Easton asked the Minister of Justice how many courtrooms there are in Newtownards courthouse.
(AQW 49689/11-16)

Mr Ford: Set out in the table below are the courthouses in Northern Ireland and the number of courtrooms in each location. Both Downpatrick and Newtownards courthouses have four courtrooms each.

Venue	Number of Courtrooms
Antrim	3
Armagh	3
Ballymena	3
Bangor***	1
Coleraine	3
Craigavon	4
Downpatrick	4
Dungannon	4
Enniskillen	2
Laganside Courts	16
Larne***	1
Limavady	1
Lisburn	2
Londonderry	4
Magherafelt	2
Mays Chambers**	1
Newry	5
Newtownards	4
Old Town Hall ***	4
Omagh	4
Royal Courts of Justice*	11

Venue	Number of Courtrooms
Strabane	2

* The Royal Courts of Justice has a number of additional rooms which may be used for hearings.

** A leased building which currently holds Coroner's hearings.

*** Venues are currently closed but remain part of the court estate.

In addition to the above Banbridge Courthouse is currently being used as an Inquiry Centre.

Lord Morrow asked the Minister of Justice what is the average turnaround time, since 1 September 2015, from the issuing of a committal warrant for an unpaid fine during fine default magistrates court listings brought by the Courts and Tribunal Service in the Fermanagh and Tyrone court division; and what is the average time taken to execute a warrant on the defaulter, broken down court house within the division.

(AQW 49690/11-16)

Mr Ford: NICTS records indicate that in the six week period ending 12 October 2015 the PSNI have recorded the execution of 23 committal warrants issued in respect of unpaid fines as the result of Fine Default Review Hearings in the Magistrates' Court in the Division of Fermanagh and Tyrone within an average of eight days.

Court Division	Court Office Name	Total Number of warrants executed	Average Days to Execute
Fermanagh and Tyrone	Dungannon Court Office	5	5
	Enniskillen Court Office	11	11
	Strabane Court Office	7	5
	Total	23	8

Lord Morrow asked the Minister of Justice how many Crown Court cases in the Ards Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.

(AQW 49691/11-16)

Mr Ford: Up to and including the 4 October 2015 there were 70 cases in the Division of Ards in which either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

Lord Morrow asked the Minister of Justice whether the imposition of a financial penalty imposed by a judge in court for a criminal offence is a court order.

(AQW 49692/11-16)

Mr Ford: The imposition by the court of a monetary penalty following a conviction for a criminal offence is an order of the court.

Lord Morrow asked the Minister of Justice (i) for a breakdown of the legal aid costs to date for Martin Murray, including the preliminary investigation; (ii) an estimated cost of expenditure for the high court hearing seeking leave to appeal the conviction; and (iii) the estimated cost of action to petition the Supreme Court.

(AQW 49693/11-16)

Mr Ford:

- (i) The legal aid costs to date in respect of the Magistrates' Courts and Crown Court criminal proceedings for this defendant and his co-accused are:

Cost Type	Total
Solicitor	£229,694
Junior Counsel	£37,620
Senior Counsel	£58,506
Total	£325,820

Notes

Mr Murray was one of three co-accused represented by the same Solicitor's firm in the Magistrates' Courts and Crown Court proceedings. The fees payable under the relevant remuneration rules do not allow the total fees paid to the solicitor to be broken down to identify fees for one defendant only.

The Magistrates' Court fees were determined in accordance with the Legal Aid in Criminal Proceedings (Costs) Rules (Northern Ireland) 1992 as amended by the 1996 Rules.

The Crown Court fees were determined in accordance with the Legal Aid for Crown Court Proceedings (Costs) Rules (Northern Ireland) 2005.

The legal aid costs to 26 April 2012 in respect of the Court of Appeal for Martin Murray are:

Cost Type	Total
Solicitor	£27,383
Junior Counsel	£83,916
Senior Counsel	£126,000
Total	£237,299

Notes

Mr Murray changed his legal team in 2012. Claims for legal aid from the new legal team have not yet been received.

- (ii) The estimated costs of the high court hearing seeking leave to appeal the conviction to the Supreme Court is given in the table below:

Cost Type	Total
Prosecution 1	£155
Court 2	£1,147
Legal Aid 3	n/a
Total	£1,302

- 1 The identifiable costs relate to fees paid to counsel. Estimated costs for the PPS Clerk who attended Counsel are not available
- 2 The estimated court cost include judicial and staff salaries and the cost of facilities.
- 3 Mr Murray changed his legal team in 2012. Claims for legal aid from the new legal team for the Application for leave to Appeal to Supreme Court have not yet been received.

- (iii) The Supreme Court is a non-Ministerial Government Department of the United Kingdom. The Department of Justice for Northern Ireland does not hold any information on the estimated costs of an action to petition the Supreme Court.

Lord Morrow asked the Minister of Justice whether a breach of a court order is a criminal offence.

(AQW 49726/11-16)

Mr Ford: There is no general criminal offence of breach of a court order. The legislation that provides for individual categories of order may also make provision for the enforcement action to be taken in the event of a breach.

Lord Morrow asked the Minister of Justice what assessment the Probation Board has made of referral services for addiction treatment and assistance in the community in the Fermanagh and Tyrone court division since the Public Health Agency undertook control of the tendering for, and the delivery of, the service.

(AQW 49728/11-16)

Mr Ford: PBNI continuously monitors the referral services it provides and is satisfied that the appropriate referrals are being made to Health funded delivery services as required by the Public Health Agency.

Mr Easton asked the Minister of Justice what is the annual cost to run and maintain Newtownards courthouse.

(AQW 49730/11-16)

Mr Ford: The annual costs to run and maintain Newtownards and Downpatrick Courthouses, based on audited figures for the financial year 2014/15, are set out in the Table below. These costs include utility charges, premises related costs including maintenance, service charges and general administration costs excluding salaries:

Operating Costs including Maintenance

Courthouse	2014/2015 Annual Operating Costs including Maintenance
Newtownards	£507,120

Courthouse	2014/2015 Annual Operating Costs including Maintenance
Downpatrick	£656,587
Total	£1,163,707

There are currently 14⁵ members of Northern Ireland Courts and Tribunals Service (NICTS) staff employed in Downpatrick Courthouse and 21⁶ members of NICTS staff employed in Newtownards Courthouse.

Mr Easton asked the Minister of Justice what is the annual cost to run and maintain Downpatrick courthouse.
(AQW 49731/11-16)

Mr Ford: The annual costs to run and maintain Newtownards and Downpatrick Courthouses, based on audited figures for the financial year 2014/15, are set out in the Table below. These costs include utility charges, premises related costs including maintenance, service charges and general administration costs excluding salaries:

Operating Costs including Maintenance

Courthouse	2014/2015 Annual Operating Costs including Maintenance
Newtownards	£507,120
Downpatrick	£656,587
Total	£1,163,707

There are currently 14⁷ members of Northern Ireland Courts and Tribunals Service (NICTS) staff employed in Downpatrick Courthouse and 21⁸ members of NICTS staff employed in Newtownards Courthouse.

Mr Easton asked the Minister of Justice how many people work at Newtownards courthouse.
(AQW 49732/11-16)

Mr Ford: The annual costs to run and maintain Newtownards and Downpatrick Courthouses, based on audited figures for the financial year 2014/15, are set out in the Table below. These costs include utility charges, premises related costs including maintenance, service charges and general administration costs excluding salaries:

Operating Costs including Maintenance

Courthouse	2014/2015 Annual Operating Costs including Maintenance
Newtownards	£507,120
Downpatrick	£656,587
Total	£1,163,707

There are currently 14⁹ members of Northern Ireland Courts and Tribunals Service (NICTS) staff employed in Downpatrick Courthouse and 21¹⁰ members of NICTS staff employed in Newtownards Courthouse.

Mr Easton asked the Minister of Justice how many people currently work at Downpatrick courthouse.
(AQW 49733/11-16)

Mr Ford: The annual costs to run and maintain Newtownards and Downpatrick Courthouses, based on audited figures for the financial year 2014/15, are set out in the Table below. These costs include utility charges, premises related costs including maintenance, service charges and general administration costs excluding salaries:

-
- 5 Eight members of staff work full-time, the remaining six members of staff work either part-time or term time.
6 11 members of staff work full-time, the remaining 10 members of staff work part-time.
7 Eight members of staff work full-time, the remaining six members of staff work either part-time or term time.
8 11 members of staff work full-time, the remaining 10 members of staff work part-time.
9 Eight members of staff work full-time, the remaining six members of staff work either part-time or term time.
10 11 members of staff work full-time, the remaining 10 members of staff work part-time.

Operating Costs including Maintenance

Courthouse	2014/2015 Annual Operating Costs including Maintenance
Newtownards	£507,120
Downpatrick	£656,587
Total	£1,163,707

There are currently 14¹¹ members of Northern Ireland Courts and Tribunals Service (NICTS) staff employed in Downpatrick Courthouse and 21¹² members of NICTS staff employed in Newtownards Courthouse.

Mr Weir asked the Minister of Justice to detail the cost of the removal of remains to the forensic mortuary in each year since 2010-11.

(AQW 49737/11-16)

Mr Ford: The costs (excluding VAT) of the removal of remains to the forensic mortuary for 2012/13 to 2014/15 are:

2012-13	£242,908
2013-14	£332,833
2014-15	£356,902
Total	£932,643

The costs of the removal of remains to the forensic mortuary for the years prior to this cannot readily be identified from the total cost of moving remains both to and from the forensic mortuary as costs were not analysed in this way at that time. The information for the financial years 2010-11 and 2011-12 could only be obtained at disproportionate cost.

Mr Lynch asked the Minister of Justice what steps his Department has taken to address the anomaly in the level of statutory bereavement damages compared with other jurisdictions on these islands.

(AQW 49748/11-16)

Mr Ford: My Department is currently consulting on a review of the level of statutory bereavement damages in Northern Ireland. This consultation is open from 5 October until 30 November 2015. My Department will consider the consultation responses and, if necessary, bring forward legislation, subject to the Assembly's negative resolution procedure, to revise the level of these damages.

Lord Morrow asked the Minister of Justice, pursuant to AQW 49214/11-16, to outline the drug and alcohol testing procedure carried out by hostel staff.

(AQW 49783/11-16)

Mr Ford: On a case by case basis, residents of hostels can be subject to alcohol and drug testing as required by conditions of their licence or court order or when hostel staff have suspicions that they may have consumed alcohol or drugs.

The procedure involves testing a sample of urine which is analysed for the presence of substances. The results are subsequently communicated to relevant Probation Board staff and to the offender.

Lord Morrow asked the Minister of Justice, pursuant to AQW 49140/11-16, whether there is any correlation between the increase in the figures shown and the staff shortages over the corresponding years.

(AQW 49785/11-16)

Mr Ford: I refer the member to my previous response.

The best and most appropriate management of risk is the key element when determining an individual's suitability for all NIPS temporary release schemes. Prisoners are not released to travel unescorted because of the level of staffing in prison establishments.

Lord Morrow asked the Minister of Justice how he intends to address the lack of services in the Fermanagh and Tyrone court division for the Probation Board NI to refer persons for addiction assistance.

(AQW 49786/11-16)

11 Eight members of staff work full-time, the remaining six members of staff work either part-time or term time.

12 11 members of staff work full-time, the remaining 10 members of staff work part-time.

Mr Ford: Probation Board for Northern Ireland has agreed with the Public Health Agency that referrals for addiction assistance for the Western Trust, part of the Fermanagh and Tyrone Court Division will be made to ASCERT NI. Referrals for the Southern Trust part of the Court Division will be made to the Southern Health and Social Care Trust.

Mr Byrne asked the Minister of Justice what alternatives his Department explored regarding the imminent closure of the Probate Registry in Derry.

(AQW 49837/11-16)

Mr Ford: The District Probate Registry Office in Londonderry Courthouse is not closing under new arrangements for the management of probate applications in Northern Ireland.

From the 30 September 2015, the Principal Probate Registry Office in the Royal Courts of Justice assumed responsibility for the management and processing of all probate applications. Applications can still be lodged with the District Office, and personal applications can still be sworn by designated Probate Officers assigned to the Office.

The Department considered three additional alternatives before reaching its decision:

- 1) Do nothing;
- 2) Centralise probate applications in the Principal Probate Registry Office in the Royal Courts of Justice and close the District Registry Office; and
- 3) Centralise the management of probate applications in the Principal Probate Registry Office in the Royal Courts of Justice, retain the District Registry for the lodgement of probate documentation, and the swearing of personal applications.

The new arrangements are considered to be more efficient and cost effective while retaining customer service provisions for Londonderry District Probate Registry customers.

Lord Morrow asked the Minister of Justice to detail the timeline for judicial proceedings involving Robert Howard following the decision that he would be called as a witness in the inquest into Arlene Arkinson, including judicial reviews and the initial authorisation of legal aid for representation at the coroner's court.

(AQW 49854/11-16)

Mr Ford: The timeline of the judicial proceedings involving Robert Howard following the decision that he would be called as a witness in the Arlene Arkinson inquest is detailed in the table below.

Timeline of judicial proceedings

28 November 2007	Coroner's Preliminary Hearing after which the Coroner wrote to Robert Howard's solicitor announcing that he would hold an inquest and that Robert Howard would be called as a witness
November 2007 – November 2009	Ongoing correspondence between Robert Howard's solicitor and the Coroner
2 November 2010	Coroner's Preliminary Hearing
December 2010 – May 2011	Ongoing correspondence between Robert Howard's solicitor and the Coroner
26 May 2011	Application for leave to proceed with a Judicial Review
28 June 2011	Reserved Judgment in application for leave
20 September 2011	Leave granted to proceed with Judicial Review
21 September 2011	Application for Judicial Review
25 November 2011	Reserved Judgment in Judicial Review
6 December 2011	Judicial Review dismissed
6 January 2012	Coroner's Preliminary Hearing
17 January 2012	Application to appeal Judicial Review decision
13 February 2012	Coroners Preliminary Hearing
28 February 2012	Application to appeal Judicial Review decision withdrawn
6 March 2012	Coroner's Preliminary Hearing
6 February 2013	Coroner's Preliminary Hearing
8 March 2013	Coroner's Preliminary Hearing
12 April 2013	Coroner's Preliminary Hearing

24 June 2013	Coroner's Preliminary Hearing
30 August 2013	Coroner's Preliminary Hearing
18 October 2013	Coroner's Preliminary Hearing
22 November 2013	Coroner's Preliminary Hearing
11 December 2013	Application for leave to proceed with a Judicial Review
13 December 2013	Application for leave listed for hearing
16 December 2013	Application for leave adjourned
6 January 2014	Application for leave adjourned
7 January 2014	Coroners Preliminary Hearing
8 January 2014	Application for leave to proceed with a Judicial Review withdrawn
7 February 2014	Coroner's Preliminary Hearing
14 February 2014	Coroner's Preliminary Hearing
21 February 2014	Coroner's Preliminary Hearing
21 March 2014	Coroner's Preliminary Hearing
28 March 2014	Coroner's Preliminary Hearing
10 April 2014	Coroner's Preliminary Hearing
8 October 2014	Coroner's Preliminary Hearing
7 November 2014	Coroner's Preliminary Hearing
21 November 2014	Coroner's Preliminary Hearing
12 December 2014	Coroner's Preliminary Hearing
22 January 2014	Coroner's Preliminary Hearing
28 May 2015	Coroner's Preliminary Hearing
11 June 2015	Coroner's Preliminary Hearing
24 June 2015	Coroner's Preliminary Hearing
8 July 2015	Coroner's Preliminary Hearing
1 September 2015	Coroner's Preliminary Hearing
2 October 2015	Robert Howard dies in prison
7 October 2015	Coroner's Preliminary Hearing – Inquest listed for 1 February 2016

Lord Morrow asked the Minister of Justice how many people are awaiting Probation Board NI referral for addictions assistance in the Fermanagh and Tyrone division, broken down by courthouse where the probation order was imposed or by post-custodial release residence.

(AQW 49856/11-16)

Mr Ford: PBNI frontline staff have been trained by the Public Health Agency to identify those under PBNI supervision on the spectrum of hazardous /harmful/ dependent substance use/misuse and the level of service delivery required to address their needs.

PBNI staff, upon identification of need or where a condition of a court order or post-custody licence exists, make an immediate referral to the appropriate provider within each trust area. As of 21 October 2015, there are no people awaiting a PBNI referral in the Fermanagh and Tyrone division for addictions assistance.

Mr Weir asked the Minister of Justice what is the maximum sentencing tariff for criminal damage.

(AQW 49860/11-16)

Mr Ford: Under the provisions of the Criminal Damage (Northern Ireland) Order 1977, a maximum sentence of 14 years imprisonment is available for criminal damage offences tried on indictment. Where the case is tried summarily, up to 2 years imprisonment is available to the courts.

Sentencing guidelines for criminal damage offences tried in the Magistrates Courts are available on the Judicial Studies Board website at:

<http://www.jsbni.com/Publications/sentencing-guides-magistrates-court/Documents/Templates/Criminal%20Damage.pdf>.

These guidelines also reference guideline judgments for criminal damage offences tried on indictment.

Mr Weir asked the Minister of Justice how many (i) prosecutions; (ii) convictions; and custodial sentences have been secured for criminal damage in each of the last five years.

(AQW 49861/11-16)

Mr Ford: Criminal damage offences may be prosecuted under the Criminal Damage (Northern Ireland) Order 1977, the Magistrates' Courts (Northern Ireland) Order 1981 and the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983.

Information on prosecutions and convictions at courts in Northern Ireland, in relation to criminal damage offences, has been provided in the following table.

Prosecutions and convictions for criminal damage offences, 2010 - 2014

	2010	2011	2012	2013	2014
Prosecutions	2,236	2,360	2,277	2,042	1,904
Convictions	1,473	1,581	1,611	1,488	1,419
Custodial sentences	223	304	344	318	330

Note:

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.
- 2 The figures provided relate to prosecutions and convictions for all classifications of the offence specified.

Mr Weir asked the Minister of Justice to outline the sentencing guidelines on criminal damage.

(AQW 49862/11-16)

Mr Ford: Under the provisions of the Criminal Damage (Northern Ireland) Order 1977, a maximum sentence of 14 years imprisonment is available for criminal damage offences tried on indictment. Where the case is tried summarily, up to 2 years imprisonment is available to the courts.

Sentencing guidelines for criminal damage offences tried in the Magistrates Courts are available on the Judicial Studies Board website at:

<http://www.jsbni.com/Publications/sentencing-guides-magistrates-court/Documents/Templates/Criminal%20Damage.pdf>.

These guidelines also reference guideline judgments for criminal damage offences tried on indictment.

Mr Weir asked the Minister of Justice what strategies his Department has to combat the crime of criminal damage.

(AQW 49863/11-16)

Mr Ford: My Department does not have a specific strategy to combat the crime of criminal damage, but there are a number of relevant initiatives taken forward by my Department which have a bearing on all crime types. These include the Community Safety Strategy and the Reducing Offending Strategic Framework.

'Building Safer, Shared and Confident Communities: A Community Safety Strategy for Northern Ireland 2012-2017' sets the direction for government for reducing crime, anti-social behaviour and fear of crime in Northern Ireland.

The Strategic Framework for Reducing Offending, which links to the wider Delivering Social Change framework, sets out how the Executive will build a safer Northern Ireland through a long term reduction in offending behaviour. The Framework is based on strong partnership working across Government, and with the statutory, voluntary and community sector, both to prevent people from becoming involved in crime and to reduce re-offending among those who do.

In relation to the victims of crime, including the victims of criminal damage, the Victim Charter is relevant. The Assembly recently agreed to this being placed on a statutory footing. The Charter clearly sets out the entitlements of victims, the services that are to be provided and the standard of services that they can expect to receive as they move through the criminal justice process.

In terms of the legislative basis for dealing with criminal damage, the Criminal Damage (Compensation) (Northern Ireland) Order 1977 was developed and introduced when Northern Ireland was in the midst of a serious and sustained terrorist campaign with serious public disorder a regular feature of the conflict. The purpose of the Criminal Damage Scheme is to reinstate victims of criminal damage to the position that they were in immediately prior to the incident which gave rise to their claim.

I made a commitment in the Victim and Witness Strategy to review the Criminal Injuries and Criminal Damage Compensation Schemes. The purpose of the review was to examine the Schemes to ensure that they are relevant and responsive to the needs of victims today and for those in the future.

The review has now been completed and proposals to reform the Criminal Damage Scheme issued for public consultation earlier this year. Responses to the consultation are now being considered with the intention of bringing forward a post consultation report and proposals for a new Scheme later in the year.

Mr Allister asked the Minister of Justice to detail the (i) average time; and (ii) longest time taken by his Department to respond to a Freedom of Information request since 2012.

(AQW 49886/11-16)

Mr Ford: The average times taken for my Department to respond to Freedom of Information (FOIA) requests are detailed in the table below. The longest time taken to respond to a Freedom of Information request was 63 days, in 2013. This request had been extended, as allowed under FOIA, to consider the public interest test.

Year	2012	2013	2014	2015 (to date)
Average (working days to answer)	16.76	14.22	14.34	12.85

Lord Morrow asked the Minister of Justice, pursuant to AQW 49139/11-16, to detail the reasons for withdrawing charges against each of the three prisoners.

(AQW 49890/11-16)

Mr Ford: When potential criminal cases are referred to the PSNI, the internal disciplinary system to address charges under Prison Rules is suspended, until the outcome of that investigation is known.

In these cases the prisoners were released from custody before a determination was made by the Public Prosecution Service.

Lord Morrow asked the Minister of Justice, pursuant to AQW 49343/11-16, whether action has been taken to prevent a recurrence of this incident.

(AQW 49894/11-16)

Mr Ford: The review of the incident resulted in a number of actions being taken to prevent a recurrence. I do not believe it would be appropriate to detail these actions for the safety and security of prison officers.

Lord Morrow asked the Minister of Justice whether the Speeding Up Justice initiative relates only to cases once they enter the courts system, or from the point of reporting an alleged criminal offence.

(AQW 49913/11-16)

Mr Ford: The Speeding Up Justice Programme is a multi-agency initiative which is intended to reduce avoidable delay. This includes the earliest stages of cases and, therefore, covers from the point of reporting an alleged criminal offence.

Lord Morrow asked the Minister of Justice, pursuant to AQW 49420/11-16, whether he will review this response on disclosure of coroner's court representation fees on the grounds that these are civil legal aid matters, given the Freedom of Information Act (Section 40) states exemption applies only to living individuals.

(AQW 49914/11-16)

Mr Ford: The Legal Services Agency NI has not relied on Section 40 of the Freedom of Information Act to claim an exemption from providing this information.

Section 44 (1) (a) of the Freedom of Information Act provides for the exemption to the provision of information where its disclosure is prohibited by other legislation. Article 24 of the Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 provides the prohibition on providing the information sought.

Lord Morrow asked the Minister of Justice what is the legislative definition of a hate crime.

(AQW 49915/11-16)

Mr Ford: There is no legislative definition of hate crime; however the Criminal Justice Agencies in Northern Ireland apply the definition recommended by the Stephen Lawrence inquiry. This is any incident which constitutes a criminal offence, perceived by the victim or any other person as being motivated by prejudice or hate towards a person's actual or perceived race; faith or religion; sexual orientation; disability; political opinion or gender identity.

The legislative provisions which are drawn upon for dealing with hate offences in Northern Ireland are set out in the Public Order (Northern Ireland) Order 1987 and the Criminal Justice (No. 2) (Northern Ireland) Order 2004.

Part III of the 1987 Order created offences for arousing fear or hatred amongst groups defined by reference to "religious belief, colour, race, nationality (including citizenship) or ethnic or national origins".

The 2004 Order extended the protections of Part III of the Public Order (Northern Ireland) Order 1987 to include groups defined by reference to sexual orientation or disability. It also places requirements on the court to consider hostility as an aggravating factor that increases the seriousness of the offence, and to state in open court that the offence was so aggravated. An offence is aggravated by hostility if, either at the time of the offence, immediately before or after its commission, the offender demonstrates hostility to the victim based on the victim's racial, religious or sexual orientation group, or on his/her disability.

Ms Sugden asked the Minister of Justice what targets his Department has on awarding public appointments to (i) people under 30 years of age; and (ii) women.

(AQW 49934/11-16)

Mr Ford: My Department does not currently set targets for awarding public appointments to people under 30 years of age and women. In some previous public appointment competitions, my Department has used positive action statements in relation to age and gender in order to attract a wider pool of applicants from these groups. I will continue to consider this practice for future appointments where appropriate.

My Department is committed to the principle of selection on merit and complies with the Code of Practice for Ministerial Public Appointments published by the Commissioner for Public Appointments NI when making public appointments.

Improving diversity on the Boards of public bodies is important to my Department and I aim to attract applications from a broad range of candidates by advertising competitions using a range of outlets such as newspapers, the DOJ and OFMDFM websites and by highlighting forthcoming competitions on OFMDFM's news-sheet 'All Aboard'.

Mr Easton asked the Minister of Justice to outline the legislation on the use of fireworks.

(AQW 49953/11-16)

Mr Ford: The Explosives (Fireworks) Regulations (Northern Ireland) 2002, as amended by the Pyrotechnic Articles (Safety) Regulations 2015 contain the law on the use of fireworks. In summary, any fireworks beyond those which can be used indoors require a licence to be obtained before they can be purchased, possessed and discharged. In addition, those wishing to sell fireworks must be registered under the Manufacture and Storage of Explosives Regulations (NI) 2006. This requires the seller to satisfy a level of fitness and their premises must also be deemed suitable for the type and quantity of fireworks to be held for sale. Breach of the law can carry a maximum fine of £5,000 or six months imprisonment. The purpose of the legislation is to regulate both the buyer and the seller in order to ensure public safety.

Guidance and the legislation governing the use of fireworks can be found on the NIDirect website <http://www.nidirect.gov.uk/fireworks>

Mr McKinney asked the Minister of Justice how many people have been convicted of heroin supply or abuse in South Belfast in each of the last three years.

(AQW 49971/11-16)

Mr Ford: I refer the Member to my response to AQW49093/11-16. The answer provides the information requested in this question.

Ms Fearon asked the Minister of Justice whether all the recommendations of the Prison Review Team have been implemented.

(AQO 8899/11-16)

Mr Ford: Of the 40 recommendations made by the Prison Review Team, only two remain outstanding, with 33 having been signed off and three remaining under assessment by the Oversight Group. An additional two recommendations have been referred by the Oversight Group to CJINI for independent assessment.

There are two recommendations which will fall outside the lifespan of the Reform Programme - recommendation three, on effective community sentences, and recommendation 13, on the joint Health and Justice Strategy. However, this does not mean that work on these recommendations has stopped. Work is ongoing with the Lord Chief Justice to consider alternatives to custody, with PBNI launching an Enhanced Combination Order pilot this month, and engagement continues at a senior level between NIPS and DHSSPS on developing the Joint Health and Justice Strategy.

As the formal Programme comes to an end, four key strategic themes have emerged: leadership; purposeful activity; partnership with healthcare; and a fit for purpose prison estate. It is on these four themes that the Prison Service will focus as it continues to embed the positive changes implemented through the Programme of Reform.

Mr McGlone asked the Minister of Justice for an update on the police and emergency services joint training college.

(AQO 8904/11-16)

Mr Ford: As Members of the Justice Committee will be aware from oral evidence presented by officials to the Committee on in September, substantial progress has been made on the development of a revised business case.

Over recent months, a considerable amount of work has been undertaken, and significant resources have been deployed by each of the three Services, to drive this project forward. The Services completed a fundamental review of their training needs. A 'functionality and suitability assessment' of the Services' current training estates was also undertaken to assess fitness for purpose.

The Programme Board has undertaken a review of the strategic context underpinning the College. This included a review of training assets, including identification of gaps in training infrastructure and identification of strategic options; and development of schedules of accommodation for each option, together with associated capital and resource costs.

The revised outline business case will be made available to Executive Ministers by end November 2015. This will enable the Executive to take an informed strategic decision on the way forward for this project.

Mr McGimpsey asked the Minister of Justice to outline any discussions he has had with the Chief Constable in relation to the recent increase in home invasions in Belfast and North Down.

(AQO 8905/11-16)

Mr Ford: I meet with the Chief Constable regularly to discuss, among other issues, current crime trends. I understand the impact that this type of crime can have on individuals, particularly vulnerable individuals, and of their sense of safety within their own homes.

The safety of older people is an important issue for my Department, and this is emphasised by the inclusion of measures to address this fear of crime within the Programme for Government and my Department's Community Safety Strategy, "Building Safer, Shared and Confident Communities".

The measures in both these strategic documents aim to reduce fear among older and vulnerable people, and increase their confidence and feelings of safety in their homes and local community.

On a practical level, my Department recently supported the development of Age Sector Platform's "Feel Safe" guide, which has a particular focus on practical protection measures from opportunistic crime such as burglary and bogus callers. I understand that local PSNI officers have been distributing this booklet to older people who have been victims of crime and I hope that the advice has been useful for them in the aftermath of these crimes.

At a local level, Policing and Community Safety Partnerships take forward a range of tailored initiatives aimed at tackling crime against older people and fear of crime. These include practical crime prevention sessions aimed at older people and referral to Neighbourhood Watch schemes.

The PSNI and PCSPs have jointly developed a domestic burglary campaign which I will be launching tomorrow. This will have a focus on protecting your home, your family and yourself, and will provide access to crime prevention advice. I also understand that the PSNI has worked in conjunction with the Commissioner for Older People to develop a 'Nominated Neighbour' scheme aimed at helping older people to feel safer in their homes.

The PSNI's response to such crimes is an operational matter for the Chief Constable.

Mr Ramsey asked the Minister of Justice how many of the 15 recommendations for improvement, made by the Prisoner Ombudsman for Northern Ireland, relating to the death in custody of Alec Smyth have been implemented in full.

(AQO 8906/11-16)

Mr Ford: The three recommendations that relate directly to NIPS have been fully accepted and actions have been implemented. NIPS will ensure that they contribute with effective collaborative working with South Eastern Health and Social Care Trust to assist in the implementation of all the recommendations.

Mr McElduff asked the Minister of Justice for an update on his Department's Interface Action Team.

(AQO 8908/11-16)

Mr Ford: The Interface Action Team, situated in my Department's Community Safety Unit, leads on work to seek local agreement to reduce the number of peace walls.

The Team continues to engage with relevant Departments, statutory partners, the International Fund for Ireland, local residents and community and voluntary representatives to develop a partnership based approach that can deliver a better future for those living at interfaces, without the need for barriers.

In addition to Departmental funding, the Team can bid for funding through the TBUC programme budget to help with delivery. This includes bidding for money for non-departmental partners such as the Northern Ireland Housing Executive and Belfast City Council.

Provision of additional temporary staff for the Team is currently being considered, to provide specific skilled resources in a number of areas: to help take forward recommendations contained within research carried out by the Ulster University over the past year on interface policy and practice; work recently completed on engagement in Portadown, East Belfast, and West Belfast; and ongoing interface projects in Belfast and Derry.

The findings of the recent Attitudes to Peace Walls survey will also be published in the coming weeks.

It is intended that Departmental officials will give a briefing to the Justice Committee on the interface programme before the end of the current mandate.

Mr Milne asked the Minister of Justice for his assessment of whether the 50/50 recruitment policy should be reintroduced to address the imbalance in the religious composition of the PSNI.

(AQO 8909/11-16)

Mr Ford: I am keen that the PSNI should continue the great strides it has taken to create a police service that is representative of the wider community it serves. I do not believe discrimination through the reintroduction of a "50/50" recruitment policy is the way to do it.

When launching this recruitment campaign senior PSNI officers were keen to encourage recruits from all sections of the community and all areas across Northern Ireland in order to get a workforce that represents the entire community.

Mr McCarthy asked the Minister of Justice what consideration has he given to the development of a central register of people convicted of offences in relation to animal cruelty.

(AQO 8910/11-16)

Mr Ford: My Department is looking at the feasibility of a central register of those convicted of animal cruelty offences. This work is one part of the joint Department of Agriculture And Regional Development and Department Of Justice review into the Implementation of the Welfare of Animals Act (Northern Ireland) 2011. Those calling for the establishment of a central register raise two points. Firstly, how we share conviction data between the enforcement bodies – DARD, Local Councils, and the PSNI - to ensure they have the information they need to perform their role. We have agreed to DARD's request for access to conviction data, and in conjunction with DARD we are considering how best to provide similar information to Local Councils.

Secondly, whether it is feasible to share conviction data with non-statutory bodies such as animal re-homing charities to provide assurance in reaching re-homing decisions.

Sharing conviction data with non-statutory bodies such as animal re-homing charities raises complex legal issues and queries on how such a system would work in practice. We continue to work through the issues.

I have recently agreed to a request from the Minister of Agriculture and Regional Development to increase the statutory maximum penalties for those convicted of animal cruelty under the 2011 Act. The necessary legislative amendments will be brought forward in the Justice (No2) Bill.

These amendments will ensure Northern Ireland has amongst the toughest statutory maximum penalties for animal cruelty on these islands.

I have also given a commitment to add animal cruelty offences to the list of offences that can be referred to the Court of Appeal where sentences handed down in Crown Court cases are considered unduly lenient.

Mr Anderson asked the Minister of Justice to detail the number of convictions for drug related offences in each of the last five years, broken down by constituency.

(AQW 50066/11-16)

Mr Ford: Drugs offences may be prosecuted under the Misuse of Drugs Act 1971, the Medicines Act 1968, the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 and the Customs and Excise Management Act 1979.

Information on the location of an offence is not included as part of convictions databases held by the Department. Therefore, it is not possible to provide information on drugs convictions by constituency. Instead, information has been provided by the Court Division in which cases were dealt with for the period 2010 – 2014, the most recent five year period available.

Convictions for drugs offences at courts by Court Division, 2010 – 2014

Court Division	2010	2011	2012	2013	2014
Antrim	235	202	219	253	243
Ards	122	183	152	189	199
Armagh & South Down	105	124	192	196	208
Belfast	361	451	570	566	459
Craigavon	159	213	206	256	241
Fermanagh & Tyrone	114	163	194	188	139
Londonderry	132	143	128	225	229
Total	1,228	1,479	1,661	1,873	1,718

Notes:

- 1 Data are collated on the principal offence rule; only the most serious offence for which an offender is prosecuted or convicted is included.
- 2 The figures provided relate to convictions for all classifications of the offences specified.

Department for Social Development

Mr Allister asked the Minister for Social Development whether his Department has estimated the number of families that will be affected if a £20,000 benefit cap is applied.

(AQW 48563/11-16)

Mr Storey (The Minister for Social Development): My Department has estimated that approximately 3,200 households would be affected if a Benefit Cap limit of £20,000 (£13,400 for single person households) was applied in Northern Ireland.

The information provided is an Official Statistic. The Production and dissemination of all such Statistics is governed by the Principles and Protocols of the Code of Practice for Official Statistics. This is enforced by the UK Statistics Authority.

Ms Sugden asked the Minister for Social Development to detail any costs incurred since May 2011 due to infrastructure set up in anticipation of the Welfare Reform Bill (NIA Bill 13/11-15) receiving Royal Assent.

(AQW 49535/11-16)

Mr Storey: Whilst Welfare Reform has not yet been introduced in Northern Ireland, it has been necessary to undertake early implementation activity to ensure that systems and processes are sufficiently developed to be ready for changes that will be brought about by Welfare Changes. The costs incurred for the infrastructure changes are detailed below:

Type	Cost to date
Accommodation - Knockbreda JBO (supports early testing of some Universal Credit service delivery components)	£39,000
IT Development (Discretionary Support)	£95,000
IT Health Check	£3,790
Telephony (Discretionary Support)	£31,000
IT for Appeals Reform	£81,080
Totals	£24,9870

Mr Dickson asked the Minister for Social Development to detail the ministerial decisions he has taken since 10 September 2015.

(AQW 49566/11-16)

Mr Storey: I refer the Member to information laid out in the table below:

Date	Subject	Decision
16 September	State Pension changes: Communication/Advertising Briefing on the new social housing regulatory framework to the Social Development Committee Supporting People Review Finlock Guttering	Agreed to the launch of the Communication campaign to highlight changes to State Pension. Cleared the briefing to be provided to the Committee. Approved the release of the review report and recommendations to key stakeholders to seek their views. Agreed to support a bid for budget to allow NIHE to begin removal of this guttering in Ballysillan/Silverstream.
23 September	Regional Infrastructure Programme and Development Trusts NI Implications of Westminster Summer Budget Proposals Social Security (DLA) Amendment Regulations Mortgage Rescue Scheme (MRS) NIHE Board Appointments	Agreed to continue funding for 6 months from April 2016. Agreed to release communications to stakeholders, including the Social Development Committee. Agreed these be made. Agreed for officials to continue examining the feasibility of introducing a MRS in Northern Ireland. In line with the Code of Practice for Public Appointments, appointed four NI Housing Council members to the Board of the NIHE effective from 01/11/2015.

Date	Subject	Decision
30 September	Voluntary Exit Scheme Credit Unions Finance	Agreed to write to staff. Agreement for Chief Executive, SSA to meet with Irish League of Credit Unions and Ulster Federation of Credit Unions. Noted a draft departmental return to DFP on capital expenditure, which was subject to further consideration by senior managers. He agreed the return could be issued to DFP to meet the deadline.
7 October	Community Asset Transfer Tenancy Fraud Capital Budget 2016/17 SDC Information Request SSA Changes Written AQs	Agreed a response to Minister O'Dowd on the way forward for a Community Asset Transfer proposal for a former Primary School in Belfast. Agreed the release of information to the Committee. Noted the content of the Department's return to DFP. Noted and agreed information to be provided to SDC. Agreement for officials to write to the Social Development Committee advising of some operational arrangements after internal communication with relevant staff. Clearance of a range of outstanding Written AQs.

Mr Dickson asked the Minister for Social Development to detail the decisions that have been presented to him by departmental officials and are awaiting ministerial sign-off since 10 September 2015.
(AQW 49567/11-16)

Mr Storey: My officials regularly provide me with advice on a range of subjects and I subsequently make decisions where required.

Any decisions, which require an announcement, will be made in the usual manner.

Mr Weir asked the Minister for Social Development for an estimation of the number of social houses that will have been fitted with double glazing between May 2011 and the end of the current Assembly mandate.
(AQW 49569/11-16)

Mr Storey: The NIHE estimates that 23,500 NIHE homes will have been fitted with double glazing between May 2011 and the end of the current Assembly mandate. I do not have any information available in relation to other Social Housing properties.

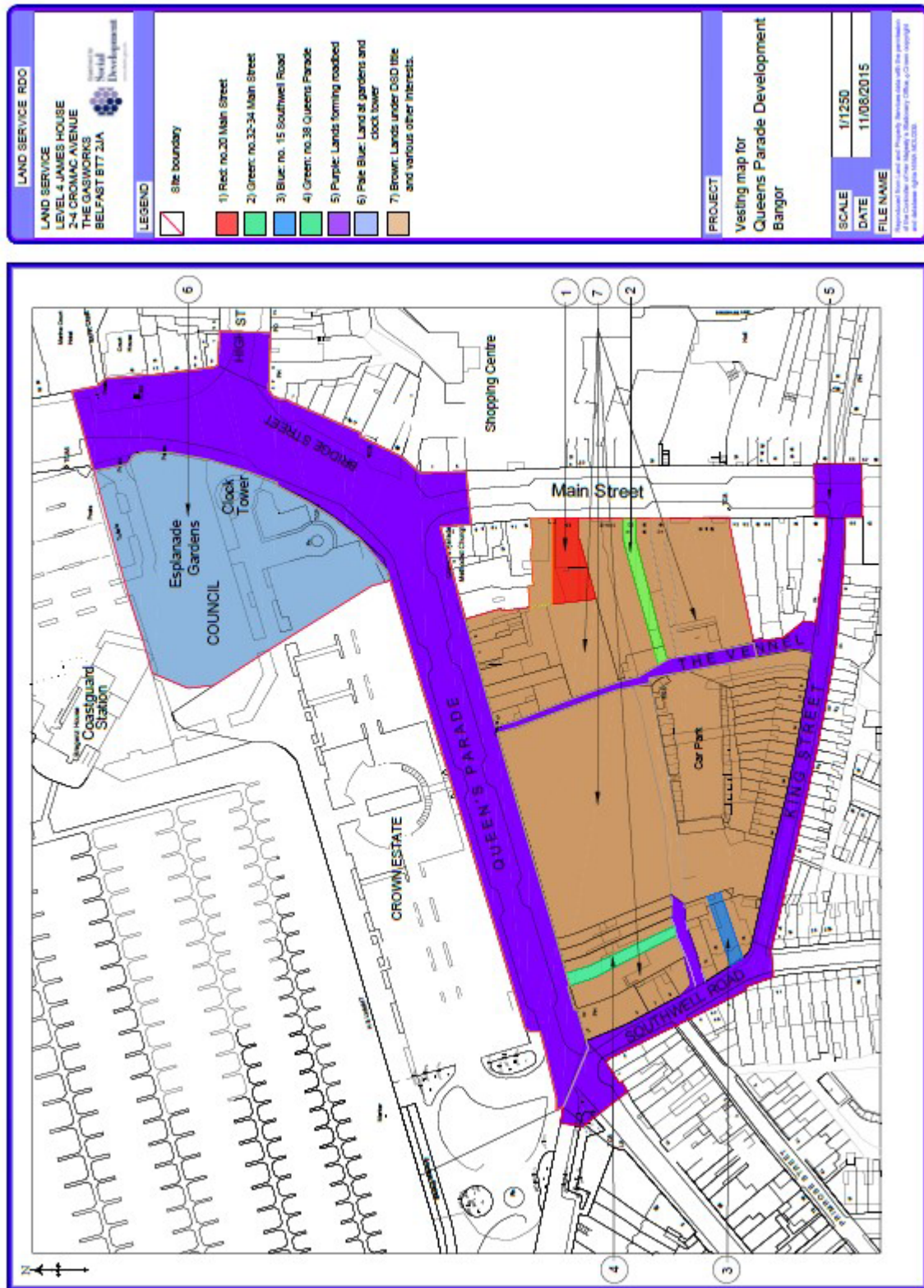
Mr Weir asked the Minister for Social Development to list the (i) domestic; and (ii) non-domestic land banks in North Down that will be transferred to the Ards and North Down Borough Council.
(AQW 49570/11-16)

Mr Storey: Under plans for the Reform of Local Government the domestic properties that will transfer to the new Council are: No's 11, 13, and 17 Southwell Road; and No's 6 -34 King Street.

All other land and properties are non-domestic and for ease of reference, are shown on the attached map.

This map has been placed in the NI Assembly Library

AQW 49570/11-16



Date: _____

BACKGROUND NOTE TO ASSEMBLY QUESTION AQW 49570/11-16

- 1 Mr Peter Weir is a DUP MLA for the North Down constituency.
- 2 In preparation of the transfer of assets to the new Councils, officials carried out an extensive mapping exercise to identify all land and property held under the Departments Title.

- 3 Having identified the assets, a criterion was established to determine which assets would transfer and which would not. This criterion was an assessment of whether the asset was still required for the purpose for which it was acquired or no longer required for that purpose i.e. was now surplus.
- 4 Any assets deemed to still be required for Urban Regeneration or Community Development purposes have been included within transfer schemes for each of the new Councils and will be transferred when the new Legislation comes in to force. In the case of North Down, the land and property being transferred relates to the Queens Parade Project in Bangor.
- 5 Those assets deemed surplus will be retained by the Department and disposed of in accordance with DPF Guidelines.

Reply prepared by:

Damian Mulholland (02890 692339 Ext. 37975)

Mr Allister asked the Minister for Social Development what consideration his Department has given to the impact on churches and other charities of having to prepare their accounts on a receipts and payments basis.

(AQW 49573/11-16)

Mr Storey: Consideration of the impact of the proposed new accounting and reporting requirements on charities has focussed on the gross annual income of charities, rather than different types of charities. The Charities Act (Northern Ireland) 2008 allows a charity to elect to prepare its accounts on the simpler receipts and payments basis, instead of accruals accounts, where its gross annual income does not exceed £100,000. A receipts and payments account can be prepared with minimal impact on the charity. The Department is currently seeking views on the level of the gross annual income thresholds which determine the format of charity accounts to be prepared and the level of scrutiny.

Mr Middleton asked the Minister for Social Development for his assessment of the (i) transfer of departmental functions to Derry City and Strabane District Council; and the (ii) impact this will have on the North West Development Office and its staff.

(AQW 49578/11-16)

Mr Storey:

- (i) The Regeneration Bill currently progressing through the Assembly provides the legislative basis for my Department to transfer urban regeneration and community development powers to local government from 1 April 2016. The Bill completed its formal 'clause by clause' consideration by the Social Development Committee on 28 May 2015.

At a local level, the Department continues to work closely with Derry City and Strabane District Council on Transition Planning, which will help to ensure a smooth transfer.

- (ii) There are currently 44 staff in my Department's North West Development Office. As the Department is transferring powers rather than functions, there will be no compulsory transfer of these staff to local councils.

There may however be opportunities for staff to transfer to Councils on temporary secondment to support capacity building and business continuity, for a period of up to 2 years. Officials in my Department have written to Derry City and Strabane District Council, asking for any secondment requirements they may have.

If no secondment opportunities arise, DSD staff working in this area will become surplus, and will be redeployed elsewhere in the NICS. While it is not possible at this stage to identify exactly where redeployment opportunities will be, my Department has offices throughout Northern Ireland, including the North West.

Mr Middleton asked the Minister for Social Development to detail (i) what Housing Executive improvement schemes are proposed for the Waterside area in Londonderry; and (ii) the timeframes for those schemes.

(AQW 49579/11-16)

Mr Storey: The NIHE has provided the following details of proposed improvement schemes for the Waterside area of Londonderry, with approximate timeframes.

Scheme Name	No. of Homes	Programmed Start Date	Duration
Waterside Fire Doors	71	November 2015	4 months
Waterside Triangle – re-roofing and cladding	52	2016/2017	18 months

Mr Allen asked the Minister for Social Development for his assessment of the need for social housing in East Belfast.

(AQW 49585/11-16)

Mr Storey: The projected housing need for East Belfast for 2014/19 is 407 new build units.

As of June 2015, the number of people on the waiting list for East Belfast is 2227, of which 1091 are considered to be in housing stress. A total of 681 allocations have been made in the previous 12 months up to June 2015.

Mr Allen asked the Minister for Social Development to detail the number of unlettable voids, for the last twelve months, broken down by the number of bedrooms per property, in East Belfast.

(AQW 49586/11-16)

Mr Storey: Table 1 attached, provided by the Housing Executive, details the number of unlettable voids in East Belfast Parliamentary constituency broken down by the number of bedrooms per property as at 13 October 2015.

Table 1 – NIHE Unlettable Voids

No. of bedrooms	Unlettable Voids
1	12
2	9
3	5
Total	26

The Housing Executive has also advised that there is one further unlettable void that falls into both East and South Belfast Parliamentary constituencies as some of the NIHE's Common Landlord Areas straddle these two constituencies.

Table 2 attached, provided by the Northern Ireland Federation of Housing Associations, details the number of unlettable voids in East Belfast Parliamentary constituency in between 1 October 2014 to 30 September 2015 broken down by the number of bedrooms per property.

Table 2 – Housing Associations Unlettable Voids

No. of bedrooms	Unlettable Voids
1	6
2	8
3	4
4	1
5+	0
Total	19

Notes

Unlettable voids - those properties generally withdrawn from the normal letting pool to facilitate organisational requirements i.e. decant/pending improvement/ exceptional uninhabitable / exceptional circumstances / major programmed scheme/ planned improvement scheme.

Mr Easton asked the Minister for Social Development to detail what plans his Department has for the future of the Social Security office in Bangor.

(AQW 49593/11-16)

Mr Storey: The Department for Social Development provides social security benefit services through the Social Security Office on Hamilton Road. The Bangor Office is one of a small number of remaining offices not converted to the Jobs and Benefits delivery model. From 3 July 2015, the Department for Employment and Learning's employment-related services are also provided from the office on Hamilton Road.

Although there are no immediate plans, the Department remains committed to considering ways to improve service delivery in North Down and Ards generally, should opportunities arise.

Northern Ireland Assembly Commission

Mr Allister asked the Assembly Commission whether a minister who is appointed and resigns within the same day is paid a ministerial salary for that day.

(AQW 49485/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): A Member appointed as a Minister receives an Office Holder salary for each day that he or she serves as a Minister. The appointment and resignation of a Minister within the same day is treated as one day's service and therefore one day's salary would be payable.

Mr Allister asked the Assembly Commission, pursuant to AQW 49295/11-16, if a minister is appointed one day and resigns at one minute after midnight the next day, does that count for salary purposes as two days of actual service.

(AQW 49486/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): A Member appointed as a Minister receives an Office Holder salary for each day that he or she serves as a Minister. Where a Minister is appointed on day one and then resigns, with an effective time of resignation of 0:01 on day two, the Office Holder salary is deemed to be payable up to 12 midnight on day one therefore one day's salary would be payable.

Mr Agnew asked the Assembly Commission what consideration has been given to divesting NI Assembly Members' pensions from fossil fuels following the warning of the Bank of England's prudential regulation authority of a huge financial risk of investing in fossil fuels.

(AQW 49506/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): The Assembly Members' Pension Scheme (Northern Ireland) is a trust-based occupational pension scheme. Five Members are appointed by resolution of the Assembly to act as Trustees. The Trustees are responsible for administering the Pension Fund in accordance with the scheme rules, the law as it relates to pensions, tax and trust matters and pensions regulatory guidance.

The Trustees have appointed an Investment Manager to invest the pension fund on a day to day basis. The appointment and direction of the Investment Manager is a matter for the Pension Trustees not the Assembly Commission.

If you wish to contact the Trustees regarding this matter, please do so by contacting the HR Pensions Team.

Mr Flanagan asked the Assembly Commission to detail what changes will be made to Parliament Buildings to meet the needs of transgender visitors in relation to toilet facilities.

(AQW 49614/11-16)

Mr Ramsey (The Representative of the Assembly Commission): Parliament Buildings currently has separate male and female toilet facilities and disabled toilet provision on each of its 6 floors. In addition, on the Ground Floor there is a Changing Places facility which provides toilet and changing facilities for persons with severe disabilities.

Transgender visitors may use the facilities which they consider most suitable to their circumstances and stage of transition.

At present there are no plans to make any changes to toilet facilities specifically to meet the needs of transgender visitors.

The Assembly Commission, via the Employee Relations Group (ERG), plans to develop a transgender policy that will address how we manage and support staff and how we deal with visitors to Parliament Buildings.

Mr McKinney asked the Assembly Commission whether pension contributions have been paid for Ministers who have taken up post and resigned shortly thereafter since 10 September 2015.

(AQW 49644/11-16)

Mrs Cochrane (The Representative of the Assembly Commission): Pension contributions are collected from individual Members (employee contribution) and paid by the Assembly Commission (in lieu of employer contribution) on a monthly basis.

Members make pension contributions at either 7% or 12.5% of their monthly salary. Members who are also Office Holders make pension contributions at the same rate on their Office Holder salary. The Assembly Commission makes a contribution of 20.6% of a Member's total salary (including any Office Holder salary).

If a Member receives a salary for any period of service as an Office Holder, pension contributions (both employee and employer) will be collected and paid on that salary.

Mr Allister asked the Assembly Commission whether records of individuals entering Parliament Buildings for meetings are retained; and to explain the system used.

(AQW 49711/11-16)

Mr Ramsey (The Representative of the Assembly Commission): All persons entering Parliament Buildings who are not Assembly pass holders, would be categorised as Civil Servants, Contractors, Press or Visitors.

Civil Servants receive temporary passes upon production of their NICS passes to Assembly staff.

Contractors are issued with contractors passes upon receipt of appropriate security clearance, or they remain escorted whilst working within Parliament Buildings.

Members of the Press are issued Media passes on production of valid media credentials.

Visitors receive Visitor passes, and those attending functions or meetings in Parliament Buildings have their details recorded on guest lists held on the Assembly's Visitor Management System (VMS). In line with good practice and the Information Commissioner's guidance the details are held on the VMS for 28 days before deletion.

Northern Ireland Assembly

Friday 30 October 2015

Written Answers to Questions

Office of the First Minister and deputy First Minister

Mr Eastwood asked the First Minister and deputy First Minister whether the Programme for Government commitment to promote 1200 jobs in Derry in 2014/15 was achieved.
(AQW 45665/11-15)

Mr P Robinson and Mr M McGuinness (The First Minister and deputy First Minister): The job promotion target for 2014/15 was 1,200 new jobs promoted in the city, which was extremely challenging in the current fragile financial environment. Year end returns from Invest NI, Departments and Derry City Council show that 861 jobs have been promoted – some 70% of target. In addition, 113 jobs have been safeguarded and 35 R&D posts at Seagate have been created.

Overall on the PfG jobs target for the 3 years, the total number of the jobs promoted amounted to 3,724 or over 90% of the target of 4,045.

Mr McNarry asked the First Minister and deputy First Minister, given 50 reappointments were made out of the 213 public appointment positions available, to list (i) the number of reappointments by department; and (ii) the names of those reappointed.
(AQW 48267/11-16)

Mr P Robinson and Mr M McGuinness: The requested breakdown of re-appointments to public appointment positions in 2014/15 is outlined in the table below.

Department	Number of Re-appointments	Names of Re-appointees
DHSSPS	15	Mr James Barbour Mrs Roberta Brownlee Ms Ruth Burrows Dr Maureen Edmondson Mr Alan Hanna Mr Ian Henderson Mrs Lisa Houlihan Mrs Lorraine Lindsay Mr Derek Maguire Mr Pat McGreevy Mrs Deborah Oktar-Campbell Mrs Deirdre O'Donnell Cllr Martin Reilly Mr Gordon Smyth Dr Vinod Kumar Tohani
DEL	14	Mrs Sylvia Doran Mr Ivan Goldsworthy Mr Adrian Huston Mr Edward Jackson Mr David Limb Miss Eimhear Macfarlane Mr Joe Martin Mr Wilson Matthews Mr Wilbert Mayne Mr Gary McMichael Mrs Alison Millar Mr Ken Nelson Mr Richard O'Rawe Mr Ian Rosbotham

Department	Number of Re-appointments	Names of Re-appointees
DETI	6	Mr David Beattie Mrs Katy Best Mr Mark Ennis Mr David Galloway Mr George Lucas Mr Samuel Snodden
DCAL	6	Mr Michael Catto Ms Jennifer Johnston Ms Fiona MacMillan Mr Aodan MacPoilin Mr Ian Parsley Mrs Primrose Wilson
DOE	6	Professor Sue Christie Dr Alan Cooper Mr William Francey Mr Bumper Graham Dr Brian Hanna Professor Julian Orford
DFP	3	Mrs Esther Ervin Professor David Jones Mr Philip McDonagh
DSD	2	Mr Tom McGrath Mr Kevin Murnaghan
OFMDFM	2	Mr James McNulty Mr Alastair Rankin
Food Standards Agency	1	Mr Colin Reid
DARD	0	
DRD	0	
DOJ	0	
DE	0	
Total	55*	

* Please note the actual number of re-appointments made in 2014/15 was 55 re-appointments to a total of 278 posts available for appointment or re-appointment.

Mr Nesbitt asked the First Minister and deputy First Minister whether any of their departmental responsibilities have been affected by the actions of any proscribed organisations since 2011.

(AQW 48308/11-16)

Mr P Robinson and Mr M McGuinness: None of the departmental responsibilities of the office of the First Minister and deputy First Minister has been affected by the actions of any proscribed organisation since 2011.

Mr Lunn asked the First Minister and deputy First Minister for an update on progress towards reducing the number of Executive Departments in time for the next planned Assembly elections in May 2016.

(AQW 48606/11-16)

Mr P Robinson and Mr M McGuinness: Work to implement the decisions reached by the Executive on future departmental structures has been progressing. A Departments Bill has been drafted to establish the statutory framework for the Executive to be appointed on a nine-department basis after the 2016 election. A Transfer of Functions Order will make detailed provision for the statutory responsibilities which are to be reallocated between departments. Detailed work on drafting the Transfer of Functions Order is under way. Extensive administrative preparations are also being taken forward under the leadership of a cross-departmental Programme Board chaired by a Permanent Secretary.

Mr Swann asked the First Minister and deputy First Minister how many of their departmental staff have a registered disability, broken down (i) by full time equivalent; and (ii) as a percentage of the workforce.

(AQW 48642/11-16)

Mr P Robinson and Mr M McGuinness: The table below shows the number of departmental staff who have registered themselves with the department as having a disability, broken down by full-time equivalent and as a percentage of the workforce.

Number of Staff	Full-time Equivalent	Percentage of the Workforce
16	15.7	4.8%

Mr Agnew asked the First Minister and deputy First Minister for their assessment of the recommendations of the 2015 New Economics Forum report entitled Good jobs in Northern Ireland, commissioned by their Department.

(AQW 48665/11-16)

Mr P Robinson and Mr M McGuinness: We welcome the publication of the recent research report by the New Economics Forum entitled 'Good Jobs in Northern Ireland Tackling poverty and inequality at root'.

This research forms part of a programme of independent research commissioned by OFMDFM to inform the policy development process. We realise the importance of ensuring that our policies and strategies are evidence based therefore we aim to take into consideration the recommendations provided in such research. This report is a useful addition to the information that our officials are considering in tackling issues associated with poverty and social exclusion.

A lot of good work has been undertaken, across departments, and we will continue to work collaboratively with partners in the private, community and voluntary sectors to optimise the impact of our work. We continue to work towards improving the wealth and living standards of everyone and will continue to deliver on a range of measures to tackle poverty, promote equality and tackle existing patterns of disadvantage and division by integrating the activities of Government departments and Agencies.

Mr Gardiner asked the First Minister and deputy First Minister to detail the proposed timescale for the development of the next Programme for Government.

(AQW 48719/11-16)

Mr P Robinson and Mr M McGuinness: The Stormont House Agreement requires that the parties that will form the next Executive will meet to resolve a Programme for Government within two weeks of the next Assembly election.

Mr Allister asked the First Minister and deputy First Minister (i) whether the project to reduce the number of Departments has met all its timeline commitments and, if not, (ii) what are the consequences of not meeting those timelines.

(AQW 48741/11-16)

Mr P Robinson and Mr M McGuinness: The decisions reached by the Executive on future departmental structures, together with details of the legislative steps needed to effect the changes, were announced in an oral statement to the Assembly on 2 March 2015. Work to implement the decisions has been progressing and, subject to passage of the legislation in the Assembly, it is envisaged that the Executive will be restructured on a nine-department basis at the time of the 2016 election. A Departments Bill has been drafted to establish the new framework, and detailed work is under way to prepare a Transfer of Functions Order which will provide for the reallocation of statutory responsibilities between departments. Extensive administrative preparations are also being taken forward under the leadership of a cross-departmental Programme Board chaired by a Permanent Secretary.

Mr Allister asked the First Minister and deputy First Minister what decisions the Executive has made in 2015 using emergency procedures, listing the date each decision was made.

(AQW 49172/11-16)

Mr P Robinson and Mr M McGuinness: Executive business and all aspects of the Executive decision making process are confidential.

Mr Allister asked the First Minister and deputy First Minister whether any of the Board Members that served on the board of the NI Events Company at the time when the board did not provide adequate oversight still serve on any public bodies.

(AQW 49215/11-16)

Mr P Robinson and Mr M McGuinness: The Department of Culture, Arts and Leisure, as sponsoring Department for the NI Events Company (NIEC), have defined the period when the board of NIEC did not provide adequate oversight as being from 2002-2006. Of the twelve board members who served on the board during that period, none are currently serving on a public body.

Ms Sugden asked the First Minister and deputy First Minister to detail (i) the number of expressions of interest received for the Shackleton site at Ballykelly that are expected to progress as bids; and (ii) the expected timescale for completion of the sale of the site.

(AQW 49225/11-16)

Mr P Robinson and Mr M McGuinness: We are determined to ensure the sale of Shackleton will deliver maximum benefits for the North West, including much needed employment opportunities.

The closing date for receipt of proposals for the site was 2 October and seven proposals have been received. It would be inappropriate at this stage to comment on the proposals given the commercially sensitive nature of the sale process.

It is anticipated the sale process will be complete early in 2016.

Ms Sugden asked the First Minister and deputy First Minister whether a Minister that accepts a Ministerial post, having stated the intention to resign immediately, is in breach of the Ministerial Code and Pledge of Office for failure to fulfil Ministerial duties.

(AQW 49272/11-16)

Mr P Robinson and Mr M McGuinness: It is a matter for the Assembly, in accordance with Sections 30, 47A and 51D of the Northern Ireland Act 1998, to resolve that a breach of the Pledge of Office has occurred. In addition, Section 28A of the Act requires Ministers to act in accordance with the provisions of the Ministerial Code. Any alleged breach of the Code could be decided as a matter of law.

It would be inappropriate for us to speculate on the outcome of any process which might be initiated in either case in relation to the circumstances you describe.

Mr Allister asked the First Minister and deputy First Minister whether the Department for Enterprise, Trade and Investment sought Executive approval for the announcement relating to the Closure of the Northern Ireland Renewable Obligation to new onshore wind in 2016.

(AQW 49405/11-16)

Mr P Robinson and Mr M McGuinness: Executive business and all aspects of the Executive decision making process are confidential.

Mr Eastwood asked the First Minister and deputy First Minister to detail (i) the number of bids submitted to develop the Shackleton site in Ballykelly; (ii) whether all bids were received on time; and (iii) the number of times subsequent clarification was sought from bidders.

(AQW 49715/11-16)

Mr P Robinson and Mr M McGuinness: We are determined to ensure the sale of Shackleton will deliver maximum benefits for the North West, including much needed employment opportunities.

The Department received 7 proposals to purchase and develop the Shackleton site at Ballykelly. All of these proposals were received prior to the deadline. Requests for clarification were issued in relation to a number of the proposals.

Mr Swann asked the First Minister and deputy First Minister for an update on the development of the St Patrick's Barracks site, Ballymena.

(AQW 49717/11-16)

Mr P Robinson and Mr M McGuinness: The Department for Social Development purchased the St Patrick's Barracks Site from the Office of the First Minister and deputy First Minister on 30th September 2015. The Department will lead on the sites development using a housing-led regeneration approach.

Consultants appointed by the Department have been working on a Development Plan that aims to maximise the potential social and community benefits of the site for the wider Ballymena area. The Development Plan will identify a preferred option for the site's redevelopment and is due to be completed within the next month.

Mr Allister asked the First Minister and deputy First Minister, pursuant to AQW 49655/11-16 and given the Minister of Education has stated that your Department has responsibility for this matter, whether they will now provide an updated response to AQW 39625/11-16 and address the subject matter.

(AQW 49787/11-16)

Mr P Robinson and Mr M McGuinness: As already indicated, although our Department has responsibility for the Fair Employment and Treatment Order, the issue has an impact on education policy.

As such, we will work with the Department of Education to consider the matter further.

Department of Agriculture and Rural Development

Ms Sugden asked the Minister of Agriculture and Rural Development to detail the number of dairy farms in East Londonderry; and for her assessment of the impact of market volatility on farming in this geographical area.

(AQW 49704/11-16)

Mrs O'Neill (The Minister of Agriculture and Rural Development): Analysis of the June Agricultural and Horticultural Survey indicates that there were 157 dairy type farms in this constituency in 2014.

Market volatility has been and continues to be a significant challenge for all farmers, but most notably dairy farmers in recent times. A considerable proportion of the milk product manufactured here is sold on international markets. These markets are affected by a range of factors outside our control, with the latest downturn attributed to a combination of the Russian ban on EU imports, adverse exchange rate movements and decreasing demand for milk products in China. The consequence of this has been a 32% reduction in the average milk producer price in the year to August 2015. This is one of the reasons why direct CAP support payments are so important in terms of providing farmers with a relatively predictable income stream. I fought hard for the CAP support budget to be maintained during the last reform of the CAP. However, it is also important that farmers are equipped with the tools to deal with volatility, which is why CAFRE is working with farmers through dedicated education and training programmes, as well as benchmarking, to help improve efficiency and embed greater resilience to market volatility within farm businesses.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 49269/11-16, to detail the (i) longest; (ii) mean; and (iii) median length of time these herds were closed down.

(AQW 49713/11-16)

Mrs O'Neill: In each of the last three years the longest, mean and median length of time herds which had one or more TB reactors, none of which were confirmed by subsequent post-mortem or laboratory tests to be TB infected, were closed down are shown in the table below.

Year	Herds with a TB reactor but in which TB was not confirmed by post-mortem or laboratory tests			
	Number of herds	Longest length of time herds were closed down (days)	Mean length of time herds were closed down (days)	Median length of time herds were closed down (days)
2012	583	942	162	139
2013	487	681	146	125
2014	398	372	140	129

As mentioned in my previous response to AQW 49269/11-16, the specificity of the skin test (its performance in identifying TB clear animals as negative) is very high (in the region of 99.98%) and so false positive animals are rare.

Mr Swann asked the Minister of Agriculture and Rural Development, pursuant to AQW 49269/11-16, to detail the (i) mean; and (ii) median number of tests that these herds had while they were closed down.

(AQW 49714/11-16)

Mrs O'Neill: In each of the last three years the mean and median number of tests carried out on herds which had one or more TB reactors, none of which were confirmed by subsequent post-mortem or laboratory tests to be TB infected, while they were closed down are shown in the table below.

The number of tests a herd undergoes when it is closed down normally includes the herd test at which reactors were disclosed.

Year	Herds with a TB reactor but in which TB was not confirmed by post-mortem or laboratory tests		
	Number	Mean number of tests while herds were closed down	Median number of tests while herds were closed down
2012	583	2.3	2
2013	487	2.2	2
2014	398	2.2	2

As mentioned in my previous response to AQW 49269/11-16, the specificity of the skin test (its performance in identifying TB clear animals as negative) is very high (in the region of 99.98%) and so false positive animals are rare.

Lord Morrow asked the Minister of Agriculture and Rural Development how many sheep thefts, or reports of missing sheep, have been recorded with her Department in the calendar years (i) 2013; (ii) 2014; and (iii) 2015 to date, in the Fermanagh-Tyrone area; and, of these incidents, how many (i) sheep were recovered; (ii) led to a PSNI investigation; and (iii) were found not to be a criminal matter.

(AQW 49727/11-16)

Mrs O'Neill: The investigation of rural crime and livestock theft are the responsibility of the PSNI.

The Department of Agriculture & Rural Development does not keep official statistics of lost or stolen sheep. We advise flock owners to record any lost or stolen sheep in their flock register and if necessary inform the PSNI.

The Department, through Veterinary Service Enforcement Branch, will assist the PSNI to investigate allegations of stolen sheep if requested.

Ms Sugden asked the Minister of Agriculture and Rural Development how her Department is working with the Department of Health, Social Services and Public Safety to develop a specific rural health strategy that ensures equitable access to health services for older and isolated people.

(AQW 49736/11-16)

Mrs O'Neill: I am not aware of a specific rural health strategy being led by the Department of Health, Social Services and Public Safety (DHSSPS). However, under my Department's Tackling Rural Poverty and Social Isolation Framework there are a number of initiatives being taken forward in conjunction with DHSSPS and the Public Health Agency that support the needs of rural dwellers in accessing healthcare services.

You will also be aware that it is my intention to progress a Rural Needs Bill within the current Assembly mandate. The proposed Bill will introduce a statutory duty on all Departments and local councils to consider the needs of rural dwellers when developing and implementing government policies and strategies and delivering public services including the provision of health services in rural areas.

Mr Anderson asked the Minister of Agriculture and Rural Development how the Rural Development Programme 2014-2020 will provide assistance to local farmers.

(AQW 49753/11-16)

Mrs O'Neill: The Farm Business Improvement Scheme (FBIS) will be a cornerstone of the 2014-2020 RDP and will consist of a package of measures to assist farmers, aimed at knowledge transfer, cooperation, innovation and capital investment.

The plan is to roll out the FBIS package in a phased way. The early focus will be on making advice and support available to farmers through knowledge transfer measures to assist farmers to clearly identify their needs and make informed decisions about their business.

The first phase is expected to open for applications in October this year. This will establish Business Development Groups for farmers to help them improve their knowledge of business management, new technologies and innovative ways of working. DARD is also planning to deliver Farm Family Key Skills training schemes, including farm safety and business planning in this initial phase.

It is anticipated that these early schemes will help farmers think carefully about their business plans in advance of the opening of the proposed Business Investment Scheme in 2016, and in particular before they decide to take on additional financial commitments.

The main capital scheme is the Business Investment Scheme (BIS), aimed at assisting on-farm efficiency by supporting those who wish to invest to improve farm practices, grow their business and increase farm competitiveness.

A number of other smaller schemes under RDP will contribute to farm competitiveness and innovation, such as the Innovation Technology Evaluation Demonstration Scheme, European Innovation Partnership operational groups and Farm Exchange visits.

Mr Anderson asked the Minister of Agriculture and Rural Development for her assessment of the current difficulties facing the vegetable growing sector.

(AQW 49754/11-16)

Mrs O'Neill: I am very aware of the difficulties being experienced by many vegetable growers, and have met with vegetable growers and packers to hear their concerns. Difficult market conditions including deflated prices, combined with increased global competition and increased costs are having an impact on the sector.

In common with other sectors in the agri-food industry, there can often be a fragmentation of supply chains. That is why I tasked the Agri-Food Strategy Board with convening a Supply Chain Forum to drive effective communication and collaboration across the agri-food supply chain. I participated in the Forum's first meeting on 14 October, and was pleased to see representation from right across the agri-food sector, including the horticulture sector. The discussions were both open and positive and I look forward to the future work of the Forum. I intend to remain closely involved in this work.

My Department will continue to provide assistance to producers in terms of training, technical advice and market access.

It is anticipated that there will be opportunities for the vegetable sector to avail of public support through the new Rural Development Programme (RDP), including the proposed Farm Business Improvement Scheme (FBIS). The FBIS will consist of a package of measures aimed at knowledge transfer, cooperation, innovation and capital investment.

Mr Anderson asked the Minister of Agriculture and Rural Development to outline the meetings she has attended in an effort to provide assistance to local farmers who are suffering due to the current agricultural crisis.

(AQW 49755/11-16)

Mrs O'Neill: Addressing the current crisis in the agriculture industry is a high priority for me.

Over the past year I have held meetings with DEFRA, Scottish and Welsh Ministers, with EU Agriculture Commissioner Hogan, DAFM Minister Simon Coveney, as well as local banks, food processors and feed merchants in relation to the current dairy crisis. Details of these meetings may be found in my responses to AQW 48840/11-16, AQW 48841/11-16 and AQW 48842/11-16.

At my recent meetings with DEFRA Ministers and Commissioner Hogan I highlighted the unique circumstances facing our dairy industry compared to Britain and the rest of Ireland. This engagement resulted in the north receiving £5.1m from this Member State's allocation of the EU Targeted Aid package. Our dairy farmers will receive an enhanced aid package compared to those in the rest of this Member State.

At those meetings we also discussed a range of other measures that could help strengthen the industry's foundations and help it manage global volatility in the medium to longer term. These measures include supporting fairness in the supply chain, promoting public procurement, working with the industry to open new markets, and establishing futures markets.

I am acutely aware that a range of other sectors are facing difficult market conditions and I have been working hard to support those farmers too. For example, I have met with representatives of the pig, and fruit and vegetable sectors.

I have also met with the south's Minister Coveney to discuss the implications of the EU Country of Origin Labelling requirements, particularly for the beef and sheep sectors here and we agreed that our officials would work together to identify solutions that suit farmers north and south.

On 14 October 2015 I addressed the inaugural meeting of the Supply Chain Forum, which I tasked the Agri-Food Strategy Board to establish. I have always been an advocate of greater fairness in the supply chain. We need to drive effective communication and collaboration between producers, processors and retailers to provide greater stability across the agri-food industry.

I continue to meet with farmers, processors, feed merchants and the local banks. I have pressed them to engage positively with farmers and to support them through this challenging time. In addition, I have been engaging regularly with our MEPs and asked them to use their influence and contacts in Europe to garner support for a review of intervention prices.

Mrs Dobson asked the Minister of Agriculture and Rural Development to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within her Department and its arm's-length bodies in each of the last three years.

(AQW 49771/11-16)

Mrs O'Neill: The Capital and Resource costs associated with digitisation and online services within the Department of Agriculture and Rural Development and its arm's-length bodies for the last three years are detailed in the table below. The costs for 2015/16 are actual costs to date. This is the best apportionment that could be made to represent costs associated with the provision of external services to farmers, agents and the rest of the Agri-food sector.

	2013/14	2014/15	2015/16 (Apr-Oct)
Capital	£155,738	£1,379,298	£1,348,605
Resource	£1,676,977	£1,334,888	£475,381

Mr Frew asked the Minister of Agriculture and Rural Development to detail the number of herds with TB reactors in the Ballymena area, in each of the last twelve months.

(AQW 49778/11-16)

Mrs O'Neill: The number of herds with TB reactors in Ballymena Division in the 12 months from September 2014 to August 2015 is provided in the table below. These are herds with at least one TB reactor animal in that month and which have had no TB reactor animals during the previous 12 months. DARD publishes this data two months after the month in which the new breakdown occurred so the latest published data relates to August 2015.

Month	Number of herds with TB reactors in Ballymena Division
August 2015	7
July 2015	2
June 2015	2
May 2015	3
April 2015	9

Month	Number of herds with TB reactors in Ballymena Division
March 2015	6
February 2015	15
January 2015	17
December 2014	12
November 2014	10
October 2014	6
September 2014	2

More detailed TB statistical information is available on the DARD website. See the link below for your information:
<http://www.dardni.gov.uk/tbstats-july-2015-pdf.pdf>

Mr Frew asked the Minister of Agriculture and Rural Development to detail the number of TB reactor animals in the Ballymena area in each of the last twelve months.

(AQW 49780/11-16)

Mrs O'Neill: The number of TB reactor animals in Ballymena Division in each of the twelve months from September 2014 to August 2015 is shown in the table below. DARD publishes TB statistics two months after the month in which the reactors were identified. Therefore, the most recent data available relates to August 2015.

More detailed TB statistical information is uploaded onto DARD's website. See the link below for your information:

Month	Number of TB reactors in Ballymena Division
August 2015	18
July 2015	27
June 2015	9
May 2015	12
April 2015	28
March 2015	19
February 2015	80
January 2015	78
December 2014	39
November 2014	45
October 2014	12
September 2014	10
Total during 12 month period	377

<http://www.dardni.gov.uk/tbstats-july-2015-pdf.pdf>

Mr Frew asked the Minister of Agriculture and Rural Development to detail, for 2015, the average length of time that animals which have tested positive for Bovine TB remain on the farm; and how this compares to each of the last five years.

(AQW 49781/11-16)

Mrs O'Neill: DARD routinely uses the median value to monitor bovine TB reactor removal times. For 2015 (to the end of June) the median TB reactor removal time from farm is 9.6 working days.

The median TB reactor removal time from farm in the previous 5 years was: 2014 – 8.9 working days; 2013 – 8.9 working days; 2012 – 11.6 working days; 2011 – 9.6 working days; 2010 – 11.6 working days.

These figures are published monthly on the DARD internet as part of the Tuberculosis Disease Statistics in the north of Ireland: <http://www.dardni.gov.uk/tbstats-july-2015-pdf.pdf>

Mr Byrne asked the Minister of Agriculture and Rural Development to outline any plans her Department has for Rural Development money being released through schemes for farmers and rural communities.

(AQW 49835/11-16)

Mrs O'Neill: I am keen to ensure there is no unnecessary delay in delivering the Rural Development Programme funding to our farmers and rural communities. My officials are working hard to progress the necessary business cases in order to open schemes as quickly as possible.

The first phase of the Farm Business Improvement Scheme is expected to open later this year, with the establishment of Business Development Groups for farmers. The Agri-Food Processing Investment Scheme is expected to open in spring 2016. The Environmental Farming Scheme is scheduled to open in summer 2016, and the Forest Expansion Scheme and Forest Protection Scheme are planned to open in autumn this year in readiness for the 2015/16 tree planting season. Regarding the Rural Business Investment Scheme, Village Renewal scheme, Rural Basic Services scheme, Rural Broadband scheme, and All Island Co-operation scheme delivered via LEADER, local action groups are currently drawing up their local development strategies which must be submitted to DARD no later than 31 December 2015. Once these strategies are approved, a contract will be awarded to the LAGs, after which they are free to open their schemes for application.

Mr Byrne asked the Minister of Agriculture and Rural Development for an update on the investigation of an illegal abattoir operating at Forkhill, Co. Armagh.

(AQW 49838/11-16)

Mrs O'Neill: DARD's Veterinary Service Enforcement Branch were involved in a multi-agency operation, led by the PSNI, on 3 March 2014 concerning suspected illegal slaughtering / meat cutting operations in South Armagh.

Following the operation a file was submitted to the Public Prosecution Service. The case has been listed for Newry Magistrates Court on several occasions (most recently on 21 September 2015) but has not gone ahead. A further court date has not been set. As the case is currently before the courts I cannot comment any further at this time.

Mr McMullan asked the Minister of Agriculture and Rural Development for a breakdown of her Department's spend in the Glens area in each year since 2007.

(AQW 49850/11-16)

Mrs O'Neill: The Department of Agriculture and Rural development has spent a total of £50,924,117 in the Glens Area from the 2009/10 to 2014/15. This is broken down in the table below.

Programme	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total £'000
Single Farm Payment	4,305	4,145	3,937	3,895	4,356	3,996	24,633
Rural Development Programme Axis I – this includes programmes which improve the competitiveness of the agricultural and forestry industries	52	201	38	56	116	513	977
Rural Development Programme Axis II – this includes programmes which provide support to farmers who manage their land for positive environmental benefit	2,711	3,460	3,242	2,947	2,835	2,863	18,059
Rural Development Programme Axis III – this includes programmes which improve the rural economy and the quality of life in rural areas	194	454	458	677	160	67	2,011
Tackling Rural Poverty and Social Isolation	18	193	169	336	393	420	1,529
Drainage Infrastructure and Flood Alleviation	2	37	123	125	92	43	422
Fisheries Grant Funding	-	5	101	91	-	2	199
Forestry Services	164	385	278	397	268	401	1,894
CAFRE Hill Side Farm	169	129	144	149	214	155	960
Other programme spend	48	51	39	37	38	29	242
Total	7,664	9,060	8,530	8,709	8,472	8,488	50,924

Due to the Department's document retention policy of 7 years, financial information for the 2007/08 and 2008/09 year is limited and has therefore has been excluded.

Mr McMullan asked the Minister of Agriculture and Rural Development for a breakdown of her Department's spend in East Antrim in each year since 2007.

(AQW 49851/11-16)

Mrs O'Neill: The Department of Agriculture and Rural development has spent a total of £95,763,441 in the East Antrim Constituency from the 2009/10 to 2014/15. This is broken down in the table below.

Programme	2009/10 £'000	2010/11 £'000	2011/12 £'000	2012/13 £'000	2013/14 £'000	2014/15 £'000	Total £'000
Single Farm Payment	10,930	9,618	9,664	9,605	10,229	9,474	59,520
Rural Development Programme Axis I – this includes programmes which improve the competitiveness of the agricultural and forestry industries	119	308	94	156	165	971	1,813
Rural Development Programme Axis II – this includes programmes which provide support to farmers who manage their land for positive environmental benefit	2,917	3,283	3,142	3,014	2,951	3,097	18,404
Rural Development Programme Axis III – this includes programmes which improve the rural economy and the quality of life in rural areas	104	429	642	1,159	736	1,689	4,759
Tackling Rural Poverty and Social Isolation	348	197	364	1,173	1,255	1,738	5,075
Drainage Infrastructure and Flood Alleviation	1,060	378	1,582	55	166	237	3,478
Fisheries Grant Funding	-	-	105	56	3	-	164
Forestry Services	167	390	400	333	526	651	2,467
Other programme spend	11	6	13	16	15	21	82
Total	15,656	14,609	16,006	15,568	16,046	17,878	95,763

Due to the Department's document retention policy of 7 years, financial information for the 2007/08 and 2008/09 year is limited and has therefore has been excluded.

Lord Morrow asked the Minister of Agriculture and Rural Development how many cattle thefts, or reports of missing cattle, have been recorded with her Department in the calendar years (i) 2013; (ii) 2014; and (iii) 2015 to date, in the Fermanagh-Tyrone area; and, of these incidents, how many (i) cattle were recovered; (ii) led to a PSNI investigation; and (iii) were found not to be a criminal matter.

(AQW 49898/11-16)

Mrs O'Neill: The figures below reflect reports received by my Department concerning cattle herds in Fermanagh and Tyrone.

During the 2013 calendar year a total of 666 reports were received amounting to 1431 missing/stolen cattle. 29 cattle were subsequently reported as recovered.

During 2014 a total of 657 reports were received amounting to 1209 missing/stolen cattle. 24 cattle were subsequently reported as recovered.

So far in 2015 a total of 303 reports have been received by DARD amounting to 611 missing/stolen cattle by 22nd October 2015. 4 cattle have been reported as recovered.

DARD's Veterinary Service Central Enforcement Team assist the PSNI in the investigation of such cases and share intelligence with them but we do not have access to any police records concerning their investigations nor the outcome of these.

Ms Sugden asked the Minister of Agriculture and Rural Development how her Department is working to eradicate rural poverty, particularly among older people.

(AQW 49907/11-16)

Mrs O'Neill: Through the Tackling Rural Poverty and Social Isolation (TRPSI) Framework my department has provided £16 million over the past 4 years to implement a package of measures to help address a range of poverty and social isolation issues for the most vulnerable rural dwellers across the north of Ireland including the elderly. I have made £4m available for investment this year which will allow successful initiatives to continue including the Connecting Elderly Rural Isolated (CERI) Programme which supports independent living and the Assisted Rural Travel Scheme (ARTS) which mainly benefits the elderly and disabled. The Maximising Access Rural Areas (MARA) programme also benefits a high number of the elderly (56% of clients over 65). Funding will also continue for the Farm Families Health Checks Programme (25% of clients over 65), the Rural Support charity, the Rural Micro Capital Grants Programme and Community Development, all of which in different ways benefit the elderly in addressing poverty and social isolation.

The Micro Capital Grants Programme is currently open for applications. Funding is targeted at making life better for those in isolated and deprived rural areas and many organisations, including those that provide support for the elderly, will benefit from the Programme.

Mr Swann asked the Minister of Agriculture and Rural Development why applicants to the young farmers scheme are being rejected by her Department because their accountant is not a member of Consultative Committee of Accountancy Bodies. **(AQW 49948/11-16)**

Mrs O'Neill: It is not the case that where evidence is presented for the Young Farmers' Payment and Regional Reserve supported by a qualified and independent accountant who is not a member of the Consultative Committee of Accountancy Bodies, that applications are being rejected on this basis.

As part of the 2015 application process, published guidance for both the Young Farmers' Payment and Regional Reserve advised that applications needed to be accompanied by supporting evidence to demonstrate how applicants met the eligibility criteria. In regard to Head of Holding evidence, the guidance stated: "Applicants must provide a statement/letter from a qualified independent accountant". The definition of a qualified independent accountant in the guidance stated:

"By qualified independent accountant, we mean someone who has qualified with and is a current full member of an organisation which is considered to be a member of CCAB or someone who is qualified with and is a current full member of CIMA or AAT or additionally CIOT and is independent of the applicant and the business and is not a member of the same household as the applicant."

In order to attain and retain membership of the specified bodies members have to achieve specific qualifications and comply with a professional code of ethics. DARD placed reliance on these requirements to provide assurance that the statements being made, in accordance with applicant's instructions, are being made in accordance with and governed by a recognised code.

The main bodies were referred to in scheme guidance however, during the assessment process membership of the International Federation of Accountants (IFAC) and any institutions or associations affiliated to it were also accepted.

The requirement to have independent verification by a qualified independent accountant is in line with the requirements adopted for similar schemes by other paying agencies in Britain and the south of Ireland.

Mr Dallat asked the Minister of Agriculture and Rural Development to detail the total number of hectares currently covered by forest; and the planned planting programme for the next five years. **(AQW 49974/11-16)**

Mrs O'Neill: Forest Service's draft Woodland Register identifies 112 thousand hectares of forest which equates to approximately 8% of land area of the north of Ireland. The forest comprises 67 thousand hectares of broadleaved and 45 thousand hectares of coniferous woodland.

I have allocated up to £17.4 million to support woodland expansion and the management of existing woodland during the 2014 – 2020 Rural Development Programme. This is sufficient to create 1,800 hectares of new woodland and sustain the management of approximately 4,000 hectares of woodland created under previous programmes.

Mr Swann asked the Minister of Agriculture and Rural Development how many applications for funding have been refused by her Department in the last three months because the applicant's accountant was not a member of Consultative Committee of Accountancy Bodies. **(AQW 49985/11-16)**

Mrs O'Neill: No applications for funding have been refused solely because the applicants' accountant was not a member of the Consultative Committee of Accountancy Bodies (CCAB).

CCAB is not the only accountancy organisation which my Department identified as providing acceptable assurance. Other organisations included; The Chartered Institute of Management Accountants (CIMA), Association of Accounting Technicians (AAT), The Chartered Institute of Taxation (CIOT), The International Federation of Accountants (IFAC) and included any bodies affiliated to these organisations.

During the last three months my Department identified 71 applications for rejection because the applicants' accountant does not operate under the membership requirements of any of the acceptable accountancy organisations.

Any applicants who have had their applications refused, because their accountant is not a member of one of the acceptable accountancy bodies, can if they wish ask their accountant to provide them with details of the body they are members of, or affiliated to, and the applicant can forward these to the Department for consideration.

Department of Culture, Arts and Leisure

Mr Allister asked the Minister of Culture, Arts and Leisure what savings have been made by her Department within the 2015/16 budgetary allocations.

(AQW 49716/11-16)

Ms Ní Chuilín (The Minister of Culture, Arts and Leisure): Setting aside ring fenced allocations by the Executive, my Department has had to accommodate an overall resource savings requirement of 10% in 2015/16. This equates to almost £10m.

I took action to limit the budget reduction in Libraries to 7.5% to ensure that no further libraries closed and existing opening hours were protected as far as possible. This meant increasing contributions from all other areas, including the Department, to 11.2% in order to achieve the overall requirement.

The indications to date are that the savings requirement will be met by the year end, though, as you would expect given the size of the reduction, I have been unable to fully protect front line services across the DCAL family.

Lord Morrow asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49432/11-16, in relation to tasking Sport NI with assessing the level of provision across the sports sector, whether a report will be made of this assessment; and when it will be available.

(AQW 49788/11-16)

Ms Ní Chuilín: Sport NI is currently tasked with assessing the level of automatic external defibrillators (AEDs) across the sports sector in terms of the number of AEDs that are currently in place across the Sports Governing Bodies and the associated sports clubs and the level of training for coaches and volunteers in relation to the deployment of those machines.

The format of the data collected is to be agreed through ongoing contact with the NI Ambulance Service (NIAS) which has established and maintains the current database of AED provision. This will ensure that the necessary compatibility with the NIAS system is achieved together with the prevention of unhelpful duplication.

It has not yet been determined whether a formal report of Sport NI's assessment work will be issued in isolation or whether the publication of data along with access arrangements will occur as a result of the wider mapping piece of work which is the responsibility of NIAS.

Ms Sugden asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49153/11-16, what proportion of this funding has been directed at sports participation in areas of high deprivation outside Belfast; and to list these areas.

(AQW 49806/11-16)

Ms Ní Chuilín: I can advise that since March 2015, Sport NI, an arms length body of my Department, provided Exchequer and Lottery funding of £118,503 to continue to deliver programmes to address sports participation in areas of high deprivation outside of Belfast. A list of these areas is attached at Annex A.

The funding arrangements for roll out of the TBUC Cross Community Youth Sports Programme to rural areas and the development of the TBUC Minor Sports Equipment Project have not yet been finalised however it is anticipated that a significant proportion of 2015/16 funding will be invested outside of Belfast in a bid to build good relations in a rural context and to tackle poverty and social exclusion.

Annex A

Areas of high deprivation outside of Belfast to receive funding from sport NI

Postcode	Area	Town
BT27	Hillhall	Lisburn
BT35	Ballybot Creggan	Newry Newry
BT42	Ballykeel	Ballymena
BT47	Clondermot Dungiven Highlands Greysteel	Derry Limavady Limavady Limavady
BT48	Brandywell	Derry
BT49	Roeside	Limavady

Postcode	Area	Town
BT52	Central	Coleraine
BT60	Keady	Armagh
BT61	Callan Bridge	Armagh
BT65	Drumgor	Craigavon
BT71	Ballysaggart Stewartstown	Dungannon Cookstown
BT80	Killymoon	Cookstown

Ms Sugden asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49149/11-16, following the success of Sport England's This Girl Can campaign, whether she will consider a similar campaign for Northern Ireland to increase female participation in sport.

(AQW 49865/11-16)

Ms Ní Chuilín: My Department has no plans at present to develop a similar campaign to Sport England's 'This Girl Can'.

However, I can advise that Sport NI is currently developing a new participation programme named 'Every Body Active 2020'. The programme, which has been through a consultation process, will replace the current Active Communities programme which will cease on 31 March 2016. The new programme aims to increase and sustain participation in sport, especially among a number of under-represented groups, including females.

I can advise that over the last five years, Sport NI's 'Active Communities' programme has successfully engaged over 286,000 participants, 57% of those taking part in sport and leisure related activities were female. The 'Every Body Active 2020' policy has been developed to ensure that these levels of female participation continue to be built upon and sustained through to April 2020.

Ms Sugden asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49151/11-16, whether her Department offers financial support to local clubs who wish to provide volunteers with qualifications, training and skills development opportunities; and to detail the steps she is taking towards other recommendations of the mid-term review of Sport Matters.

(AQW 49866/11-16)

Ms Ní Chuilín: I can advise that in the last three financial years up to March 2015, Sport NI, an arms length body of my Department, has invested a total of £1,604,214 through its Active Awards for Sport Programme. It is not possible to exactly quantify the breakdown of the elements of this funding that went to volunteer support and other sports development opportunities. However, this investment will have contributed to local clubs who wish to provide volunteers with qualifications, training and skills development opportunities.

I can advise that Sport NI has developed an Action Plan to take forward the recommendations emerging from the mid-term review of Sport Matters. The draft Action Plan is due to be submitted in December to the Sports Matters Monitoring Group, which I lead, following consultation with stakeholders within the Sports Matters Implementation Groups.

It is anticipated that the Action Plan will be agreed and published by the end of this year.

Mr Humphrey asked the Minister of Culture, Arts and Leisure to detail the cost of the recent recruitment process and the salaries for each of the jobs on the Líofo project advertised by her Department.

(AQW 49871/11-16)

Ms Ní Chuilín: Recruitment advertising costs for the two Líofo posts were £8,284.70.

The salary for the Líofo Development Officer post is in the Staff Officer salary range currently £28,500 - £31,135. The Líofo Support Officer post is in the Executive Officer 1 salary range, currently £25,871 – £27,271.

Mr Dunne asked the Minister of Culture, Arts and Leisure to outline the rationale for the 7 per cent in-year cuts to thirty two arts organisations.

(AQW 49880/11-16)

Ms Ní Chuilín: I am dealing with a very difficult budget, resulting directly from British Tory cuts, that I am not at all comfortable with. The budget has impacted on all service areas across DCAL and its arm's-length bodies. Although I was originally able to reduce the extent of the cuts to my Department's budget, a number of inescapable pressures on the budget have since emerged and the unavailability of additional in-year resources has meant that I have been faced with very difficult choices in redeploying budgets internally. Given that we are halfway through the year and that many of our arm's-length bodies' costs, such as salaries and buildings costs, are committed in the medium term, I had no alternative but to look to grant programmes for a significant part of the savings required. Therefore programmes by the Arts Council, Sport NI and the

Department have inevitably been affected. In absolute terms, the cut against the Art Council's grant programme is the largest, but this reflects the fact that its programme is the largest across the DCAL family.

Mr Allister asked the Minister of Culture, Arts and Leisure to detail the (i) average time; and (ii) longest time taken by her Department to respond to a Freedom of Information request since 2012.

(AQW 49888/11-16)

Ms Ní Chuilín: The information requested is as follows:-

- (i) The average time taken by my Department to respond to Freedom of Information requests since 2012 is 65 days.
- (ii) The longest time taken by my Department to respond to a Freedom of Information requests since 2012 is 552 days

The above figures include both historical requests and non historical requests. It should be noted that the average time taken to respond to FOI requests is not routinely recorded. Instead the Department monitors its performance in relation to statutory time limits. Further information on departmental performance is

published annually and can be accessed from the OFMDFM website at: http://www.ofmdfmi.gov.uk/index/improving-public-services/information_management_and_central_advisory_branch/annual-reports-and-statistics.htm

Lord Morrow asked the Minister of Culture, Arts and Leisure, pursuant to AQW 49432/11-16, whether there will be similar engagement with every council; and when engagement will begin in the Fermanagh and South Tyrone constituency councils.

(AQW 49892/11-16)

Ms Ní Chuilín: You will be aware that in the debate on an interactive database of Automatic External Defibrillators (AED) provision, I indicated my willingness to play a part in extending access to AED provision across the north of Ireland with particular regard to sport but also across the whole of my Department's remit.

In a previous reply to you I have outlined that Sport NI is specifically tasked with assessing the level of provision across the sports sector. Officials have met with Belfast City Council in terms of encouraging involvement in AED provision and any response from the Council will be directly to the NI Ambulance Service. The Sport NI assessment will not include provisions at local Council level including sports and leisure centres in particular due to the potential for duplication of data.

The provision of AEDs and associated training in local Councils and to sports and leisure centres specifically is primarily the remit of the Minister for the Environment.

I would again encourage all Departments including the Department for the Environment and all the local Councils to engage positively on their respective roles in extending the availability of, and access to, AEDs and to provide the details of such provision directly to the Ambulance Service in the required format.

Mr Easton asked the Minister of Culture, Arts and Leisure what support her Department could give councils seeking to create sports hubs to encourage excellence and participation in sport.

(AQW 49897/11-16)

Ms Ní Chuilín: Sport NI's Sports Facilities Fund will invest £17.5 million Lottery Funding under 3 distinct strands two of which will be open to District Councils to apply to. These are:-

- the Multi-Facility Fund which will be launched at the beginning of next year. This strand aims to open up access to a multi-sport environment for four or more different sports facilities on one site; and
- the Performance Strand which Sport NI is currently working with District Councils, Sports Governing Bodies and other key partners to identify how the allocated funding can be best used to integrate facility needs of communities and high performance athletes within the same multi-sport environment. This work is ongoing and a date for release has yet to be agreed.

The Multi-Facility strand and the Performance Facility strand will seek to develop sports facilities within larger (existing or new) multi-sport environments that can be complemented by a long-term and sustainable sports development plan. A significant aspect of these investments will be the contribution to excellence and increased participation in sport.

In addition, I can advise that Sport NI, in partnership with District Councils is developing a Sports Facilities Strategy for the north of Ireland and 11 associated District Council Area Reports. The aim of this project is to provide a strategic framework for the future development of sports facilities throughout the north of Ireland.

Ms Sugden asked the Minister of Culture, Arts and Leisure to list the projects in (i) Limavady; and (ii) Coleraine which benefited from the North West Socio Economic Development Programme 2014-15; and how her Department will provide support for the continuation of these projects, to ensure lasting benefits.

(AQW 49935/11-16)

Ms Ní Chuilín: A number of projects in Limavady and Coleraine benefitted from the North West Socio Economic Development Programme 2014/ 15 including:

Limavady

Project	Amount
Limavady Cultural Programme	£20,000
St.Mary's School Cultural Hub Equipment	£30,000
Glens Community Association Cultural Hub Equipment	£8,000
Stendhal Festival	£130,000 (£100k capital, £30k resource)

Coleraine

Project	Amount
Ballysally Youth & Community Centre Cultural Hub Equipment	£20,000
WOMAD Coleraine 'Culture of Peace' Legacy Programme	£20,000
The Milk Cup	£7,000
Coleraine Event Staging	£100,000
North Coast Sports Village	£1,249,000

My officials continue to work closely with stakeholders in the North West to support partnerships and opportunities to maximise the long term impact of City of Culture 2013. A particular priority will be working with organisations in areas of high social need including those groups and organisations working with children in care.

Ensuring a lasting legacy from the City of Culture will remain a priority for my Department over the next twelve months.

Mr Allister asked the Minister of Culture, Arts and Leisure to detail the severance package to the previous special adviser in her Department, John McDermott, following his departure in September 2015.

(AQW 50081/11-16)

Ms Ní Chuilín: Mr McDermott did not receive a severance package.

Department of Education

Mr Hussey asked the Minister of Education to detail (a) the money spent in the (i) Controlled; (ii) Maintained; (iii) Integrated; and (iv) Irish-medium sectors; and (b) the cuts to his budget, broken down as a percentage based on the value of his overall budget.

(AQW 49410/11-16)

Mr O'Dowd (The Minister of Education):

- (a) The latest complete Financial Year for which data is available is 2014/15. The table below provides the requested information (data relates to resource expenditure only identifiable at school level – capital expenditure is excluded). It should be noted that there has not been a budget cut to the Aggregated Schools' Budget and that the budget actually increased from 2014/15 to 2015/16.

	Total Expenditure 2014/15
Controlled Schools	£534,999,337
Maintained Schools	£529,881,904
Integrated Schools	£102,828,135
Irish Medium Schools	£16,153,458
All Schools	£1,183,862,834

Notes:

- (i) Data supplied by the Education Authority (expenditure data for Grant-Maintained Integrated Schools (included in Integrated Schools totals) supplied by Department of Education).

- (ii) It is not possible to disaggregate the expenditure incurred by an Irish Medium Unit attached to a host English Medium school.
 - (iii) Data for the Controlled Sector includes Controlled Grammar schools. Voluntary Grammar schools are not included in data in this answer.
 - (iii) Data for the Integrated Sector includes Controlled Integrated and Grant-Maintained Integrated Schools.
 - (iv) Data for the Maintained Sector includes 'Other Maintained' schools and Maintained Irish Medium schools;
 - (v) Data for Irish Medium Sector includes Controlled Irish Medium schools;
- (b) The table below details the cuts made to the total Education Budget in 2015-16, from the opening 2014-15 position:

Spending Category	2014-15 Opening Baseline £m	2015-16 Final Budget £m	Reduction £m	Reduction %
Resource	1,943.7	1,914.2	29.5	1.5%
Capital	182.9	146.8	36.1	19.7%

Mr Agnew asked the Minister of Education to detail what representation the Education Authority has on the board of the (i) Council for Catholic Maintained Schools; (ii) Northern Ireland Council for Integrated Education; (iii) Comhairle na Gaelscolaíochta; and (iv) new body for Controlled schools.

(AQW 49448/11-16)

Mr O'Dowd: The Education Authority (EA) is not represented on the boards of the Council for Catholic Maintained Schools, the for Integrated Education (NICIE) or Comhairle na Gaelscolaíochta. There are no plans for the EA to be represented on the board of the new body for Controlled schools, namely the Controlled Schools' Support Council.

Ms Sugden asked the Minister of Education to detail how needs assessments are carried out to ensure schools in areas of high levels of deprivation are not disproportionately impacted by budget reductions.

(AQW 49738/11-16)

Mr O'Dowd: Despite significant reductions to my budget, I have been able to maintain funding levels for school delegated budgets.

Following a report by the Independent Review Panel on funding arrangements for schools, changes were introduced to increase weighted funding levels for schools with significant concentrations of pupils identified as being socially deprived. Additionally, funding for schools received a further £10 million for distribution in the formula to help support schools with the greatest concentrations of disadvantage – to address underachievement among their disadvantaged pupils.

Within the finite resources available to the Education budget, I will continue to seek to maximise available funding for schools and to target resources to those children most in need.

Ms Sugden asked the Minister of Education to detail (i) the schools that have had their budgets reduced since changes to the Common Funding Formula were introduced in 2014; and (ii) which schools received transition payments; and the amount awarded in each case.

(AQW 49739/11-16)

Mr O'Dowd: Despite significant reductions to my budget, I have been able to maintain funding levels for school delegated budgets. The Aggregated Schools' Budget in 2015/16 was some 2.1% higher than in 2013/14.

Funding at school level will reflect the overall level of funding available for distribution, identified needs across all schools and pupils enrolled, as well as any changes to the funding arrangements during this period. However, at individual school level, the share of budget will also reflect any changes in its characteristics, year on year – and in particular; pupil enrolments, their stage of education, additional need pupils and levels of identified social deprivation.

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, Transitional funding support has been made available to schools, in addition to their formula calculated funding share, over the last two years.

I have arranged for details of schools, and the funding amounts received under the Transitional funding arrangements in the last two years, to be placed in the Assembly Library.

Mr Weir asked the Minister of Education to detail what strategies his Department is pursuing to encourage community based education provision.

(AQW 49795/11-16)

Mr O'Dowd: My Department is committed to building stronger links between schools and the communities they serve. I want to see schools work in partnership with local people in an effort to serve the needs of pupils, families and the wider school community.

My Department therefore encourages schools to make provision for wider community involvement through a range of policies. The policy for school improvement 'Every School a Good School' sets out the characteristics of a good school and points to the value of the school connected to its local community; guidance issued to School Governors highlights the responsibility governors have in promoting the use of the school in the community. The Extended Schools and Full Service School programmes enable greater community access to schools and the Community Education Initiatives Programme and West Belfast Community Project have helped to promote partnership working between voluntary and community organisations and schools through educationally focused programmes.

My 'Education Works' advertising campaign specifically encourages parents and families to become more directly involved in the education of their children. Additionally, my efforts to promote increasing use by communities of school premises include publication of a Guidance Toolkit for Schools designed to assist and encourage more schools in providing community access to school facilities. My Department is also working closely with the Shankill Children's and Young People's Zone to support that community in its efforts to improve the life chances of its children and young people.

It is also worth noting that the Education Act (NI) 2014 has placed a duty on the Education Authority to encourage, facilitate and promote the community use of premises of grant-aided schools.

Ms Sugden asked the Minister of Education, pursuant to AQW 49607/11-16, (i) for his assessment of the reasoning behind the declining numbers of examination entries; and (ii) how his Department is working with other bodies to encourage the uptake of the study of Modern Languages.

(AQW 49807/11-16)

Mr O'Dowd: My Department closely monitors the uptake of modern languages at GCSE and A level. Whilst there has been some decline over recent years in French and German, there has been notable increases in numbers taking Spanish.

Students and their parents take into account a wide variety of factors when considering subject choices at GCSE level, including their enjoyment and aptitude for particular subjects as well as future careers or education prospects. I believe students who enjoy learning languages will continue to study languages at GCSE level, despite Ulster University's announcement. When these pupils come to consider third level education, they will be able to choose from a range of universities here or further afield depending upon their subject specialism.

Whilst I have had no discussion with the Minister for Employment and Learning on Ulster University's announcement, I believe acquiring a second language has significant benefits for both the local and global economies and it is up to all of us to continue to promote the advantages which studying a modern foreign language can bring in terms of access to vibrant and exciting careers.

My Department is continuing to work with a wide range of external bodies to promote the importance of second language learning including the Languages Council, the Centre for Information on Language Teaching, the Confucius Institute and the British Council. My officials also liaise with colleagues in the Department for Education and Skills in the south and the Department for Employment and Learning; with HE and FE sectors as well as the Council for the Curriculum, Examinations and Assessment.

Mr Moutray asked the Minister of Education to detail how many educational psychologists are (i) employed by the Education Authority; and (ii) available to work in the Southern region of the Education Authority.

(AQW 49813/11-16)

Mr O'Dowd: The Education Authority has advised that by November 2015 the number of Full-time Equivalent (FTE) Educational Psychologists will be:

- (i) 145.5 employed by EA
- (ii) 32.1 employed in Southern region

Ms Sugden asked the Minister of Education, pursuant to AQW 49607/11-16, (i) for his assessment of the closure of the School of Modern Languages at Ulster University Coleraine in relation to the impact this will have on the study of Modern Languages at GCSE and A-Level; and (ii) whether he has discussed this with any external bodies.

(AQW 49817/11-16)

Mr O'Dowd: My Department closely monitors the uptake of modern languages at GCSE and A level. Whilst there has been some decline over recent years in French and German, there has been notable increases in numbers taking Spanish.

Students and their parents take into account a wide variety of factors when considering subject choices at GCSE level, including their enjoyment and aptitude for particular subjects as well as future careers or education prospects. I believe students who enjoy learning languages will continue to study languages at GCSE level, despite Ulster University's announcement. When these pupils come to consider third level education, they will be able to choose from a range of universities here or further afield depending upon their subject specialism.

Whilst I have had no discussion with the Minister for Employment and Learning on Ulster University's announcement, I believe acquiring a second language has significant benefits for both the local and global economies and it is up to all of us to continue to promote the advantages which studying a modern foreign language can bring in terms of access to vibrant and exciting careers.

My Department is continuing to work with a wide range of external bodies to promote the importance of second language learning including the Languages Council, the Centre for Information on Language Teaching, the Confucius Institute and the British Council. My officials also liaise with colleagues in the Department for Education and Skills in the south and the Department for Employment and Learning; with HE and FE sectors as well as the Council for the Curriculum, Examinations and Assessment.

Mr Allister asked the Minister of Education how much was spent on the Primary Modern Language Programme.
(AQW 49875/11-16)

Mr O'Dowd: In 2014/15, my Department provided funding of £900k to the Primary Modern Languages Programme (PMLP). The total cost of the redundancies, following my decision to cease funding for the PMLP, was approximately £340k.

Mr Allister asked the Minister of Education to detail how much was spent on the redundancy packages following his decision to cease funding for the Primary Modern Languages Programme.
(AQW 49876/11-16)

Mr O'Dowd: In 2014/15, my Department provided funding of £900k to the Primary Modern Languages Programme (PMLP). The total cost of the redundancies, following my decision to cease funding for the PMLP, was approximately £340k.

Mr Weir asked the Minister of Education to detail how many primary schools, in the last five years, have (i) opened; (ii) remain opened; and (iii) have closed, and have (a) less than 105 pupils; and (b) less than 140 pupils if they are in Belfast or Londonderry,
(AQW 49902/11-16)

Mr O'Dowd:

(i) Schools that have opened

Out of 16 schools that have opened or amalgamated since 2010, seven have enrolments of fewer than 105 pupils or 140 if they are in Belfast or Derry. Full breakdown is as follows:

	(a) Schools not in Belfast/Derry LGD		(b) Schools in Belfast/Derry LGD	
	Total no of schools opened	No of schools opened with fewer than 105 pupils	Total no of schools opened	No of schools opened with fewer than 140 pupils
2010/11	1	1	1	0
2011/12	4	2	0	0
2012/13	6	4	0	0
2013/14	0	0	2	0
2014/15	2	0	0	0

(ii) Schools that remain opened

The analysis for each year of schools that have neither opened nor closed is as follows:

	(a) Schools not in Belfast/Derry LGD		(b) Schools in Belfast/Derry LGD	
	Total no of schools remained opened	No of schools remained opened with fewer than 105 pupils	Total no of schools remained opened	No of schools remained opened with fewer than 140 pupils
2010/11	718	294	131	31
2011/12	705	277	132	33
2012/13	704	272	127	29
2013/14	705	271	127	29
2014/15	699	264	125	28

(iii) Schools that have closed

Out of 53 schools that have closed since 2010, 36 have enrolments of fewer than 105 pupils or 140 if they are in Belfast or Londonderry the year prior to closing. Full breakdown is as follows:

	(a) Schools not in Belfast/Derry LGD		(b) Schools in Belfast/Derry LGD	
	Total no of schools closed	No of schools closed with fewer than 105 pupils	Total no of schools closed	No of schools closed with fewer than 140 pupils
2010/11	8	6	6	4
2011/12	14	10	0	0
2012/13	5	5	5	3
2013/14	5	1	0	0
2014/15	8	6	2	1

Source: NI school census

Notes:

- 1 Most recent figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 2 Figures include year 1 - 7 classes only.
- 3 'Schools in Belfast and Derry' refers to schools in the former Belfast and Derry LGDs.

Mr Dallat asked the Minister of Education to detail the number of pupils suspended from (i) primary; and (ii) post-primary school in each of the last 5 years; and what strategies are in place to address this.

(AQW 49936/11-16)

Mr O'Dowd: The Department publishes statistics on pupil suspensions on its website. The information is provided annually by the Education Authority (EA). The table below details the number of pupil suspensions in each of the last five years broken down by Primary and Post Primary School

	2009/10	2010/11	2011/12	2012/13	2013/14
Primary	248	185	200	191	228
Post Primary	4471	4055	3594	3296	3380

Figures for 2014/15 are in the process of being analysed and will be published on the Departments website in due course.

The Board of Governors (BoG) of every grant-aided school is under a duty to ensure that policies designed to promote good behaviour and discipline on the part of pupils attending the school are pursued at the school.

Each school must therefore have a discipline policy which details the required standards of behaviour expected of pupils and the sanctions, including suspension and expulsion, which may be imposed whenever a pupil contravenes these standards. It is a matter for the school to periodically review this policy and ensure it remains fit for purpose.

Overarching this, each employing authority within the education sector is also required to prepare a scheme specifying the procedures to be followed, by schools under its management, in relation to suspensions or expulsions.

In April 2015, the Education Authority (EA) issued an interim scheme to all controlled schools setting out procedural steps which must be rigorously followed when suspending or expelling a pupil. This scheme was informed by and builds upon the best practice that existed within the former ELBs and other employing authorities, including CCMS.

This will be reviewed before the EA adopts a scheme for long term use. As part of this, a consultation will be undertaken with controlled schools and other key stakeholders.

Mr Weir asked the Minister of Education to detail what discussions took place between his Department and the Department of Finance and Personnel before the reallocation of £9m within his Department.

(AQW 49964/11-16)

Mr O'Dowd: I have made internal allocations totalling £12.4m which were funded from my 2015-16 Savings Delivery Plan provision of £13.4m. I discussed this at my briefing to the Education Committee on Wednesday 4 March and the £13.4m provision is included in DE's published 2015-16 Savings Delivery Plan.

The £12.4m internal allocation is detailed in the table below.

Allocation	£m
Schools Maintenance	9.0
Furniture & Equipment for capital projects	1.3
SEN costs: VGS/GMI schools	1.0
Other (less than £1m)	1.1
Total	12.4

No discussions took place or were required between my Department and the Department of Finance and Personnel prior to my decision to make these allocations.

Mr Weir asked the Minister of Education to detail which areas have reduced spending to produce the £12m announced in the Department's internal reallocation.

(AQW 49965/11-16)

Mr O'Dowd: I have made internal allocations totalling £12.4m which were funded from my 2015-16 Savings Delivery Plan provision of £13.4m. I discussed this at my briefing to the Education Committee on Wednesday 4 March and the £13.4m provision is included in DE's published 2015-16 Savings Delivery Plan.

The £12.4m internal allocation is detailed in the table below.

Allocation	£m
Schools Maintenance	9.0
Furniture & Equipment for capital projects	1.3
SEN costs: VGS/GMI schools	1.0
Other (less than £1m)	1.1
Total	12.4

No discussions took place or were required between my Department and the Department of Finance and Personnel prior to my decision to make these allocations.

Mr Weir asked the Minister of Education to detail the areas within his departmental budget that the £12m internal reallocation will be allocated to.

(AQW 49966/11-16)

Mr O'Dowd: I have made internal allocations totalling £12.4m which were funded from my 2015-16 Savings Delivery Plan provision of £13.4m. I discussed this at my briefing to the Education Committee on Wednesday 4 March and the £13.4m provision is included in DE's published 2015-16 Savings Delivery Plan.

The £12.4m internal allocation is detailed in the table below.

Allocation	£m
Schools Maintenance	9.0
Furniture & Equipment for capital projects	1.3
SEN costs: VGS/GMI schools	1.0
Other (less than £1m)	1.1
Total	12.4

No discussions took place or were required between my Department and the Department of Finance and Personnel prior to my decision to make these allocations.

Ms Sugden asked the Minister of Education (i) for his assessment of international youth work as an aspect of informal learning; (ii) to detail how his Department supports access to international learning opportunities for (a) young people; and (b) youth work practitioners.

(AQW 49981/11-16)

Mr O'Dowd: International youth work is the overall name given to a strand of youth work which focuses on the engagement of youth service participants, leaders and policy makers with their peers from a wide range of countries, cultures and backgrounds. International youth work provides the opportunity to explore and appreciate diversity.

Support for those organisations and young people wishing to participate in international youth work is provided through the Youth Council (YCNi) in the form of:

- Training and promotional activities;
- Assistance with the Erasmus+ application process;
- One to one clinics for potential applicants;
- Provision of up to date information through – E bulletins.

Additional funding provided by EU funded initiatives such as Erasmus+ provide the sector with opportunities to complement and support the implementation of Priorities for Youth.

Ms Sugden asked the Minister of Education (i) for his assessment of the Erasmus+ programme; and (ii) to detail how his Department are promoting greater access to this programme for (a) youth service providers: (b) disadvantaged young people. **(AQW 49982/11-16)**

Mr O'Dowd: The Erasmus+ programme offers a wide range of opportunities for all our young people and teachers to participate in partnership and exchange activities across Europe. The EU programme aims to boost skills and employability whilst modernising education, training and youth work. In the 2014 and 2015 funding rounds, circa 67 schools and youth service providers here have benefited from the programme receiving funding in excess of 3.3 million Euros.

My Department is continuing to work with the British Council and the Department for Education and Skills in the south to promote the programme to schools and the youth sector to ensure that participation in Erasmus+ is maximised.

Mr Weir asked the Minister of Education what analysis his Department has made of the Flying Start programme in Wales, aimed at addressing disadvantages in early years. **(AQW 50022/11-16)**

Mr O'Dowd: The Independent Review of Sure Start carried out by RSM McClure Watters (Consulting) included a Literature Review to identify best practice in relation to delivering Sure Start services. This included an assessment of alternative approaches to Sure Start, as part of which the Flying Start programme was considered.

The literature review noted that the Flying Start programme is located within areas of deprivation, and that, similar to Sure Start, services are universal within the designated areas. Flying Start includes free childcare as one of the core components, which is the main variation from the Sure Start approach here. Qualitative research conducted with high need families showed that parents reported that the Flying Start programme had helped them become more confident as a parent, manage their child's behaviour and engage more with their educational development.

There were however no statistically significant outcomes between Flying Start and non Flying Start areas in terms of child cognitive and language skills, social and emotional development and independence and self regulation.

Mr Weir asked the Minister of Education to detail (i) the eligibility criteria for the Extended Schools Programme; and (ii) whether eligible schools will receive Extended Schools Programme funding automatically or are they required to make a case for funding via an application. **(AQW 50023/11-16)**

Mr O'Dowd: The current Extended Schools criteria, based on information provided via the Multiple Deprivation Measure (NIMDM 2010), apply equally across all schools. My Department includes all schools for Extended Schools funding with:

- 1 51% or more of pupils from a Neighbourhood Renewal Area or the 30% most disadvantaged wards/super output areas; and/or
- 2 37% or more of pupils with a Free School Meal Entitlement or in the case of Nursery Schools, pupils with parents in receipt of Income Based Jobseeker's Allowance at or above 37%.

The programme is not subject to an application process; funding is made available to all schools which meet the eligibility criteria. Schools entitled to Extended Schools funding are identified by my Department via the data submitted by individual schools as part of the annual School Census exercise.

Ms Sugden asked the Minister of Education how his Department supports childcare and early years groups that want to increase their staffing capacity or purchase resources and equipment in order to make services accessible to families with disabled children. **(AQW 50038/11-16)**

Mr O'Dowd: My Department funded a three year SEN Early Years capacity building pilot in DE-funded early years' settings which finished at the end of September 2014.

The pilot aimed to improve early identification, assessment and intervention for children with SEN and / or disability in statutory nursery settings and voluntary and private settings offering funded Pre - School Education Programme funded places.

ETI positively reviewed the pilot and subsequently the Early Years Inclusion Service, which is provided by the Education Authority (EA), commenced on 1 September 2015 and will build on the progress achieved during the Pilots and the Interim Arrangements.

I have recently provided further funding to the EA to extend the development of the Early Years training model used for pre-school settings to early years' children with SEN entering primary schools at P1.

Ms McCorley asked the Minister of Education to detail (i) the approved and actual enrolment figures; and (ii) the percentage of pupils with special educational needs in each (a) Council for Catholic Maintained; and (b) Irish-medium primary school in West Belfast, over the last three years.

(AQW 50048/11-16)

Mr O'Dowd: The data requested for 2012/13 – 2014/15 can be found in the tables below:

(a) Catholic Maintained schools

2012/13

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
Christ the Redeemer Primary School	570	573	17.45
Holy Child Primary School, Belfast	775	493	34.89
Holy Trinity Primary School, Belfast	600	636	34.91
John Paul II Primary School	-	-	-
Our Lady Queen of Peace Primary School	348	352	7.1
St Aidan's Christian Brothers Primary School	504	133	48.87
St Bernadette's Primary School	522	129	52.71
St Clare's Primary School, Belfast	581	409	29.58
St John The Baptist Primary School, Belfast	425	425	16.71
St Joseph's Primary School, Slate Street	340	192	33.33
St Kevin's Primary School	610	496	32.86
St Kieran's Primary School	650	366	36.89
St Luke's Primary School	665	185	36.76
St Mark's Primary School	611	310	26.77
St Mary's Primary School, Divis St	130	138	21.74
St Oliver Plunkett Primary School, Belfast	825	583	14.07
St Paul's Primary School, Belfast	416	239	24.27
St Peter's Primary School, Belfast	547	275	17.82
St Teresa's Primary School, Belfast	633	415	35.18
The Good Shepherd Primary School	823	312	28.21

2013/14

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
Christ the Redeemer Primary School	580	572	14.16
Holy Child Primary School, Belfast	775	505	44.55
Holy Trinity Primary School, Belfast	600	654	34.1

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
John Paul II Primary School	275	260	42.69
Our Lady Queen of Peace Primary School	348	352	8.24
St Aidan's Christian Brothers Primary School	-	-	-
St Bernadette's Primary School	-	-	-
St Clare's Primary School, Belfast	581	408	35.78
St John The Baptist Primary School, Belfast	425	406	22.17
St Joseph's Primary School, Slate Street	340	200	44.5
St Kevin's Primary School	610	528	33.33
St Kieran's Primary School	650	371	37.2
St Luke's Primary School	665	208	25.96
St Mark's Primary School	611	303	36.63
St Mary's Primary School, Divis St	130	134	20.15
St Oliver Plunkett Primary School, Belfast	825	614	16.94
St Paul's Primary School, Belfast	416	247	32.79
St Peter's Primary School, Belfast	547	275	17.45
St Teresa's Primary School, Belfast	633	442	38.91
The Good Shepherd Primary School	823	314	28.34

2014/15

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
Christ the Redeemer Primary School	610	591	14.38
Holy Child Primary School, Belfast	775	540	42.59
Holy Trinity Primary School, Belfast	600	637	35.79
John Paul II Primary School	275	262	40.08
Our Lady Queen of Peace Primary School	348	358	12.29
St Aidan's Christian Brothers Primary School	-	-	-
St Bernadette's Primary School	-	-	-
St Clare's Primary School, Belfast	581	432	33.56
St John The Baptist Primary School, Belfast	425	415	26.27
St Joseph's Primary School, Slate Street	340	214	33.64
St Kevin's Primary School	610	517	31.33
St Kieran's Primary School	525	390	40.51
St Luke's Primary School	665	231	27.71
St Mark's Primary School	611	282	35.82
St Mary's Primary School, Divis St	130	132	21.21
St Oliver Plunkett Primary School, Belfast	825	639	15.18
St Paul's Primary School, Belfast	416	254	36.22
St Peter's Primary School, Belfast	547	290	25.52
St Teresa's Primary School, Belfast	633	462	37.23

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
The Good Shepherd Primary School	343	301	28.24

(b) Irish medium schools**2012/13**

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
Bunscoil An Tsleibhe Dhuibh	203	146	35.62
Bunscoil Phobal Feirste	406	235	28.09
Gaelscoil an Lonnain	71	44	45.45
Gaelscoil Na Bhfal	290	162	25.93
Gaelscoil na Mona	125	92	21.74
Scoil na Fuiseoige	145	113	23.01

2013/14

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
Bunscoil An Tsleibhe Dhuibh	203	153	31.37
Bunscoil Phobal Feirste	406	242	28.93
Gaelscoil an Lonnain	71	49	40.82
Gaelscoil Na Bhfal	290	159	26.42
Gaelscoil na Mona	125	94	35.11
Scoil na Fuiseoige	145	115	33.04

2014/15

	Approved enrolment	Actual enrolment	% of pupils with special educational needs
Bunscoil An Tsleibhe Dhuibh	203	157	31.85
Bunscoil Phobal Feirste	406	255	32.16
Gaelscoil an Lonnain	71	51	39.22
Gaelscoil Na Bhfal	290	158	24.68
Gaelscoil na Mona	125	93	39.78
Scoil na Fuiseoige	145	125	30.4

Source: NI school census

Notes:

- 1 Most recent figures relate to the 2014/15 academic year. While the 2015/16 school census took place on the 9th October this year, provisional figures will not be available until December 2015 and will not be finalised figures until February 2016.
- 2 An approved enrolment number is the number of pupils a school can admit. Please note that the number of unfilled places in a school is not the difference between the approved and actual enrolments; statemented children and children admitted by appeal or by direction of the ECB are supernumerary. A school can only exceed this number with the permission of the Department.
- 3 Figures for primary includes reception and year 1 - 7 classes.
- 4 SEN figures include pupils at stages 1 – 5 on the Special Educational Needs Code of Practice.

Ms McCorley asked the Minister of Education to detail any recently completed, on-going or outstanding major capital works in each (a) Council for Catholic Maintained; and (b) Irish-medium primary school in West Belfast.

(AQW 50049/11-16)

Mr O'Dowd: The following table details the primary school projects in the West Belfast constituency that have been announced in the last five years and have since either been completed or are currently ongoing.

(a) Catholic Maintained sector

I announced Holy Evangelist's Primary School, Twinbrook to be taken forward in planning in June 2014. This project is currently at design stage.

In addition there is a School Enhancement Project, currently that I announced in January 2013 for John Paul 11 Primary School. This project is also currently at design stage.

(b) Irish Medium sector

In 2010 a new school build was announced for Scoil Na Fuisseoge, this new school was completed in November 2012.

Ms McCorley asked the Minister of Education to detail the current inspectorate rating for each (a) Council for Catholic Maintained; and (b) Irish-medium primary school in West Belfast.

(AQW 50050/11-16)

Mr O'Dowd:

DENI ref	School name	Overall Effectiveness
1036388	St Mary's Primary School, Divis St	Good
1036565	St Kevin's Primary School	Very good
1036576	Holy Child Primary School, Belfast	Very good
1036589	St Teresa's Primary School, Belfast	Good
1036602	St Oliver Plunkett Primary School, Belfast	Very good
1036620	St Peter's Primary School, Belfast	Good
1036621	St Joseph's Primary School, Slate Street	Very good
1036623	Holy Trinity Primary School, Belfast	Good
1036624	St Paul's Primary School, Belfast	Good
1036630	St Clare's Primary School, Belfast	Very good
1036688	St John The Baptist Primary School, Belfast	Inadequate
1036697	John Paul II Primary School	Good
1046501	Bunscoil Phobal Feirste	Outstanding
1046571	Gaelscoil Na Bhfal	Good
1046593	Bunscoil An Tsleibhe Dhuibh	Very good
1046671	Gaelscoil na Mona	Good
1046672	Gaelscoil an Lonnain	Satisfactory
4036081	St Luke's Primary School	Very good
4036134	St Mark's Primary School	Good
4036285	The Good Shepherd Primary School	*
4036480	St Kieran's Primary School	Good
4036591	Our Lady Queen of Peace Primary School	Outstanding
4036618	Christ the Redeemer Primary School	Outstanding
4046600	Scoil na Fuisseoge	Outstanding

* inspection pre-dated the introduction of performance levels (descriptors) for overall effectiveness.

Mr Weir asked the Minister of Education for an update on any proposals to expand the operation or geographical coverage of the Sure Start programme.

(AQW 50096/11-16)

Mr O'Dowd: The Sure Start Programme is targeted towards children in the 20% most deprived areas, and I have been able to expand these services into the 25% most deprived areas, significantly increasing the annual funding to around £25million.

In times of constrained finances it is increasingly important to ensure that money is spent on activities which are helping to secure improved well-being and developmental outcomes for children and families in the most disadvantaged areas. Findings from the Independent Review of Sure Start (2014), together with existing research, provide reassurance that our targeting of available resource in areas of highest deprivation is likely to have greatest impact on those children and families that can benefit most from Sure Start services.

Given the evidence of the high return on investment of intervention with socially disadvantaged children in the early years, the focus of the Sure Start Programme here will continue to be on the most disadvantaged areas, where the most positive and beneficial outcomes for children can be realised.

Mr Weir asked the Minister of Education to detail the number of pupils, in each of the last two years, receiving free school meals, broken down by school in the South Eastern Region.

(AQW 50097/11-16)

Mr O'Dowd: The number of pupils entitled to free school meals, who received a free school meal on Census day in each of the last two years is contained in the following table.

Table 1. Number of pupils receiving free school meals, by South Eastern Region schools; 2013/14 – 2014/15.

School Name	2013/14	2014/15
Abbey Primary School	65	73
Academy Primary School	38	37
Alexander Dickson Primary School	26	18
All Childrens Integrated Primary School	36	44
Anahilt Primary School	11	10
Andrews Memorial Primary School	23	34
Annsborough Primary School	18	17
Ardmore House Special School	5	*
Assumption Grammar School	54	74
Ballinderry Primary School	14	19
Ballycarrickmaddy Primary School	12	23
Ballyholme Primary School	42	38
Ballymacash Primary School	72	65
Ballymacrickett Primary School	44	44
Ballymacward Primary School	13	16
Ballymagee Primary School	53	40
Ballynahinch Primary School	42	40
Ballyvester Primary School	19	7
Ballywalter Primary School	45	45
Bangor Academy and 6th Form College	154	244
Bangor Central Integrated Primary School	119	115
Bangor Central Nursery School	13	9
Bangor Grammar School	37	72
Barbour Nursery School	10	14
Beechlawn Special School	45	50
Belvoir Park Primary School	55	60

School Name	2013/14	2014/15
Blackwater Integrated College	63	57
Bloomfield Primary School	142	149
Braniel Primary School	65	58
Brookfield Special School	41	47
Brooklands Primary School	88	107
Brownlee Primary School	40	34
Bunscoil Bheanna Boirche	38	27
Cairnshill Primary School	32	42
Carr Primary School	*	10
Carrickmannon Primary School	9	*
Carrowdore Primary School	35	40
Carryduff Primary School	31	26
Castle Gardens Primary School	46	46
Castlereagh Nursery School	6	10
Castlewellan Primary School	20	21
Cedar Integrated Primary School	17	32
Christ The King Primary School, Ballynahinch	35	43
Christ the Redeemer Primary School	226	190
Clandeboye Primary School	62	85
Clifton Special School	31	32
Comber Primary School	52	46
Convent of Mercy Nursery School	22	17
Crawfordsburn Primary School	26	19
Cregagh Primary School	51	52
Cumran Primary School	39	41
De La Salle High School	69	98
Derryboy Primary School	9	11
Donaghadee Primary School	61	82
Down High School	22	47
Down High School Prep Dept	*	*
Downpatrick Nursery School	8	8
Downpatrick Primary School	61	55
Downshire Primary School,Hillsborough	30	32
Dromara Primary School	36	44
Drumlins Integrated Primary School	44	46
Dundonald High School	67	89
Dundonald Primary School	72	67
Dunmurry Primary School	42	39
Fort Hill College	86	88
Fort Hill Integrated Primary School	72	83
Friends' School	16	29

School Name	2013/14	2014/15
Friend's School Prep Dept	0	*
Gilnahirk Primary School	44	49
Glasswater Primary School	9	11
Glastry College	79	119
Glenbrook Nursery School	11	18
Glencraig Integrated Primary School	9	10
Glenlola Collegiate	30	86
Glenlola Collegiate Prep Dept	*	*
Good Shepherd Nursery School	28	18
Grange Park Primary School	37	50
Grey Abbey Primary School	9	13
Harmony Hill Primary School, Lisburn	63	50
Holy Trinity Nursery School	9	8
Hollywood Nursery School	0	0
Hollywood Primary School	48	64
Kilcooley Primary School	106	108
Killard House Special School	59	53
Killinchy Primary School	20	12
Killowen Primary School, Lisburn	70	65
Killyleagh Primary School	36	38
Kilmaine Primary School	52	40
King's Road Nursery School	6	*
Kircubbin Community Nursery School	0	0
Kircubbin Integrated Primary School	49	62
Kirkistown Primary School	19	14
Knockbreda High School	87	124
Knockbreda Nursery School	5	*
Knockbreda Primary School	34	30
Knockevin Special School	25	32
Knockmore Primary School	58	74
Lagan College	164	218
Lakewood Special School	0	0
Largymore Primary School	62	75
Laurelhill Community College	83	120
Lead Hill Primary School	13	13
Lisburn Central Primary School	77	85
Lisnagarvey High School	105	130
Lisnasharragh Primary School	63	60
Londonderry Primary School	110	96
Longstone Special School	62	84
Loughries Primary School	6	14

School Name	2013/14	2014/15
Loughview Integrated Primary School	28	29
Maghaberry Primary School	20	17
McKinney Primary School Dundrod	16	12
Meadow Bridge Primary School	15	15
Millennium Integrated Primary School	13	18
Millisle Primary School	69	69
Moira Primary School	20	28
Moneyrea Primary School	7	8
Movilla High School	108	86
Nendrum College	94	99
Newcastle Primary School	45	42
Newtownards Model Primary School	70	60
Newtownards Nursery School	11	11
Newtownbreda High School	133	202
Oakwood Integrated Primary School	28	20
Old Warren Primary School	39	49
Our Lady and St Patrick Primary School	128	133
Our Lady and St Patrick's College	17	32
Our Lady Queen of Peace Primary School	41	53
Parkview Special School	63	66
Pond Park Nursery School	8	9
Pond Park Primary School	84	89
Portaferry Integrated Primary School	18	26
Portavogie Primary School	23	20
Priory College	96	135
Rathmore Primary School	53	59
Regent House Grammar School	50	83
Regent House Prep Dept	*	*
Riverdale Primary School	13	14
Rowandale Integrated Primary School	8	10
Sacred Heart Primary School, Dundrum	25	15
Saintfield High School	19	34
Scoil na Fuiseoige	65	55
Seymour Hill Primary School	57	64
Shimna Integrated College	58	104
Spa Primary School	9	12
St Aloysius Primary School	96	105
St Anne's Primary School, Donaghadee	11	20
St Bernard's Primary School, Belfast	17	17
St Brigid's Primary School, Downpatrick	76	77
St Caolan's Primary School	9	8

School Name	2013/14	2014/15
St Colman's High School, Ballynahinch	56	79
St Colman's Primary School, Lisburn	52	66
St Colmcille's High School, Crossgar	53	87
St Colmcille's Nursery School	24	17
St Colmcille's Primary School, Downpatrick	111	136
St Colm's High School, Belfast	262	264
St Columbanus' College	77	112
St Columba's College	27	35
St Comgall's Primary School, Bangor	29	18
St Finian's Primary School	38	29
St Francis' Primary School, Drumaroad	25	30
St Ita's Primary School	18	13
St Joseph's Primary School, Ballycruttle	24	15
St Joseph's Primary School, Carnacaville	29	20
St Joseph's Primary School, Carryduff	18	25
St Joseph's Primary School, Crossgar	15	12
St Joseph's Primary School, Killough	31	35
St Joseph's Primary School, Lisburn	42	31
St Joseph's Primary School, Strangford	10	7
St Joseph's Primary School, Tyrella	15	14
St Kieran's Nursery School	25	17
St Kieran's Primary School	270	285
St Luke's Nursery School	11	10
St Luke's Primary School	140	147
St Macartan's Primary School, Downpatrick	16	20
St Malachy's High School, Castlewellan	190	278
St Malachy's Primary School, Bangor	77	84
St Malachy's Primary School, Castlewellan	83	98
St Malachy's Primary School, Kilclief	15	12
St Malachy's Primary School, Kilcoo	36	35
St Mark's Primary School	194	181
St Mary's High School, Downpatrick	106	143
St Mary's Primary School, Ardglass	12	20
St Mary's Primary School, Aughlisnafin	33	36
St Mary's Primary School, Comber	8	7
St Mary's Primary School, Killyleagh	34	27
St Mary's Primary School, Kircubbin	17	19
St Mary's Primary School, Newcastle	104	129
St Mary's Primary School, Portaferry	31	31
St Mary's Primary School, Saintfield	5	6
St Nicholas' Primary School, Ardglass	13	42

School Name	2013/14	2014/15
St Patrick's Academy, Lisburn	85	115
St Patrick's Grammar School, Downpatrick	37	78
St Patrick's Primary School, Ballynahinch	96	82
St Patrick's Primary School, Castlewellan	12	11
St Patrick's Primary School, Holywood	20	24
St Patrick's Primary School, Legamaddy	45	51
St Patrick's Primary School, Portaferry	7	9
St Patrick's Primary School, Saul	23	27
St Therese's Nursery School	16	20
Strangford Integrated College	97	164
Sullivan Upper School	17	37
Sullivan Upper School, Prep Dept	*	*
The Good Shepherd Primary School	179	177
The High School Ballynahinch	21	30
The Holy Family Primary School	32	37
Tonagh Primary School	111	112
Tor Bank Special School	37	39
Towerview Primary School	37	34
Trinity Nursery School	14	11
Tullycarnet Primary School	34	49
Victoria Primary School, Ballyhalbert	30	25
Victoria Primary School, Newtownards	115	113
Wallace High School	18	38
Wallace High School, Prep Dept	0	0
West Winds Primary School	95	108

Source: School Meals Census

* indicates suppression of a figure less than 5

Mr Easton asked the Minister of Education how many Catholic Maintained schools have been built in the last five years. (AQW 50099/11-16)

Mr O'Dowd: The following table indicates the number of schools in the Maintained, Controlled, Controlled Integrated and Grant Maintained Integrated sectors that have been announced in the last five years and are either complete or are currently at construction stage.

There are a number of new build projects from all school sectors that are currently at the various stages of planning, some of which are due on site shortly.

School Sector	Number of Schools Complete	Number of Schools Currently at Construction Stage
Maintained	8	4
Controlled	4	2
Controlled Integrated	-	1
Grant Maintained Integrated	-	-

Mr Easton asked the Minister of Education how many Controlled schools have been built in the last five years
(AQW 50100/11-16)

Mr O'Dowd: The following table indicates the number of schools in the Maintained, Controlled, Controlled Integrated and Grant Maintained Integrated sectors that have been announced in the last five years and are either complete or are currently at construction stage.

There are a number of new build projects from all school sectors that are currently at the various stages of planning, some of which are due on site shortly.

School Sector	Number of Schools Complete	Number of Schools Currently at Construction Stage
Maintained	8	4
Controlled	4	2
Controlled Integrated	-	1
Grant Maintained Integrated	-	-

Mr Easton asked the Minister of Education how many Integrated schools have been built in the last five years
(AQW 50101/11-16)

Mr O'Dowd: The following table indicates the number of schools in the Maintained, Controlled, Controlled Integrated and Grant Maintained Integrated sectors that have been announced in the last five years and are either complete or are currently at construction stage.

There are a number of new build projects from all school sectors that are currently at the various stages of planning, some of which are due on site shortly.

School Sector	Number of Schools Complete	Number of Schools Currently at Construction Stage
Maintained	8	4
Controlled	4	2
Controlled Integrated	-	1
Grant Maintained Integrated	-	-

Ms Lo asked the Minister of Education to outline his Department's policy on flags in relation to schools.
(AQW 50132/11-16)

Mr O'Dowd: The display of flags at schools is not a matter for my Department, this is an issue for the relevant employing authorities such as the Education Authority, the Council for Catholic Maintained Schools, or the individual Board of Governors of Voluntary Grammar or Grant Maintained Integrated schools.

In relation to guidance for schools, the Teachers' Negotiating Committee (TNC) has an agreed procedure, TNC 2009/3 Joint Declaration of Protection, which is available on the Department of Education website. This states at paragraph 4:

All schools will promote a good and harmonious work environment by prohibiting:

- (a) The display of flags, emblems, posters, graffiti or the circulation of material or deliberate articulation of slogans or songs perceived to be of a divisive or sectarian nature and likely to give offence or cause apprehension to particular groups of staff. Only the authorised display of flags and emblems which are in line with the spirit and purpose of this declaration will be permitted;

TNC is made up of representatives from employers, sectoral interests, the Department and the five recognised teaching unions. Procedures agreed through the forum of the TNC form part of teachers' terms and conditions, and are applicable to all grant-aided schools.

Ms Lo asked the Minister of Education to detail how many schools (i) have flag poles; (ii) fly flags on a daily basis; and (iii) fly flags on a regular basis.
(AQW 50133/11-16)

Mr O'Dowd: The Department of Education does not hold this information. The flying of flags at schools is an internal school management issue and therefore a matter for each individual school's Board of Governors.

Mr Somerville asked the Minister of Education for an update on the new build for Devenish School, Enniskillen, including the timescale for the project.

(AQW 50183/11-16)

Mr O'Dowd: Following the approval of the business case for the project on 5 December 2014 the Education Authority took forward the procurement of an Integrated Design Team. This appointment has now been completed and Isherwood & Ellis are the successful Design Team. Officers from the Education Authority held the first briefing meeting with Isherwood & Ellis on Wednesday 28 October 2015 to take forward the development of a design for the new school. This design will provide a modern place of learning and teaching for the future pupils of Devenish College on its new site at Tempo Road, Enniskillen.

It is currently planned for the new build to be on site in November 2017 with completion estimated for March 2019.

Department for Employment and Learning

Mr Swann asked the Minister for Employment and Learning whether any of his departmental responsibilities have been affected by the actions of any proscribed organisations since 2011.

(AQW 48632/11-16)

Dr Farry (The Minister for Employment and Learning): None of my departmental responsibilities has been affected by the actions of any proscribed organisations since 2011.

Ms Sugden asked the Minister for Employment and Learning to detail how his Department tracks young people who are not in education, employment or training; and for an update on the development of a system to track these individuals' progress.

(AQW 49211/11-16)

Dr Farry: My Department's Client Management System is used, as far as possible, to track young people who have left school.

Any young person who leaves education or training without a positive destination recorded in the school leaver data is case-loaded by the careers service. The Careers Service actively supports all 16 and 17 year olds who do not progress into training, education or employment on leaving school.

The electronic transfer of year 10 pupil data from the Department of Education to my Department took place, for the first time, in October 2012 and continues with the transfer for the current year 10 pupils scheduled to take place in December 2015.

A research report, commissioned in 2012 by my Department, into improved tracking of young people who are not in education, employment or training recommended that:

- in the short term, the Department's Client Management System (CMS) should be enhanced, assuming costs are not excessive, to enable it to function as a rudimentary tracking system for young people; and,
- in the medium term, (next two to three years) a new tracking system should be established in Northern Ireland drawing on the National Client Caseload Information System (NCCIS) in England.

Since then my Department has led on the introduction of the Learning Records Service's Unique Learner Number across education and training sectors in Northern Ireland. This helps to identify those not engaged in education, employment and training and, from September 2015, all learners aged 14 plus in schools across Northern Ireland will be allocated a Unique Learner Number in Year 11.

In addition, emerging information from a number of data sources, including the 2011 census, has been used to provide more robust information on the characteristics of those in the NEET category.

Estimates of the number of those in the NEET category are published regularly by the Department of Finance and Personnel in the Quarterly Supplement to the Labour Force Survey.

Mr Hussey asked the Minister for Employment and Learning whether the Employment Strategy for People with Disabilities Consultation (i) provides for participation by people who become disabled during their working lifetime; and (ii) whether his Department provides relevant support for these people and their employers.

(AQW 49231/11-16)

Dr Farry: The consultation on the 'Employment Strategy for People with Disabilities' is a public consultation and therefore open to all members of the public to participate, including people who have a disability and those who become disabled during their working lifetime. The consultation is running for eight weeks from 29 September 2015. The online response includes a section on "Why we are consulting" and lists the audience as: people with disabilities; community and voluntary organisations; disability organisations; social workers; employers; government departments; parents; carers; and students.

In developing and informing the strategy thus far, a number of positive engagement events, targeted primarily at people with disabilities who were employed and unemployed, organisations from the community and voluntary sector, and specialist support workers took place in 2014. More than 300 people attended these events. In addition, a separate event, targeted

solely at employers, was organised. This was to help gain an understanding of the issues faced or perceived by employers, when recruiting and supporting people with a disability.

The strategy consultation document contains five key themes with a number of subsequent proposals. One of the key themes focuses on 'Job Retention and Career Development'. This theme recognises that many people acquire a disability during their working lifetime. The strategy, through this theme, aims to promote and build upon existing in-work support that is available, so that employers do not lose some of their most valuable and experienced assets unnecessarily, and that those employees who become disabled, are not put at risk of losing their job, or having to curtail their personal career plans or ambitions.

The Department and its partner organisations in the local disability sector have extensive experience and knowledge of delivering in-work support. Such support can include; assistance with travel, specialist aids and equipment, on-the-job coaching, tailored training interventions, mentoring and support worker services. This will help address many of the disability related barriers that could pose a risk to the retention or well-being of employees with a full range of disabilities.

The Department's Workable (NI) and Access to Work (NI) programmes are particularly relevant to someone who becomes disabled while in employment. The Disability Employment Service is currently supporting more than 1200 people with a range of disabilities to remain in work, through these programmes.

Further information on all of the employment services and interventions provided by my Department is available at:

<http://www.nidirect.gov.uk/index/information-and-services/people-with-disabilities/employment-support/work-schemes-and-programmes.htm>

Mr Swann asked the Minister for Employment and Learning if he has considered introducing Grandparent Leave for the grandparents of new born children.
(AQW 49430/11-16)

Dr Farry: I am aware of the announcement, on 5 October, by the Chancellor of the Exchequer that rights to shared parental leave and pay will be extended to working grandparents in Great Britain. It has been stated that the policy will be subject to consultation early next year, with the aim of implementation by 2018.

Employment law in Northern Ireland is a devolved matter and I continue to hold the view that any legislative changes brought forward here must be consistent with the needs of our regional economy and society. With that in mind, officials in my Department will liaise with their counterparts in Great Britain to ascertain the detail of the proposals. Depending on the outcome of that work, I will consider taking forward public consultation here on whether it would be appropriate to introduce comparable measures in Northern Ireland

Ms Sugden asked the Minister for Employment and Learning to detail which Department will be responsible for the Pathways to Success Strategy following the proposed restructuring of Departments.
(AQW 49440/11-16)

Dr Farry: Under the proposals adopted by the Executive the Pathways to Success Strategy will be incorporated into the work of the Department for the Economy following the restructuring of the departments within the Northern Ireland Civil Service. It will continue to be an Executive Strategy, with the Department for Economy in the lead role.

Mr Easton asked the Minister for Employment and Learning to detail how many people in North Down have apprenticeship places funded by his Department.
(AQW 49454/11-16)

Dr Farry: At 30 April 2015, the number of apprentices from the North Down Parliamentary Constituency participating on the ApprenticeshipsNI programme was 222.

In relation to my Department's ApprenticeshipsNI programme, there are around 140 apprenticeship frameworks available, across levels 2 and 3. Lists of the apprenticeship frameworks can be located by following links below.

<http://www.nidirect.gov.uk/index/information-and-services/employment/looking-for-work/training-programmes/apprenticeships/types-of-apprenticeships/level-2-frameworks-apprenticeships.htm>

<http://www.nidirect.gov.uk/index/information-and-services/employment/looking-for-work/training-programmes/apprenticeships/types-of-apprenticeships/level-3-frameworks-apprenticeships.htm>

The Department published Securing our Success: The Northern Ireland Strategy on Apprenticeships in June 2014. The strategy articulates a blueprint for the future of apprenticeships in Northern Ireland.

In June 2015, the Department published Generating our Success: The Northern Ireland Strategy for Youth Training. The strategy provides the direction for a new youth training system at level 2.

In advance of implementation of the new apprenticeships and youth training systems, the Department is currently undertaking a series of pilots to test the delivery of the components established in the strategies – in particular the development of higher level apprenticeships and new curriculum at level 3.

My Department has been working with further education colleges, universities and employers, to develop new Higher Level Apprenticeships. Upwards of 25 new Higher Level Apprenticeship pilots, including some through our universities, were launched in September 2015 and are expected to offer approximately 400-450 opportunities for young people.

Approximately 70 higher level apprenticeship places at levels 4 and 5 in pilots covering Gas Management, Mechatronics Engineering, Accountancy and Automotive Management have been approved with relevant off-the-job training provided through South Eastern Regional College.

At level 3, approximately 80 apprenticeship places in Dental Nursing, Creative and Cultural Skills and Automotive Engineering have been approved to be delivered from October 2015.

The criteria necessary for entry to the ApprenticeshipsNI programme at Level 2 and Level 3 is as follows.

A person must:

- have attained the minimum school leaving age;
- be in or about to take up permanent remunerative employment with a Northern Ireland-based company;
- be contracted to work a minimum of 21 hours per week (which includes day release/off-the-job directed training) with one employer. Directed training must be paid as part of the participant's contracted hours;
- have the potential to successfully complete all the requirements of the appropriate Level 2/Level 3 apprenticeship framework;
- meet any health requirements (e.g. colour vision) specific to the occupation of their choice;
- have achieved any necessary entry academic qualifications (e.g. General Certificate of Secondary Education (GCSE)) determined by the relevant sector for the apprenticeship and approved by the Department; and
- pass any entry tests specified by the relevant sector/employer and approved by the Department.

The new Apprenticeship model of training, employment and learning will be adaptive to the particular needs of employers across a wider range of sectors and levels. The new model puts employers in the driving seat and therefore the employers will set the criteria for people to take part in apprenticeships.

Mr Easton asked the Minister for Employment and Learning to detail the apprentice programmes available through his Department.

(AQW 49499/11-16)

Dr Farry: At 30 April 2015, the number of apprentices from the North Down Parliamentary Constituency participating on the ApprenticeshipsNI programme was 222.

In relation to my Department's ApprenticeshipsNI programme, there are around 140 apprenticeship frameworks available, across levels 2 and 3. Lists of the apprenticeship frameworks can be located by following links below.

<http://www.nidirect.gov.uk/index/information-and-services/employment/looking-for-work/training-programmes/apprenticeships/types-of-apprenticeships/level-2-frameworks-apprenticeships.htm>

<http://www.nidirect.gov.uk/index/information-and-services/employment/looking-for-work/training-programmes/apprenticeships/types-of-apprenticeships/level-3-frameworks-apprenticeships.htm>

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In advance of implementation of the new apprenticeships and youth training systems, the Department is currently undertaking a series of pilots to test the delivery of the components established in the strategies – in particular the development of higher level apprenticeships and new curriculum at level 3.

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- meet any health requirements (e.g. colour vision) specific to the occupation of their choice;
- have achieved any necessary entry academic qualifications (e.g. General Certificate of Secondary Education (GCSE)) determined by the relevant sector for the apprenticeship and approved by the Department; and
- pass any entry tests specified by the relevant sector/employer and approved by the Department.

The new Apprenticeship model of training, employment and learning will be adaptive to the particular needs of employers across a wider range of sectors and levels. The new model puts employers in the driving seat and therefore the employers will set the criteria for people to take part in apprenticeships.

Mr Weir asked the Minister for Employment and Learning to detail (1) the directive on first class travel for European Social Fund Managing Authority staff; and (ii) what authority is required to exceed the standard rate of travel.
(AQW 49504/11-16)

Dr Farry: NICS staff must adhere to the strict terms of the NICS Travel Policy which states that officers must use the most economic method of travel; bookings are made using the NICS-wide travel contract. Authority to exceed the standard rate of travel is only given in exceptional circumstances where there is a clear business need and approval must be obtained in advance from Grade 5 or above. My Department has not booked any first class travel for European Social Fund (ESF) Managing Authority staff.

ESF Managing Authority staff also avail of travel arranged by Proteus which is engaged by my Department to provide technical and administrative support to the ESF Programme.

Mr Easton asked the Minister for Employment and Learning to detail the criteria for people to take part in apprenticeship programmes through his Department.
(AQW 49519/11-16)

Dr Farry: At 30 April 2015, the number of apprentices from the North Down Parliamentary Constituency participating on the ApprenticeshipsNI programme was 222.

In relation to my Department's ApprenticeshipsNI programme, there are around 140 apprenticeship frameworks available, across levels 2 and 3. Lists of the apprenticeship frameworks can be located by following links below.

<http://www.nidirect.gov.uk/index/information-and-services/employment/looking-for-work/training-programmes/apprenticeships/types-of-apprenticeships/level-2-frameworks-apprenticeships.htm>

<http://www.nidirect.gov.uk/index/information-and-services/employment/looking-for-work/training-programmes/apprenticeships/types-of-apprenticeships/level-3-frameworks-apprenticeships.htm>

The Department published *Securing our Success: The Northern Ireland Strategy on Apprenticeships* in June 2014. The strategy articulates a blueprint for the future of apprenticeships in Northern Ireland.

In June 2015, the Department published *Generating our Success: The Northern Ireland Strategy for Youth Training*. The strategy provides the direction for a new youth training system at level 2.

In advance of implementation of the new apprenticeships and youth training systems, the Department is currently undertaking a series of pilots to test the delivery of the components established in the strategies – in particular the development of higher level apprenticeships and new curriculum at level 3.

My Department has been working with further education colleges, universities and employers, to develop new Higher Level Apprenticeships. Upwards of 25 new Higher Level Apprenticeship pilots, including some through our universities, were launched in September 2015 and are expected to offer approximately 400-450 opportunities for young people.

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A person must:

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- be contracted to work a minimum of 21 hours per week (which includes day release/off-the-job directed training) with one employer. Directed training must be paid as part of the participant's contracted hours;

- have the potential to successfully complete all the requirements of the appropriate Level 2/Level 3 apprenticeship framework;
- meet any health requirements (e.g. colour vision) specific to the occupation of their choice;
- have achieved any necessary entry academic qualifications (e.g. General Certificate of Secondary Education (GCSE)) determined by the relevant sector for the apprenticeship and approved by the Department; and
- pass any entry tests specified by the relevant sector/employer and approved by the Department.

The new Apprenticeship model of training, employment and learning will be adaptive to the particular needs of employers across a wider range of sectors and levels. The new model puts employers in the driving seat and therefore the employers will set the criteria for people to take part in apprenticeships.

Mr Easton asked the Minister for Employment and Learning (i) to detail what happens to the funding earmarked for those groups that qualified for European Social Funding but failed to get match funding; and (ii) does this funding then get offered to other groups.

(AQW 49657/11-16)

Dr Farry: The total value of the European Social Fund (ESF) funding for Year 1, based on the original Letters of Offer issued to Project Promoters, was approximately £37.5m. Following the submission of their revised match funding certificates, the amount of funding for Year 1 is now approximately £34.5m.

Taking account of the revised funding requirements, there is still an over commitment in Year 1 of approximately £1.3m by my Department within the 25% DEL contribution.

My Department does not, therefore, have any surplus funding which can be offered to other projects.

Mr Easton asked the Minister for Employment and Learning how many staff from his Department have applied for the voluntary exit scheme.

(AQW 49660/11-16)

Dr Farry: 684 staff within my Department applied for the Voluntary Exit Scheme. Information relating to all departments is in the public domain and can be found on the NICS Scheme Website under the Analysis of the NICS VES section.

Mr Weir asked the Minister for Employment and Learning to detail the process maintained by the European Social Fund Managing Authority to monitor conflicts of interest for departmental staff that have private interests in European funded programmes, that are departmental, direct from the Commission and any appointed National Agency.

(AQW 49685/11-16)

Dr Farry: All Northern Ireland civil servants are subject to formal Standards of Conduct in respect of the general principles and rules that govern their behaviour and conduct. The following is specified as a general principle in the Northern Ireland Civil Service Human Resource Policy (paragraph 2.1.g), and will therefore apply to all staff in the European Social Fund Managing Authority:

"You must not misuse your official position, or information acquired in the course of your official duties, to further your private interests or those of others. Conflicts of interest may arise from financial interests and more broadly from official dealings with, or decisions in respect of, individuals who share private interests (for example, freemasonry, membership of societies, clubs or other organisations and family). Where a conflict of interest arises, you must declare the interest to your Establishment/Personnel Division so that a decision can be made on the best way to proceed".

Mr Weir asked the Minister for Employment and Learning how often the Conflict of Interest Register for staff is updated.

(AQW 49687/11-16)

Dr Farry: In line with the NICS Standards of Conduct, staff in the Department for Employment and Learning are required to declare any outside interests, particularly secondary employment, or potential conflicts of interest, to Departmental Human Resources. Departmental Human Resources will determine whether the proposed activity could lead to a conflict of interest and make a decision on the best way to proceed.

Departmental Human Resources maintains a Register of Secondary Employment/Outside Interests which is updated on an ongoing basis when staff notify of any such employment or outside interest, and following the outcome of any determination on whether these could lead to a conflict of interest.

Ms Sugden asked the Minister for Employment and Learning, pursuant to AQW 48583/11-16, (i) to detail the extent to which his Department consulted with individual companies to discuss the importance of meeting their skills needs; and (ii) for his assessment of the capacity of Further and Higher Education institutions to meet these skills needs.

(AQW 49703/11-16)

Dr Farry:

- (i) In the course of my work as Minister, I engage with companies on a daily basis, helping me keep apprised of their skills needs. In addition, I receive representations from companies through, for example, the Ministerial Working Groups on Advanced Manufacturing and Engineering and the ICT Skills Working Group, both of which I chair.

Furthermore, my officials have regular contact with companies alongside Invest Northern Ireland through programmes such as Assured Skills, increasing my Department's business intelligence on in-demand skills.

The Employer Support Programme is a skills development programme, funded by my Department and is delivered across Northern Ireland by the six Further Education (FE) colleges. There are two strands to the programme:

- (ii) InnovateUs which delivers skills necessary to engage in innovation activity; and Skills Focus, which aims to increase the skills levels and employability of a business's existing workforce to qualification at level 2 and above.

In delivering under the Employer Support Programme, colleges focus on engaging directly with, and providing support to, employers through identifying future skills needs, in collaboration with employers/skills groups, and being both proactive and reactive to employer skills needs in order to provide tailored skills provision.

Through the InnovateUs programme, the six FE colleges delivered 529 projects in 2014-2015 and a further 226 in 2015-2016 to date, while 115 projects have been delivered via Skills Focus this year. These interventions have covered a wide range of areas including, ICT, Engineering and Hospitality and Tourism. Funding in 2015-2016 for the Employer Support Programme is £3.2m, of which £2m is for delivery of InnovateUs and £1.2m for Skills Focus.

Due to the budget cuts facing my Department the universities are facing a reduction of full-time undergraduate places over the next three years. However, both universities have committed to protect narrow STEM places given the projected demand in these skills areas.

To further help inform the skills provision required for Northern Ireland, my Department has commissioned the development of a Northern Ireland Skills Barometer which will provide a clear indication of current, emerging and long term skills shortages. The barometer will also take account of future demand under a lower corporation tax environment, and it will provide a key role in shaping future policy. This work is now near completion for Year one and the key findings from the report will be published on 12 November.

Mr Allister asked the Minister for Employment and Learning to detail the savings that have been made by his Department within the 2015/16 budgetary allocations.

(AQW 49709/11-16)

Dr Farry: Within the budget allocations for 2015-16 my Department is required to make resource savings of £61.5 million.

Further details are provided in the 2015-16 Savings Delivery Plan at the following link:

<https://www.delni.gov.uk/sites/default/files/publications/del/savings-delivery-plan-2015-16.pdf>

Mr Swann asked the Minister for Employment and Learning, as of 10 October 2015, how much has been paid to Community and Voluntary organisations under the 2014-20 European Social Fund Programme excluding the 5 per cent advance.

(AQW 49723/11-16)

Dr Farry: Excluding the 5% advance payment, the amount paid to community and voluntary organisations under the European Social Fund 2014-2020 Programme, as at 10 October 2015, was £53,331.07.

Ms Sugden asked the Minister for Employment and Learning, pursuant to AQW 48284/11-16, for his assessment of scenarios in which young people are prevented from completing programmes which address their needs and provide opportunities to gain qualifications, because they have been mandated to participate on Steps 2 Success.

(AQW 49743/11-16)

Dr Farry: My Department's Employment Service provides advice and guidance to unemployed clients aged 18 to 24 years old for the first nine months of their benefit claim.

During this period, Employment Service Advisers can refer unemployed clients to a range of work focused provision which will assist them move into, and remain in, employment. This provision is aimed at those who have been assessed as being relatively close to the labour market and offers quality training opportunities which include Short Accredited Training Courses or Industry Standard Training Courses. Clients can also avail of other provision or programmes that may be available to assist them move into employment.

After a period of nine months with the Employment Service, Jobseeker's Allowance (JSA) claimants in this age group who have not found employment will be referred to Steps 2 Success (S2S).

S2S is my Department's main employment programme, the aim of which is to deliver a flexible personalised service, tailored to meet individual need. S2S participants receive an individual, personal service to help them achieve their job goals and progress into sustained employment. This personalised service, which may include a qualification, is underpinned by Service Guarantees to ensure all participants get the support they need. The support offered to a participant is documented in a Progression to Employment Plan which the participant agrees with their Employment Adviser.

If, at the S2S eligibility point JSA claimants are participating on other provision, including European Social Fund (ESF) Programmes, the Employment Service Adviser can consider deferring the S2S referral for up to 90 days. This will allow clients to complete the provision or programme they have started and, where possible, move into employment. This means that participants should not be prevented from completing programmes prior to being referred to S2S. Where participants do not find employment at the end of the deferral period, a referral to S2S will be made.

It is not permissible for an individual to be on S2S and an ESF project at the same time.

Mr Ramsey asked the Minister for Employment and Learning to detail what funding is available for students from Northern Ireland to undertake Graduate Entry courses in England and Wales.

(AQW 49744/11-16)

Dr Farry: Students with an honours degree from a United Kingdom or Republic of Ireland institution are not normally eligible for tuition fee loan, maintenance loan and maintenance grant support for a further undergraduate course under the rules regarding previous study policy set out in the Education (Student Support) (No.2) Regulations (Northern Ireland) 2009 (as amended).

However, certain subjects are excluded from this policy and, as such, students studying for a second degree leading to a professional qualification in medicine, dentistry, allied health professions, social work, teaching, architecture or veterinary science are eligible to apply for a maintenance loan.

Students undertaking second degrees, or equivalent or lower qualifications, continue to be eligible to receive supplementary allowances such as the Adult Dependents' Grant, Childcare Grant, Parents' Learning Allowance and the Disabled Students' Allowances, if applicable.

Mr Weir asked the Minister for Employment and Learning to detail the total amount of technical assistance to the European Social Fund Programme 2007-2013 in pounds sterling.

(AQW 49750/11-16)

Dr Farry: The total budget for Technical Assistance for the 2007-2013 European Social Fund Programme is €5.14m (approximately £3.8m, using the current Treasury exchange rate). This figure is subject to fluctuation, in line with any change in the exchange rate.

Mr Weir asked the Minister for Employment and Learning to detail (i) whether the European Social Fund Managing Authority currently consists of two grade 7 staff working as Head of the European Social Fund Managing Authority; (ii) the handover time for the transition and; (iii) whether this handover time is normal within Civil Service guidelines.

(AQW 49752/11-16)

Dr Farry: I can confirm that there are two Grade 7 staff members working as Head of the European Social Fund (ESF) Managing Authority. However, I would clarify that this is not a handover. One is responsible for the 2007-2013 Programme, while the other is responsible for the 2014-2020 Programme. It is anticipated that these arrangements will continue until closer to the closure of the 2007-2013 Programme.

Mrs Dobson asked the Minister for Employment and Learning to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within his Department and its arm's-length bodies in each of the last three years.

(AQW 49770/11-16)

Dr Farry: The costs associated with digitisation and online services within my Department and its arm's-length bodies in each of the last three years are outlined below:

	2013/14	2014/15	2015/16
Capital	Nil	£167,430	£67,309
Resource	£409,647	£363,512.30	£269,690.45

My Department does not hold detailed spend for these services for the six further education colleges. You may wish to contact the colleges directly for this information.

Mr Douglas asked the Minister for Employment and Learning, pursuant to AQW 48496/11-16, since none of the organisations listed are based in East Belfast (i) how do they propose to recruit and deliver in East Belfast; and (ii) whether community based organisations are acting as host, and if so, to provide this list.

(AQW 49789/11-16)

Dr Farry: Each European Social Fund (ESF)-funded project aimed at those not in education, employment or training (i.e. NEET Project) operating in East Belfast will recruit through a variety of methods including: word of mouth through established networks, including former participants; community/public/statutory organisations; open days; outreach work; stakeholder engagement; programme literature; and social media.

Where my Department holds details of a Project working with a community-based organisation or venue in East Belfast, these are provided in the table below. However, there remains the possibility that these Projects are working with other partner organisations/venues in East Belfast, whose details my Department does not hold, and the Member may therefore wish to contact the Projects directly in this respect.

ESF Funded Project	East Belfast Venue/Organisation
Bryson Charitable Group	Bryson FutureSkills
Extern Group	East Belfast Enterprise Park
GEMS NI Ltd	Short Strand Community Forum Oasis Caring in Action
Include Youth	Belfast Health and Social Care Trust
Springboard Opportunities Ltd	
The Prince's Trust	Bryson FutureSkills Oasis Caring in Action
Youth Action NI Ltd	East Belfast Community Development Agency Willowfield Church

In addition, it should be noted that there are other ESF supported projects operating in East Belfast, which include NEET young people in their target groups, but are not exclusively for that age group.

Ms Sugden asked the Minister for Employment and Learning, pursuant to AQW 49271/11-16, to detail (i) his Department's rationale for not extending Special Educational Needs statements to 21 years of age; (ii) whether he plans to reassess this need; and (iii) existing alternative support for young people with special education needs, that require a longer period of time to achieve their educational goals.

(AQW 49815/11-16)

Dr Farry:

- (i) I refer the member to my previous answer to AQW 49224/11-16 regarding the same issue;
- (ii) at present I have no plans to reassess the need for extending statementing to age 21; and
- (iii) my Department provides additional support for further education students through the Additional Support Fund and for higher education students through Disabled Students Allowance. Further information is available on nidirect at: Disability Support at College and Disabled Students Allowance.

Ms Sugden asked the Minister for Employment and Learning, pursuant to AQW 49275/11-16, to detail (i) how those on track to gain a Level 1 qualification under the European Social Fund 2014-2020 are actively encouraged to pursue higher qualifications beyond this; and (ii) what type of support his Department can provide to ensure that this specific progression remains a key component of the European Social Fund 2014-2020.

(AQW 49905/11-16)

Dr Farry: As I explained in my response to AQW 49275/11-16, progression is a key component of the 2014-2020 European Social Fund (ESF) Programme, meaning that individuals are enabled and encouraged to progress to Level 2 qualifications and above, through other Departmental provision such as Further Education; Apprenticeships NI; or Steps to Success. This forms part of a Departmental-wide strategy to increase the skills base of those currently in work and future potential participants in the workforce.

Under the ESF 2014-2020 Programme, key outcomes and targets relate specifically to the progression of participants, whether that is into employment or into further training. Whilst the Programme has overall targets in this respect, each individual project funded under the Programme also has specific targets relating to the progression of participants. As such, the active encouragement of participants' progression forms a cornerstone of all ESF funding.

Given the overall Programme targets in respect of progression, I assure you that it will remain a key component of the Programme.

Mr Easton asked the Minister for Employment and Learning why legal aid is not available for cases of unfair dismissal.
(AQW 49911/11-16)

Dr Farry: As the Minister with responsibility for employment tribunals, your question has been passed to me for a response.

While legal aid funding for representation is not available for industrial tribunal proceedings, the Department of Justice does fund the 'Green Form Scheme' which, subject to a simple financial eligibility test carried out by a solicitor, entitles an individual to legal advice and assistance, short of representation, from a solicitor on any point of Northern Ireland law, including the law regarding unfair dismissal. The solicitor can provide the qualifying person with preliminary advice and assistance, write

letters, conduct negotiations and help prepare a case for a tribunal. Subject to prescribed tests, extensions to the grant of Green Form funding may be approved by the Director of Legal Aid Casework in the Legal Services Agency, for example if a medical report or further correspondence is required.

The extension of legal aid to support representation at tribunal is a matter my Department considered in its 2008 to 2010 review of systems for resolving workplace disputes. The review concluded, and I am satisfied, that a case has not been made for extension.

Tribunals remain free at the point of entry and legal representation is not a requirement. The introduction of legal aid would have potential to drive up litigation and dilute efforts to encourage the resolution of disputes without the need for a legal determination. Positive work is already done by the Labour Relations Agency in this regard and I hope to introduce, by way of the proposed Employment Bill, a new process of early conciliation to enhance this service. I am also considering new tribunal rules of procedure to support work already set in motion by the tribunal judiciary to improve case management and provide an early neutral assessment service designed to ensure that parties better appreciate what they can expect from the tribunal and what they need to do in order to progress their case.

Having recently concluded public consultation on developing more modern, efficient and effective tribunals, my officials are also looking at enhancing support and guidance materials for tribunal users, and developing rules and procedures that are simpler to understand.

It should be added that the financing of a costly extension of legal aid is an unrealistic expectation at a time when my Department has to make difficult choices in order to achieve substantial savings across a range of its responsibilities.

Mr Easton asked the Minister for Employment and Learning to detail what plans he has to cease the provision of the Certificate in Religious Education.

(AQW 49919/11-16)

Dr Farry: The Certificate in Religious Education is an employment requirement of the Council for Catholic Maintained Schools (CCMS). As CCMS is a Non Departmental Public Body of the Department of Education, any decision to cease the provision of the certificate is outside the jurisdiction of my Department.

Mr Dallat asked the Minister for Employment and Learning to detail how his Department intends to promote Project Kelvin given that Ulster University plans to close or downgrade both business studies and modern languages at the Coleraine campus.

(AQW 49940/11-16)

Dr Farry: The University's decision to reduce course, staff and student provision is the inevitable outworking of the budget cuts to my Department and the higher education sector.

Northern Ireland is now, in fact, the only region in the UK actively disinvesting in higher education at a time when it has never been more intrinsic to our success. The model we currently use to support higher education in Northern Ireland is no longer sustainable.

The Department of Enterprise Trade and Investment (DETI) is in the lead in promoting Project Kelvin. My Department is of course happy to provide any assistance to DETI should it be required.

Mr Dallat asked the Minister for Employment and Learning to state when he will be in a position to announce a start date for a new college of Further Education in Coleraine.

(AQW 49976/11-16)

Dr Farry: A final Outline Business Case was received from the Northern Regional College on 15 October 2015 and is being assessed by my Department. It sets out the College's proposals for addressing its accommodation needs in the Coleraine, Ballymoney and Ballymena areas.

Following my acceptance of the Business Case proposals, further approval will be required from the Department of Finance and Personnel before the College's plans can be made public.

Mr Dallat asked the Minister for Employment and Learning to detail (i) the number of meetings between the Northern Regional College and the Ulster University at Coleraine to discuss future courses intended to address the needs of employers in the Causeway Coast and Glens Council area; and (ii) if any of these discussions addressed the withdrawal of business related studies and Modern Languages courses at Ulster University.

(AQW 49977/11-16)

Dr Farry: My Department does not hold this information. You may wish to contact the institutions directly.

Mr Flanagan asked the Minister for Employment and Learning whether there is equal provision in terms of the delivery of programmes delivered by the independent sector in rural and urban areas.

(AQW 50041/11-16)

Dr Farry: Departmental programmes are available to all citizens across Northern Ireland, irrespective of location.

Department of the Environment

Mr Agnew asked the Minister of the Environment, in relation to planning application LA04/2015/0301/F for a waste incinerator at Airport Road, Belfast, whether Belfast Lough Special Protection Area is 760m from the application site as per the Environmental Statement accompanying the planning application, or 2 kilometres from the site as claimed by Northern Ireland Environment Agency.

(AQW 48953/11-16)

Mr Durkan (The Minister of the Environment): I can confirm that the site is approx. 760m away from Belfast Lough Special Protection Area (SPA). In addition, the nearest marine designated feature is approximately 2km away. My officials in NIEA are aware of the location of the SPAs and their proximity to the site.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 45142/11-15, whether the consent to infill inert process waste at 91 Glenshane Road, Derry, adjacent to the River Faughan in 2002 required; (i) planning permission; (ii) screening under the Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999; and (iii) whether his Department ensured that this regulatory framework was in place.

(AQW 49016/11-16)

Mr Durkan: I am aware that there has been a lengthy and complex planning history associated with this site. The planning issues involved have been subject to a number of regulatory processes. They have also been subject to consideration and decisions in the High Court by way of Judicial Review. As a result, planning and legal positions have been confirmed and it would therefore not be appropriate for me to comment further or seek to provide opinions on the issues at this stage.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48223/11-15, whether the water quality parameters imposed by condition 25 of planning permission K/2013/0072/F were already exceeded in the Curraghinalt Burn and the Owenkillew Special Area of Conservation.

(AQW 49124/11-16)

Mr Durkan: Based on water quality data from the NIEA water quality archive for the period 2012 – 2015, water quality parameters as set out in Planning Condition 25 are not exceeded in the Owenkillew River.

Using information from Dalradian Gold's discharge consent report covering the period 2014 – 2015, the two parameters measured for Curraghinalt Burn did not exceed Planning Condition 25.

Mrs Cameron asked the Minister of the Environment to detail the (i) initiatives; and (ii) cost of the initiatives addressing public and industrial awareness of the relationship between fish kills and the disposal of toxic waste.

(AQW 49264/11-16)

Mr Durkan: Given that the wording of your question refers to "toxic waste", which is generally understood to refer to only the most exceptionally poisonous materials (such as highly radioactive waste), which by definition and in law can never be disposed of to the water environment, I have taken it that you may have intended to refer to the wider category of hazardous and polluting waste disposal. Likewise, while my Department has a number of ongoing initiatives targeting the use and disposal of hazardous and polluting waste materials, these are generally not aimed solely at preventing fish kills, but at preventing a wide range of environmental damage (which of course encompasses fish kills). I have therefore answered your questions based on this slightly broader interpretation.

My Department's Northern Ireland Environment Agency (NIEA) has five broad categories of initiative aimed at preventing environmental damage, including fish kills, from the use and disposal of any hazardous or polluting waste materials.

Disposal of Hazardous Waste

All hazardous waste in Northern Ireland must be disposed of in compliance with waste legislation and to facilities which ensure no environmental damage (including fish kills) can be caused.

Water Order Consents

All liquid effluents which could reach the water environment must be treated to a high standard to ensure that no environmental damage, such as a fish kill, can occur. This licensing regime covers industry, Northern Ireland Water and domestic effluent discharges.

The cost of delivering both of these regimes is in the order of £2million per annum. As both schemes are self-financing in accordance with 'The Polluter Pays Principle' costs are fully recovered.

Production of Information Leaflets

NIEA has produced, or collaborated with other agencies in producing, a large number of guidance documents and information leaflets, aimed at informing the public and industry of the risks (including fish kills) which can arise from the incorrect handling

or disposal of various waste and pollutants. These publications are too numerous to list in their entirety, but include a number of Pollution Prevention Guidelines (PPGs) aimed at preventing pollution from various industrial and other processes; the Care in Agrichemical Use Near Waterways leaflet; the Oil Care Campaign; Control of Pollution (Oil Storage) Regulations 2010 – Are You Compliant? leaflet; Vehicle Wash Operators Guidance; Proper use of Drains leaflet; and a Pollution Prevention Pays leaflet. In the most recent full year for which records are available the total NIEA staff costs of this work amounted to £4,500.

Engagement through the Planning Process

NIEA works very closely through the planning process to prevent pollution arising from the construction and eventual operation of all large infrastructure projects and industrial developments. NIEA is heavily involved in providing environmental recommendations to planning applications and Environmental Impact Statements, including close supervision of contractors during construction. An example of the success of this work is the recent construction of the A8 dual-carriageway through the Six Mile Water catchment, which was completed with no damage of any note to waterways in the catchment. In the most recent full year for which records are available (2013-14) the total NIEA staff costs of this work amounted to £13,000.

Focused Site Inspections

NIEA has an intensive programme of proactively inspecting other sites where there may be a risk of the incorrect use or disposal of pollutants or other waste. Typically such NIEA inspections will involve a detailed survey of the site to identify any environmental risks, providing advice on good practice, ensuring that any risks are remedied and, where environmental damage has happened or is imminent, taking appropriate enforcement action. An example is that over the autumn and winter of 2014-15 NIEA staff visited 150 premises within the Mallusk Industrial Estate. In the most recent full year for which records are available (2013-14) the total NIEA staff costs of this work amounted to £49,000.

A new round of inspections in the Mallusk Industrial Estate are about to commence to update the inventory of chemicals that are being stored on industrial premises. During these inspections the link between surface water drains and the river will be made clear to the operators of these sites. It will also be explained that the inspections are being undertaken because of the recent fish kills.

Mrs Cameron asked the Minister of the Environment whether he plans to commit to a specific targeted programme to reduce pollution incidents on the Sixmile and Threemile Water rivers and their tributaries.

(AQW 49265/11-16)

Mr Durkan: On 17 September I held an onsite meeting with local politicians and angling representatives to hear at first hand their concerns regarding the fish kill on the Ballymartin Water. The meeting was constructive and I have acted on the main points that were put to me. Over the years a number of initiatives have been undertaken by local stakeholders and NIEA and I want to build further on this partnership. Both NIEA and the anglers want clean water and by working together that aim should be achievable.

Following the latest fish kill on the Six Mile Water and now the Three Mile Water it is proposed to put a team of staff into the Mallusk Industrial Estate to update the chemical inventories for all the industrial premises that use or store chemicals. This work programme will involve a team of NIEA staff visiting every premises within Mallusk Industrial Estate, closely inspecting each site for pollution risks, particularly storage and handling of oil and potential pollutants, and checking that each site is correctly connected to the public sewer network. This work will build on similar work undertaken at regular intervals previously by NIEA, but with a special emphasis on sites where site use or on-site drainage may have changed. Where any pollution risks are identified NIEA will ensure the site owner involved takes all necessary remedial action to remove that risk.

As part of this work programme NIEA will work closely with other relevant government agencies, to ensure a joined-up approach with maximum benefit.

In addition a Fish Kill Investigation Protocol has been drafted which will ensure better communications with anglers and stakeholders. I have also tasked my officials to hold a desk top exercise along with stakeholders to explore what can be done jointly along with NIEA in their investigations of fish kills.

Mr Agnew asked the Minister of the Environment to detail (i) any correspondence he has received from the company Covanta; and (ii) the dates; (iii) times; and (iii) content of any meetings he has attended with Covanta.

(AQW 49494/11-16)

Mr Durkan: I have not corresponded with, nor had any meetings from the Company called Covanta. However, two of my officials from The Waste Management Unit of The Northern Ireland Environment Agency (NIEA) have accepted an invitation to meet the company's representatives and visit the site at Poolbeg, Dublin Port on 16 October 2015 to discuss waste regulation in the North of Ireland and any implications for their business model.

Mr Agnew asked the Minister of the Environment, given the Strategic Planning Division did not initiate enforcement action against the unauthorised sand extraction which facilitated illegal waste disposal at Mobuoy Road, to detail the actions he has taken to address these issues within the Strategic Planning Division in relation to unauthorised and retrospective minerals cases.

(AQW 49583/11-16)

Mr Durkan: As of 1 April 2015 jurisdiction for enforcement of planning control has transferred to the 11 new councils. Councils should use the full range of powers available to them to ensure appropriate enforcement is taken.

The Department is currently reviewing its Enforcement Strategy which will clearly set out the new roles in relation to planning and enforcement.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48918/11-16, given his position that the Aggregates Levy Credit Scheme certificates were granted solely for onshore operations, whether it was his Department's understanding that these certificates did not relate to unauthorised sand extracted taking place within Lough Neagh Special Protection Area. **(AQW 49635/11-16)**

Mr Durkan: The Department was aware that the onshore sites, certified under the Aggregates Levy Credit Scheme, were associated to the landing of sand, dredged by sand barges from Lough Neagh. The onshore sites seem to have been treated as distinct entities to the sand extraction activity for the purpose of the Aggregates Levy Credit Scheme during the processing of applications in 2004-05.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48942/11-16, to detail (i) why the (a) Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 1999; and (b) Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995, were not considered relevant when granting Aggregates Levy Credit Scheme certificates; and (ii) for his assessment of how this equates with the Aggregates Levy Credit Scheme Code of Practice requirements relating to sites of international importance. **(AQW 49671/11-16)**

Mr Durkan: Prior to an Aggregates Levy Credit Scheme (ALCS) certificate being issued, the Department had to satisfy itself that the operator was operating the site within the regulatory framework, as outlined in Section 2.4 of the ALCS Code of Practice. ALCS certificates were issued following confirmation from regulatory authorities that sites were operating within the regulatory framework.

Some of the onshore sites, developed prior to 1972, did not have planning permission. Planning Service had no powers to require that planning permission be obtained for these pre1972 sites. They were admitted to the scheme after Her Majesty's Customs and Excise (now Her Majesty's Revenue and Customs), which were responsible for the ALCS, advised that the sites should be admitted to the scheme.

Mr Anderson asked the Minister of the Environment to detail the departmental spending on road safety (i) communications; (ii) grants; and (iii) educational materials, in each of the last four years. **(AQW 49694/11-16)**

Mr Durkan:

- (i) The total spent by the Department on road safety communications i.e. campaigns and advertising in each of the last four years is as follows:

Year	Road Safety Communications (i.e. Campaigns & Advertising) £
2011/12	2,504,043
2012/13	2,513,472
2013/14	2,528,361
2014/15	1,982,681

- (ii) The total spent by the Department on road safety grants in each of the last four years is as follows;

Year	Road Safety Grants £
2011/12	160,000
2012/13	170,000
2013/14	158,984
2014/15	99,649

(iii) The total spent by the Department on road safety education materials in each of the last four years is as follows;

Year	Road Safety Education Materials £
2011/12	587,540
2012/13	284,644
2013/14	507,507
2014/15	263,653

Mr Anderson asked the Minister of the Environment what action his Department is taking to address the spread of Giant Hogweed.

(AQW 49756/11-16)

Mr Durkan: My Department developed an Invasive Alien Species Strategy for Northern Ireland (2013-2016). One of the objectives of the strategy is to reduce the risks associated with the spread of established IAS such as giant hogweed.

DoE and the Irish National Parks and Wildlife Service have set up the Invasive Species Ireland initiative to provide guidance on the control and management of IAS including giant hogweed.

DoE engaged with Queens University Belfast (QUB) to support a £2.6 million Interreg IV project - Controlling Priority Invasive Non-native Riparian Plants and Restoring Native Biodiversity (CIRB) project which ran from 2011-2014. CIRB sought to eradicate IAS including giant hogweed on trial River Catchments in Northern Ireland including the Newry Canal/Clanry River in the South East and the River Faughan in the North West.

NIEA, through the Natural Environment Fund, has supported the Conservation Volunteers (TCV) in the Upper Ballinamallard River Project to manage several IAS including Giant hogweed, the techniques from the QUB study have been applied to the treatment and control objectives. The Lough Neagh Alien Invaders Project includes giant hogweed control and The Lough Erne Invasive Species Group has been involved in the control of IAS including giant hogweed in waterways in Co Fermanagh.

Mr Ó hOisín asked the Minister of the Environment to detail (i) the number of river pollution incidents investigated by the Northern Ireland Environmental Agency; (ii) the number of prosecutions; and (iii) the average length of time between the incident to (a) prosecution and (b) conviction, in the last 10 years.

(AQW 49758/11-16)

Mr Durkan: The information requested is detailed in the following table. Note that prosecutions, all taken under the Water (Northern Ireland) Order 1999, are listed against the year in which the incident occurred. In practice, most cases are heard in court in the year following the incident, but this can occasionally extend for up to three years before the case is determined.

Year	Reported water pollution incidents	Substantiated water pollution incidents	High and Medium Severity Incidents	Prosecutions
2005	2183	1174	220	48
2006	2081	1133	191	47
2007	2291	1292	226	48
2008	2244	1237	249	59
2009	2152	1248	204	39
2010	2080	1237	236	49
2011	2123	1303	250	65
2012	1986	1175	205	31
2013	2112	1310	215	46
2014	2133	1238	225	Not finalised

It is NIEA policy to consider prosecution action for 'Medium' and 'High' severity pollution incidents, should incident circumstances warrant it. 'Medium' and 'High' severity pollution incidents account for approximately 20% of confirmed incidents each year.

The average length of time between a pollution incident occurring and conviction in the courts is 14 months. However, many different factors influence the time-scale, and it can vary considerably between apparently similar cases. These factors can include evidencing complex investigations, referral to the Public Prosecution Service, court scheduling, adjournments, and availability of witnesses.

Mr Ó hOisín asked the Minister of the Environment what preparatory measures are in place for dealing with the beaching of whales and other animals.

(AQW 49759/11-16)

Mr Durkan: The responsibility for dealing with beached whales and other animals falls to landowners, the Maritime and Coastguard Agency and my Department. As demonstrated by the swift response to the fin whale that beached on Portstewart Strand on 5 October 2015, the preparatory measures that are in place are working well.

My Department is responsible for the protection of all cetaceans (whales, dolphins and porpoises) under the Wildlife (Northern Ireland) Order 1985 (as amended) and the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 (as amended). Under this legislation it is an offence to kill, injure, disturb, transport or trade these protected species. My officials attend each reported stranding to assess whether the animal stranded as a result of an offence being committed.

In the event of dead strandings it is the responsibility of the landowner to dispose of dead animals to a licensed landfill. If necessary, a post-mortem examination will first be undertaken by the Agri-Food and Biosciences Institute to assess the cause of death.

In the event of live strandings, my Department has equipment to re-float animals but this is not always the recommended option. My officials make an assessment of the best course of action, including whether to ask a vet to euthanise the animal on welfare grounds.

All strandings records are reported to the UK Cetacean Strandings Investigation Programme which coordinates the investigation of all cetaceans, marine turtles and baskings sharks that strand around the UK coastline. Records are also sent to the Irish Whale and Dolphin Group which maintains records for the island of Ireland.

Seals are also protected species and my Department uses the Carrier Bag Levy to support the running costs associated with the rehabilitation of injured or orphaned seals at the Exploris seal sanctuary in Portaferry.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48802/11-16, whether parking bays (i) constitute development; and (ii) require the submission of a separate planning application.

(AQW 49760/11-16)

Mr Durkan: Under Section 23 of the Planning Act (NI) 2011, the meaning of development is the carrying out of building, engineering, mining or other operations, in, on over or under land, or the making of any material change in the use of any buildings on other land. Subject to the Planning Act, planning permission is required for the carrying out of any development on land. It would not be appropriate for me to comment further on the specific question as it relates to the consideration of a current planning application.

Mr Agnew asked the Minister of the Environment, pursuant to AQW 48801/11-16, to detail (i) the reasoning behind withholding the specifics of the European case law to which his Department was referring; and (ii) how his refusal to release this information is in the public interest.

(AQW 49762/11-16)

Mr Durkan: I refer to the previous AQW 48801/11-16. I am aware of the legal issues raised and my officials are considering them in consultation with the Department's legal advisers. It would not be appropriate to comment further.

Mr Agnew asked the Minister of the Environment how his Department assesses when the source separation of plastic, paper, metal and glass collected by private operators is technically, environmentally and economically practicable.

(AQW 49763/11-16)

Mr Durkan: The Waste Framework Directive requirement to separately collect waste is intended to facilitate and improve recovery. However, the Directive does not require the separation of waste at source and other collection methods such as co-mingled are acceptable provided they facilitate recovery. Therefore, the Department does not enforce source separation and does not assess the application of TEEP (Technically, Environmentally and Economically Practicable).

The quality of recyclates is often dictated by the market demand for each waste stream. Accordingly, the terms "necessary" and "practicable" are value judgements based on the waste streams in question and the intended end use of the material, which can only be made by the operator. These judgements should not be taken lightly.

When considering any new collection or disposal plans, waste operators are advised that they should take care to ensure they are placing themselves in a position to fulfil their legal duties and ensure that any quality standards are met, where applicable, and that it is important that they seek their own legal advice as necessary. Whilst there are no specific requirements on how decisions should be documented, the Department would advise that it is best practice for waste operators to audit their decision-making processes. This will enable them to justify decisions to, for example, the regulator as well as provide an evidence base for any legal challenge to those decisions.

Mr Agnew asked the Minister of the Environment whether he intends to introduce legislation to ban the sale of plastic microbeads in line with the recent initiative in California.

(AQW 49767/11-16)

Mr Durkan: It is not within the legislative competence of the Northern Ireland Assembly to ban the sale of this product.

I am aware a number of manufacturers, such as the multi-national Unilever, are phasing out the use of micro-beads in response to public campaigns. Almost all of Britain's major retailers have pledged to phase out harmful micro-beads from their own-brand cosmetic and beauty products and to revert to organic materials (e.g. dried coconut, crushed walnut shells and apricot kernels) that do not contribute to environment pollution. The compliance date for micro-bead-free products varies between companies, but most have a target of 2017 or sooner.

Following an assessment of the success of these industry-led measures, the need for further action at a European level will be considered.

However, I have been raising awareness of this issue and the problems associated through Marine Litter Watch, which is part of my Marine Litter Strategy.

Mr Agnew asked the Minister of the Environment, given his Department's role as Strategic Environmental Assessment coordinator and consultee, whether his Department will enforce the EU Commission recommendations on Shale Gas which provides that a Strategic Environmental Assessment should be undertaken (i) in cases where unconventional reservoirs are to be targeted prior to any authorisations being granted within the jurisdiction; and (ii) prior to the granting of any such authorisations in other jurisdictions where transboundary consequences must be considered.

(AQW 49879/11-16)

Mr Durkan: The Environmental Assessment of Plans and Programmes Regulations (Northern Ireland) 2004 (SEA Regulations) do not stipulate any role for the Department in screening processes to determine if an environmental assessment is required unless a SEA Regulation 9 Determination is required to decide whether a particular plan, programme or modification is likely to have significant environmental effects.

This would apply to plans or programmes which do not automatically require SEA assessment under SEA Regulation 5 (1), those which determine the use of a small area at a local level and for minor modifications to a plan or programme.

Mr Dunne asked the Minister of the Environment to detail how the new single Strategic Planning Policy Statement will impact on renewable energy targets.

(AQW 49882/11-16)

Mr Durkan: The Member will be aware that I recently published the Strategic Planning Policy Statement on 28 September.

The SPPS consolidates, updates and improves the policy context of the suite of Planning Policy Statements, including PPS 18 'Renewable Energy'. The aim of the SPPS in relation to renewable energy is, "to facilitate the siting of renewable energy generating facilities in appropriate locations within the built and natural environment in order to achieve Northern Ireland's renewable energy targets and to realise the benefits of renewable energy without compromising other environmental assets of acknowledged importance." The SPPS will, therefore, continue to support and contribute to the Executive's target of 40% renewable energy deployment by 2020.

Furthermore, my officials are now commencing the preparatory work for the review of strategic planning policy for renewable energy which I have committed to undertake. This review will take into consideration the recommendations of the Environment Committee's wind energy inquiry report, and will offer stakeholders and interested parties an opportunity to influence the future direction of strategic planning policy for renewable energy in Northern Ireland.

Mr Agnew asked the Minister of the Environment, given the drawing entitled Environmental Setting, in planning application LA04/2015/0301/F describes the major Liquid Petroleum Gas storage depot immediately adjacent to the proposed waste incinerator as an unknown storage yard, whether (i) his Department has any obligation to ensure all information submitted as part of a planning application is accurate; and (ii) he intends to rectify this description.

(AQW 49883/11-16)

Mr Durkan: I have previously provided clarification on this issue in AQW 46021/11-15 and again in AQW 48954/11-16.

The information on the planning drawings is provided by the applicant. The Environmental Setting drawing is not the only drawing submitted for this planning application and the application should be considered in its entirety. I understand that a further drawing submitted with the planning application entitled HSENI Land Use Planning Zones (Combined) Belfast Harbour – December 2011 identifies the adjacent site as being a Top Tier Control of Major Accident Hazards (COMAH) site.

I am therefore satisfied that there is sufficient information contained within this application.

Mr Allister asked the Minister of the Environment (i) to detail the reasoning behind why he called in planning application C/2011/0459/F; and (ii) whether has he called in all applications affected by qualifying dates for the Renewables Obligation Certificate scheme.

(AQW 49884/11-16)

Mr Durkan: Applications are called in on a case by case basis based on the particular circumstances of the case. My reasons for calling in this planning application (C/2011/0459/F) were due to the planning history of this application and the particular

difficulties arising from the current DETI proposals concerning the qualifying date for the NI Renewables Obligation Scheme. I also noted the potential economic and environmental contribution from this project.

The majority of wind energy applications are now being dealt with by local councils following the transfer of planning functions earlier this year. I am therefore not aware of all the extant planning applications potentially affected by this scheme.

Mr Allister asked the Minister of the Environment to detail the (i) average time; and (ii) longest time taken by his Department to respond to a Freedom of Information request since 2012.

(AQW 49885/11-16)

Mr Durkan: The average time taken by my Department to respond to a Freedom of Information request is 17 days.

The longest time taken by my Department to respond to a Freedom of Information request was 92 days.

Mr McMullan asked the Minister of the Environment, pursuant to AQW 48455/11-16 and AQO 8854/11-16, given the dumping of munitions has taken place within the jurisdiction of Northern Ireland, whether he has given any consideration to requesting a meeting with the Ministry of Defence in order to ascertain the exact dumping sites.

(AQW 49960/11-16)

Mr Durkan: In my previous responses I indicated that the munitions dumping area at Beaufort Dyke is within Scotland's territorial waters and not those under the jurisdiction of the North, and that I had not been in contact with the Ministry of Defence on this matter. This remains my position.

This is not a matter for DOE. It is primarily a public safety issue and in this regard, where munitions are discovered, they are dealt with by the PSNI, the Coastguard Agency and if required, the Army's Joint services Explosive Ordnance Team.

Mr Agnew asked the Minister of the Environment to detail the evidence on which he based his decision not to serve stop notices to prevent the unregulated sand extraction from Lough Neagh Special Protection Area.

(AQW 50045/11-16)

Mr Durkan: This matter is now subject to legal challenge and it is not appropriate for me to comment further pending the outcome of the judicial process.

Department of Finance and Personnel

Mr Allister asked the Minister of Finance and Personnel for an update on the extent to which Northern Ireland might benefit from funds accumulated from banking fines.

(AQW 49646/11-16)

Mrs Foster (The Minister of Finance and Personnel): Work is ongoing to secure funding from banking fines for a local air ambulance. In 2014-15 Northern Ireland benefitted directly from a £0.3 million Barnett based addition for Blue Light Charities funded from banking fines. In addition, the banking fines are used to provide funding for a range of charities that support British armed forces including personnel from Northern Ireland.

Ms Sugden asked the Minister of Finance and Personnel whether his Department consider the breakdown of young people who are not in education, employment or training by Local Government Districts when compiling the Labour Force Survey.

(AQW 49705/11-16)

Mrs Foster: The Labour Force Survey (LFS) is a sample survey and is primarily designed to provide labour market information at the Northern Ireland (NI) level. Official statistics on the number of young people who are not in education, employment or training (NEET) are available at NI and NUTS III level, but are not currently available from the LFS at Local Government District due to the wide statistical margins of error associated with such estimates at this level of disaggregation.

Table 1 provides NEETs estimates for Northern Ireland and NUTS III areas for information.

Table 1: Young people (16-24) who are NEET by NUTS III area, 2014

NUTS III area	16-24 NEET		Confidence interval ¹ (000's)
	Total (000's)	Rate (%)	
Belfast	7	17.0	+/-3
Outer Belfast ²	5	13.8	+/-2
East NI	8	17.8	+/-3
North NI	7	16.7	+/-3

NUTS III area	16-24 NEET		Confidence interval ¹ (000's)
	Total (000's)	Rate (%)	
West & South NI	9	16.8	+/-3
Northern Ireland	35	16.1	+/-6

Source: Labour Force Survey, Local Area Database 2014

Notes:

Figures may not sum due to rounding.

Missing values are apportioned by single year of age for Northern Ireland and by age band for NUTS III area.

1 The confidence intervals show the range that we would expect, in 95% of samples, would contain the true value.

2 Based on ≤15 respondents.

The Northern Ireland Statistics and Research Agency is currently combining a number of annual social survey datasets with the LFS sample to provide more robust estimates of economic status, below the NUTS III level.

Mr Allister asked the Minister of Finance and Personnel to detail the savings that have been made by her Department within the 2015/16 budgetary allocations.

(AQW 49707/11-16)

Mrs Foster: My Department's savings delivery plan for 2015-16 is available on the DFP internet site at the following link:
<http://www.dfpni.gov.uk/dfp-budget-2015-16-savings-delivery-plan.pdf>

Mr Allister asked the Minister of Finance and Personnel to detail the breakdown by Department and grade of staff leaving under Tranches 1 and 2 of the Voluntary Exit Scheme.

(AQW 49710/11-16)

Mrs Foster: I refer you to my previous answer pursuant to AQW 47921/11-15 and my Department continues to believe that the release of the information you seek (specifically a breakdown by grade) could have the unintended consequence of identifying individual staff who applied to the Scheme and those who subsequently received a conditional offer.

An analysis of Tranche 1 and 2 (by department) of total offers and total acceptances, as well as cumulative totals from both Tranches, is however currently available on the Scheme website. The Scheme website can be accessed at http://www.dfpni.gov.uk/nics_voluntary_exit_scheme

Mr Allister asked the Minister of Finance and Personnel to detail the current percentage of salary of both employee and employer pension contributions in respect of special advisers.

(AQW 49721/11-16)

Mrs Foster: The current percentage of salary of both employee and employer pension contributions in respect of special advisers are determined as for any other scheme member. Details are available on the Department's website.

Mr Allister asked the Minister of Finance and Personnel to detail the current pay bands for special advisers.

(AQW 49722/11-16)

Mrs Foster: The pay bands for special advisers are available on the DFP Civil Service Pay website.

Mr McKay asked the Minister of Finance and Personnel to detail the amount that amateur sport clubs, that qualify for 80 per cent rate relief, paid in rates in each of the last 5 years.

(AQW 49922/11-16)

Mrs Foster: It is not possible to provide this information. The Valuation List and the internal databases that lie behind it do not specifically identify amateur sports clubs as a categorisation.

Mr McKinney asked the Minister of Finance and Personnel to detail any discussion she has had with the Minister of Health, Social Services and Public Safety regarding the establishment of an air ambulance service.

(AQW 49969/11-16)

Mrs Foster: I have met with the Health Minister on the issue of Air Ambulance provision.

Mr McKinney asked the Minister of Finance and Personnel whether capital funding has been explored as a means to establish an air ambulance service in Northern Ireland.

(AQW 49970/11-16)

Mrs Foster: I have been in discussion with the Health Minister on the issue of Air Ambulance provision and am considering the options for funding such a scheme.

Mr McKinney asked the Minister of Finance and Personnel for an update on the Civil Service equal pay dispute concerning PSNI, Northern Ireland Office and Department of Justice staff.

(AQW 49972/11-16)

Mrs Foster: The matter was discussed in the Assembly on Monday 12 October where I placed on record my thanks to all staff who worked in the affected areas during very difficult times.

However, as the matter is a cross cutting issue requiring legislation to provide a route for payment and substantial funding would have to be found within already challenging budgets; it remains with the Executive for consideration.

As the Executive has not agreed how to resolve this issue and, as there is no budget available to make such a payment, a business case has not been developed or considered by the Executive.

Mr McKinney asked the Minister of Finance and Personnel whether a business case concerning the Civil Service equal pay dispute has been considered by the Executive.

(AQW 49973/11-16)

Mrs Foster: The matter was discussed in the Assembly on Monday 12 October where I placed on record my thanks to all staff who worked in the affected areas during very difficult times.

However, as the matter is a cross cutting issue requiring legislation to provide a route for payment and substantial funding would have to be found within already challenging budgets; it remains with the Executive for consideration.

As the Executive has not agreed how to resolve this issue and, as there is no budget available to make such a payment, a business case has not been developed or considered by the Executive.

Department of Justice

Lord Morrow asked the Minister of Justice how many Crown Court cases in the Armagh and South Down Court Division are currently stymied as a result of counsel coming off record, or refusing to act as a result of the new legal aid fees.

(AQW 49652/11-16)

Mr Ford (The Minister of Justice): Up to and including the 4 October 2015 there were 26 cases in the Division of Armagh and South Down in which either the solicitor or counsel came off record or the defence has been unable to engage counsel due to the Legal Aid dispute.

Mrs Dobson asked the Minister of Justice to detail the (i) capital; and (ii) resource costs associated with digitisation and online services within his Department and its arm's-length bodies in each of the last three years.

(AQW 49773/11-16)

Mr Ford: The cost to my Department, including its Agencies and arm's-length bodies, associated with digitisation and online services in each of the last three years is shown in the table below:

	2012-13 £	2013-14 £	2014-15 £
Capital	19,311	70,096	1,488,565*
Resource	68,804	96,055	288,930

* Capital spend relates largely to a new Access NI online application system for criminal record checks.

These figures are based on online services directly available to the general public.

Costs relating to web sites have been excluded except where it is known that a specific online service is provided to the general public via the site.

Internal Departmental digital services including NICS Shared Services are not included.

Not all costs for public facing online services are separately identifiable because some costs are included within wider Information Technology support costs.

Mr Easton asked the Minister of Justice for an update on the future of Bangor courthouse.
(AQW 49782/11-16)

Mr Ford: Following the Executive's approval of the Community Asset Transfer Framework policy in May 2014 Bangor Courthouse was identified as one of eight pilot projects chosen to test the policy framework.

An expression of interest was received from Bangor Shared Space, a constituted organisation of arts based interests who wish to acquire the building as an Arts Centre. A draft Business Plan from the Group has been submitted and the Department is considering the next steps.

Lord Morrow asked the Minister of Justice, pursuant to AQW 49254/11-16, to detail any visits over the last two years by Criminal Justice Inspection NI, undertaken in conjunction with the Public Protection Agency NI, to Edward Street Hostel, Portadown, with a view to balancing the residents' requirements and obligations against public safety and protection.
(AQW 49912/11-16)

Mr Ford: Criminal Justice Inspection Northern Ireland visited Edward Street Hostel, Portadown on 10 April 2014 and on 22 October 2015.

Mr Weir asked the Minister of Justice for an update on the future of Bangor courthouse.
(AQW 49916/11-16)

Mr Ford: Following the Executive's approval of the Community Asset Transfer Framework policy in May 2014 Bangor Courthouse was identified as one of eight pilot projects chosen to test the policy framework.

An expression of interest was received from Bangor Shared Space, a constituted organisation of arts based interests who wish to acquire the building as an Arts Centre. A draft Business Plan from the Group has been submitted and the Department is considering the next steps.

Mr Easton asked the Minister of Justice to detail the powers available to councils in relation to the use of fireworks.
(AQW 49955/11-16)

Mr Ford: Environmental Health Officers (EHOs) in councils are warranted by my Department, under the Health and Safety at Work (Northern Ireland) Order 1978, to enforce the Explosives (Fireworks) Regulations (Northern Ireland) 2002 and the Pyrotechnic Articles (Safety) Regulations 2015 in relation to the licensing of firework displays.

EHOs carry out an inspection and risk assessment of all firework display sites to ensure safety requirements are met. EHOs may exercise the various enforcement powers specified in Articles 22, 23, 24, 25(6) & 27 and may also instigate prosecutions under Article 36 of the Health and Safety at Work (Northern Ireland) Order 1978.

In addition, EHOs have council powers which may also be relevant.

Lord Morrow asked the Minister of Justice who has responsibility for the safety or welfare of an escorted prisoner whilst on leave; and whether this extends to a prisoner that becomes unlawfully at large.
(AQW 49958/11-16)

Mr Ford: The safety and well-being of prisoners is the responsibility of the Northern Ireland Prison Service whilst they are in lawful custody. This responsibility does not extend to prisoners who become unlawfully at large.

Mr Campbell asked the Minister of Justice whether he has any plans to meet with the Chief Constable to discuss any changes to the fundamental basis of recruiting police officers as a result of recent problems associated with recruitment events.
(AQW 50021/11-16)

Mr Ford: I have no plans to meet with the Chief Constable to discuss changes to the police recruitment process. The PSNI recruitment process is a matter for the Chief Constable, who is accountable to the Northern Ireland Policing Board in relation to such matters.

Mr Campbell asked the Minister of Justice whether further preparatory work will be required on the Magilligan Prison rebuild scheme before the Executive outlines its overall capital programme.
(AQW 50086/11-16)

Mr Ford: All preparatory work has been completed on the Redevelopment of Magilligan Project pending a decision by the Executive on its capital budget.

My officials will continue to make a strong case to secure funding for the redevelopment of Magilligan, and other NIPS Capital Estates Programme Projects, in advance of the Executive's decision on its capital budget.

Mr Weir asked the Minister of Justice to outline any plans to change the regulation or legislation on the use of fireworks.
(AQW 50094/11-16)

Mr Ford: The current system seeks to ensure that those selling and purchasing, possessing or using fireworks do so responsibly and safely. Under the legislation those who wish to retail fireworks must be licensed or registered. This permits checks to be carried out on the applicant's fitness. In addition, the proposed retail site and any associated storage are assessed from a health and safety perspective. Anyone wishing to purchase, possess or use fireworks must obtain a licence.

I have no plans at present to review the legislation.

Department for Regional Development

Mr Eastwood asked the Minister for Regional Development, pursuant to AQW 42731/11-15, whether the formal consultation period for the Rossville Street Residents' Parking Scheme has commenced.

(AQW 47751/11-15)

Miss M McIlveen (The Minister for Regional Development): The Department has been seeking to progress a number of Residents' Parking schemes including that in Rossville Street. Many of the necessary preparations have been made ahead of formal consultation on the scheme

Given the current financial situation, I will consider this issue further before making a decision on initiating any consultation on this scheme.

Lord Morrow asked the Minister for Regional Development in relation to bus lanes and alleged breaches thereof, what consideration has been given to (i) disabled accessibility; and (ii) Blue Badge holders.

(AQW 49344/11-16)

Miss M McIlveen: Bus lanes are generally provided for use of sustainable forms of transport such as buses, permitted taxis, motorcycles and bicycles. Public hire taxis are permitted access to bus lanes as they operate in a similar fashion to public transport by picking up fares on-street and because they can also accommodate wheelchairs. Buses and permitted taxis can therefore accommodate people with disabilities.

The purpose of the Blue Badge scheme is to allow people with severe mobility problems to park close to where they need to go. It provides generous parking concessions for badge holders which are not available to the majority of other drivers. However, the scheme does not allow badge holders to either park or drive in operational bus lanes.

A full Equality Impact Assessment (EQIA) was carried out for the Belfast Metropolitan Transport Plan (BMTP) and concluded that the public transport proposals contained in the BMTP, including the provision of bus lanes, would provide benefits across all equality categories identified by Section 75 of the Northern Ireland Act 1998.

Camera enforcement was introduced to supplement the work already being undertaken by the PSNI to improve the enforcement of bus lanes and subsequently improve the public transport network for use by all, including Blue Badge holders and people with disabilities.

Mr Clarke asked the Minister for Regional Development (i) to outline the benefits of the work being carried out at Stiles Way and Steeple Road junction, Antrim; (ii) what impact this work will have on journey times; (iii) how much this work will cost; (iv) whether any other options were considered; and (v) how long this work is scheduled to take.

(AQW 49524/11-16)

Miss M McIlveen: My Department recently completed a substantial upgrade of one of the key junctions in Antrim town at the junction of Stiles Way and Steeple Road. This busy junction is a key artery, carrying significant volumes of traffic around Antrim town and away from the town centre. Steeple Road carries traffic to and from the Antrim Area Hospital on one side of Stiles Way and large schools, industrial and housing areas on the other.

This junction upgrade was proposed to improve efficiency and traffic progression, incorporating the latest traffic signal controller technology in the form of a Microprocessor Optimised Vehicle Actuation controller. This will significantly reduce the delays motorists previously experienced. Improved pedestrian and cycle crossing facilities have also been included in the scheme.

Surveys on queuing and queue lengths were carried out to inform the design of the scheme and initial observations of the completed scheme show a significant reduction in queuing and journey times through the junction.

The total cost of the scheme is not expected to exceed the £1.2million budgeted

A number of layouts, including a roundabout design were considered. Although the roundabout option did perform well for traffic progression, it did not meet the needs of cyclists and pedestrians.

The scheme is now substantially complete with only minor ancillary works left to be completed.

Mr Clarke asked the Minister for Regional Development whether she plans to extend the bus route from Belfast city centre to Belfast International airport to stop at the new Ballymartin Park and Ride.

(AQW 49525/11-16)

Miss M McIlveen: Ballymartin Park and Ride is a recently opened facility provided to encourage car drivers travelling south into Belfast to park in a pleasant and safe location then travel by bus for the remaining part of their journey.

Use of the site by Belfast bound-commuters is increasing on an ongoing basis and is clearly relieving congestion on the M2 on the approach to York Street. This will prove of significant benefit when works commence for the York Street Interchange Project.

Frequent bus connections to / from Belfast are provided using a number of Ulsterbus services including those which continue to Belfast International Airport.

These bus services are pick up only in Ballymartin for Belfast and set down only at Ballymartin coming from Belfast.

Mr Weir asked the Minister for Regional Development to detail the amount spent on parking and road markings maintenance in North Down, in each of the last three years.

(AQW 49537/11-16)

Miss M McIlveen: Details of my Department's expenditure, during the last three years, on road markings within North Down are set out in the table below;

Financial Year	Expenditure on Road Marking Maintenance
2014/15	£25k
2013/14	£29k
2012/13	£90k

You should note that the figures quoted above relate to expenditure within North Down Borough Council whose geographic boundaries are different to North Down Parliamentary Constituency. Unfortunately, a further breakdown of the expenditure to cover car parks is not possible.

Mr Dunne asked the Minister for Regional Development for an update on the Craigantlet Roundabout Scheme.

(AQW 49538/11-16)

Miss M McIlveen: As you will be aware, this scheme would have a significant impact on the local environment. Consequently my officials have initiated a pre-application enquiry with colleagues from the Planning Department of Ards and North Down Council, to determine whether the proposed layout will be acceptable.

The timescale for this is dependent upon planning officials receiving responses from the statutory agencies that have been consulted as part of this process. However, once the comments from the pre-application enquiry have been returned, I will make a decision on the most appropriate way forward.

Delivery of any scheme will then be subject to the availability of the necessary land and funding.

Mr Dunne asked the Minister for Regional Development what action has been taken to cut grass along the A2 Bangor to Belfast Dual Carriageway and the Bangor Ring Road.

(AQW 49539/11-16)

Miss M McIlveen: Grass cutting along the A2 Bangor to Belfast Dual Carriageway was completed on 9 July 2015. A second additional cut of sightlines for road safety reasons is currently ongoing.

Mr Dunne asked the Minister for Regional Development what plans are in place to refresh road markings at critical junctions within the road network.

(AQW 49540/11-16)

Miss M McIlveen: Contractors are being employed on a limited basis, to undertake lining work where urgent safety related road markings need to be renewed.

Mr Moutray asked the Minister for Regional Development how much her Department has spent on street light repair and maintenance in each of the last four years.

(AQW 49542/11-16)

Miss M McIlveen: Details of my Department's expenditure on the repair and maintenance of street lighting infrastructure in each of the last four financial years is set out in the table below:

Financial Year	Expenditure (£K)
2011/12	3,879
2012/13	4,794

Financial Year	Expenditure (£K)
2013/14	2,779
2014/15	3,316

Mr Middleton asked the Minister for Regional Development for an update on the Waterside Railway Station.
(AQW 49544/11-16)

Miss M McIlveen: Translink continues to progress negotiations with the owners of the former Waterside station building. This is the preferred location, but any agreement must represent value for money.

My Department has, along with regional partners, recently submitted an application for ERDF funding through the INTERREG Va Territorial Co-operation Programme to take forward a project to develop a multimodal transport hub in Londonderry. This first stage application is subject to independent evaluation and, if successful, an invitation to present a second, more detailed, application will be made by the Managing Authority.

Translink is currently procuring an integrated design team to progress the feasibility design and costs for a Rail Station in Londonderry. The feasibility design will continue through to the middle of next year. The scheme is being taken forward in partnership with Derry City and Strabane District Council and incorporates a new rail station and options to integrate walking and cycling and improved parking.

Mr Weir asked the Minister for Regional Development to outline any future plans for the reservoir at Ballysallagh.
(AQW 49561/11-16)

Miss M McIlveen: In accordance with the terms of its operating licence, NI Water has an obligation to dispose of assets that are no longer of use. The Ballysallagh Impounding Reservoirs are surplus to NI Water requirements and as a first step in disposing of the redundant reservoirs, expressions of interest were invited from the public sector. No expressions of interest were received and NI Water therefore intends to offer the sites for sale on the private market during the 2016/17 financial year.

Mr Agnew asked the Minister for Regional Development whether the illegal waste discovered at Mobuoy Road impacts on the preferred route of the A6 strategic road proposal.
(AQW 49800/11-16)

Miss M McIlveen: The proposed road alignment for the A6 dualling scheme requires a small amount of land from the sand and waste sites at Mobuoy Road, where illegal dumping has taken place. In addition, land will be required for flood compensation measures and realignment of the Mobuoy Road.

The Environmental Statement, published in December 2011, identified these two sites as being contaminated. Suitable remediation solutions to deal with the issue have been identified.

Mr Moutray asked the Minister for Regional Development how many streets in Upper Bann have 20mph speed zones; and how many where designated in the last three years.
(AQW 49805/11-16)

Miss M McIlveen: There is one 20mph speed zone in the Upper Bann area. It is located in the Old Rectory Park area of Portadown and encompasses the following streets:

- Ardress Park;
- Crawford Park;
- Derryclone Garden;
- Fitzgerald Park;
- Hobson Park;
- Millington Park;
- Moeran Park;
- Old Rectory Park;
- Stronge Court;
- The Manor;
- Tullyroan Drive; and
- Tullyroan Gardens

The Old Rectory Park 20mph speed zone was legislated in 2005 and since that time there have been no further 20mph zones introduced in Upper Bann.

Mr Dickson asked the Minister for Regional Development to outline her Department's response to the issues raised in the Rail Services in East Antrim Adjournment Debate on 13 October 2015.
(AQW 49809/11-16)

Miss M McIlveen: Since taking office I have had the opportunity to review the debate in some detail. There were many and various issues raised during the debate and my responses are detailed under the respective headings below. This inevitably makes for a somewhat lengthy answer. By way of setting context it is important to note that demand for rail travel has nearly doubled in the last decade and now stands at close to 14 million journeys a year. There has also been significant growth on the Larne line although it has been below the average. This is an undoubted success story and one I am keen to continue.

There are however some financial realities we must address including those impacting on Translink including NI Railways. Rail travel is heavily subsidised by my Department and this subsidy did reduce this year because of financial decisions made. The Rail subsidy remains at around £18million this year but was reduced from a baseline of close to £21million. Inevitably this means that to avoid excessive fare increases Translink must find operational efficiencies to ensure the rail network remains sustainable but it is important to point out that savings generated from train frequency adjustments will be much less than the reduction in revenue funding.

The Larne rail line has some infrastructure constraints including capacity on the Dargan viaduct and level crossings at Trooperslane and Jordanstown.

Timetable changes and consultation exercise – including the comment that ‘Section 75 obligations were not met as required by the Northern Ireland Act 1998’

Translink held an extensive public consultation exercise in April 2015, following notification that service funding was to be reduced. Some 1,700 submissions were received in face-to-face interviews with rail customers, both in stations and on trains where low passenger numbers were prevalent. These surveys took place between Wednesday 15 April 2015 and Saturday 2 May 2015 inclusive, and did not coincide with public holidays. This exercise was extensive and gave Translink a better understanding of the needs of customers.

Following this consultation Translink and the Department for Regional Development have worked hard to protect the geographic coverage of the network, however, to reduce costs there had to be some frequency reductions to a number of services and some services were retimed. Public information sessions were then convened in mid-August and passenger timetables were made available from 17 August 2015.

The revised timetable was introduced on Sunday 30 August 2015 having taken account of customer feedback.

Equality Commission documentation and published corporate reports such as the NITHC Section 75 5-year Review carried out in early 2011 are available on the internet. Translink has confirmed that where there is a duty to screen for equality impacts this is carried out; but the relevant schedule advises that services, routes and frequencies have been screened out.

Also available on Translink’s website is an Annual Equality Progress Report, the most recent report was submitted mid-2014 to the Equality Commission. This contains reference to the measures undertaken by Translink operationally to ensure all areas of the network are as fair, accessible and equitable as possible to all shades of protected groups of potential and actual users.

It is Translink’s view that its Equality Impact Assessment must be seen in the context of its commitments covered by, inter alia,

- the Transport Act 2011;
- the Department for Regional Development’s own Equality Scheme (e.g. Rural Transport Policy);
- changes to the network screened out previously; and
- compliance with the Transport Act 1967.

Finally, the approach taken to the recent service review has not changed the focus of maintaining the network and the geographical coverage.

Cost of travel by car against rail

These statistics are generally difficult to quantify, given the running costs of large -v- small vehicles, and the argument that people still require cars for leisure travel and as a result will incur insurance costs and wear/tear and depreciation whether they travel by train or not.

However taking the average family car, ranging from 1600-2000cc., and costing the price of petrol and diesel at £1.10 per litre. On a journey from Whitehead to Belfast, a distance of 22 miles, at an average fuel consumption of 40 miles per gallon, with a departure time of 07:30, returning at 16:30 hours over a 5-day working week, the costs are as follows;

Whitehead to Belfast to Whitehead (Monday – Friday)

Car Costs		Rail Costs	
Fuel	£27.50	Ticket	£32 weekly (average of monthly pass)
Parking	£30.00	Parking	£0.00
Insurance	£7.50		
Wear/tear and depreciation	£25.00		
Total weekly cost	£90.00		£32

Even if we exclude parking and depreciation the cost of rail compares favourably. In reality the savings are much greater - up to £60 per week, potentially.

Earliest arrival time of train into Belfast on Larne line compared to Bangor line

The first two services from Larne in the old timetable were combined to form a 06:50 departure. The average loadings on the 05:48 and 06:25 hour trains between Larne and Whitehead were 8 and 14 passengers respectively. Regrettably given the funding constraints referred to above, this level of service was not sustainable.

The first train from the Larne line (from Whitehead) arrives into Belfast Central at 07:06.

Connectivity from the Larne line to link with the 06:50 Enterprise departure from Belfast Central was typically very low with 2-3 journeys recorded per week.

Capacity on the 7:30am train from Whitehead and need for 6-car set

Following significant roster and set allocation changes an additional train set was made available to strengthen the 07:30 from Whitehead from Tuesday 29 September. The 07:30 service from Whitehead will remain a 6-car operation subject to availability.

It should be noted that there are also frequent departures between Larne and Belfast on Goldline service 256 at 06:15*, 06:30, 06:45, 07:00*, 07:15, 07:30, 07:45*, 08:00, etc. (Those marked * call at the railway station stop to pick up intending passengers.)

Late Night & Early morning services on the line

Previously the last service departed Belfast Central at 23:25. This changed to a 22:55 departure. Following a number of requests I can inform the member this new departure time is currently under review. Translink will consider the possibility of moving this service by 10-15 minutes to later in the evening. This will be considered as part of the January timetable review.

Trains stopping/starting at Larne Town rather than Harbour

Translink has advised that 14 of the 17 train departures from Larne commence at Larne Harbour (Monday through Friday), complemented by all Saturday and Sunday services. In the opposite direction the same frequency applies. Given the running times and passing posts on the single line sections of the Larne line it is not possible for the remaining three services in each direction (Monday through Friday) to operate from the Harbour.

2 Hour Frequency on Saturdays (Whitehead to Larne)

The 30 August 2015 timetable changes were introduced to reduce costs to get closer to balancing costs and income. Regrettably the Saturday frequency between Larne and Whitehead was reduced to 2-hourly, as a result. These services were carrying exceptionally low passenger volumes, on average 14 customers each. Translink has worked hard to minimise the impact on its customers however it is tasked with running a sustainable business model.

Potential Use of the Larne Railway Line for the Purposes of Freight

Translink has advised that it has undertaken no specific investigations in respect of freight operations on the Larne line. However, there are no capacity restrictions on the current rail network that would prevent NI Railways in carrying rail freight, should a demand arise.

NI Railways will occasionally have specific enquiries for freight movement on the network and NI Railways respond by providing indicative costing in accordance with its network statement. Within Europe, freight on rail is not normally considered cost viable for distances of less than circa 200 km. However, freight viability is also dependent on annual tonnage, the type of product and the easelcost of getting the product onto the rail network and back off the rail network.

The Northern Ireland rail network is, and always has been, open to existing and new rail operators to seek to offer services including freight, and no application has ever been received from other operators interested in providing freight or passenger services.

The Departmental Railway Investment Prioritisation Strategy, which sets out the strategic direction for future railways investment over the next 20, does not envisage a demand for the development of rail freight facilities to any of Northern Ireland ports within its timeframe.

Dargan Viaduct dualling

TransportNI and Translink are currently working together to develop a design which will allow the strengthening of the bridge foundations necessary to facilitate the dualling of the Dargan bridge. It is proposed that the strengthening works would be carried out as part of the construction of the York Street Interchange. The provision of these works is dependent on Translink confirming the business case for the dualling of this part of the rail network and securing funding for this element of the project.

Reopening of Whitehouse Halt Newtownabbey

There are no plans to re-open the former Whitehouse station in Whiteabbey. This station is located on a 70mph stretch of track. To re-open the station would add a minimum of 3 minutes to Larne line services and would also result in the need to completely 'recast' all timetables on all other routes to accommodate departures from/to Belfast. An additional stop on this particular section could also result in the current 30-minute peak Londonderry line services being unworkable due to additional time being taken for the Larne line trains to clear the sections. These services already operate on a tight schedule with little or no room for any additional time to be added.

Ballycarry Park & Ride

NI Railways have no current plans to develop a Park and Ride facility at Ballycarry.

Traffic Management in Transport NI - Northern Division is currently developing a scheme to improve pedestrian facilities to Ballycarry Halt railway station.

This scheme will take the form of approx 130m of footpath over the bridge connecting the existing footpaths on both sides of the bridge allowing continuous pedestrian access from both Ballystrudder and Ballycarry.

The scheme is expected to be completed by 22 December 2015.

Park & Ride in East Antrim in general

Park and Ride facilities are a fundamental part of Translink's growth strategy. My Department has taken forward a Strategic Review of Park and Ride facilities throughout the railways network. As a result, a very successful programme of developing excellent Park and Ride facilities in the East Antrim area has been completed and further cost effective options to enhance this customer facility are being explored.

Integrated Ticketing

ILink is an integrated Smartcard from Translink which provides unlimited day, weekly and monthly bus and rail travel within specified zones across Northern Ireland. It is available for adults and children and is ideal if you travel by both bus and train to your destination on a regular basis. With link when you need more travel you simply top-up at one of Translink's sales outlets. Further details are available at all Sales Offices and on the Translink website.

Live Bus route information

Live bus information is presently available on Translink Journey Planner, providing customers with a countdown of the next departure from a specific stop. This tracking facility is facilitated through an on-board SIM card which is also used to provide real time information at shelters, audio-visual announcements across the Metro fleet as well as priority at junctions for buses. This project is led by TransportNI.

Ulster bus do not presently have this facility, however, consideration is being given to utilizing other on-board tracking facilities to provide similar real time functionality.

Wi-Fi availability

Free Wi-Fi has been operational for over 3 years now on all rail services network-wide and has been hugely successful with over 235,000 sessions per month. The system is at capacity at times and Translink is reviewing options for increasing capacity and coverage. However, any investment to improve Wi-Fi will be dependent on funding being available.

Cycling

The Bicycle Strategy for Northern Ireland recognizes the importance of developing both urban and rural greenways, making use of former canal towpaths and disused railways where possible. I see the development of greenways as an area where there is an opportunity for local authorities to take ownership.

My Department has established a Greenways Working Group to scope a Strategic Plan for the development of greenways across Northern Ireland but it does not envisage managing their delivery or construction.

Electrification of the Northern Ireland network

The Railway Investment Prioritisation Strategy for Northern Ireland, published in May 2014, sets out a vision and strategic direction for future railways investment over the next 20 years and beyond. It identifies the priority themes for future investment and associated key projects as follows:

- Priority 1 - Maintain and Improve Passenger Capacity on the Existing Network;
- Priority 2 - Removing Bottlenecks and Stimulating Economic Development along the core TENT-T Network; and
- Priority 3 - Enhancing the TEN-T Comprehensive Network including potential network extensions.

In relation to electrification of the Northern Ireland network the Strategy does not envisage electrification taking place within its timeframe though projects within Priority 1 of the Strategy (if taken forward and funded) will allow for the eventual electrification of the network in the longer term.

Mr Easton asked the Minister for Regional Development how many pot holes were in need of repair on 2 September 2015. (AQW 49810/11-16)

Miss M McIlveen: My Department does not specifically maintain statistics solely in relation to potholes either recorded or repaired. However, I can advise that some 18,600 carriageway surface defects, including potholes and other surface defects such as cracking and depressions, had been recorded and not repaired as of 2 September 2015.

Mr Hilditch asked the Minister for Regional Development what plans Translink has to introduce a multi-journey ticket to replace the student pupil pass for single journeys.

(AQW 50040/11-16)

Miss M McIlveen: Translink has advised me that for school pupils using its bus services on a daily basis they can avail themselves of multi-journey smartcard products where any journeys loaded onto the card can be used as required over a 12-month period.

Translink has no plans to introduce a similar product for rail travel. Translink does not offer any single leg product for any group of customers on its rail network nor is it aware of any similar products available from any rail operator in GB mainland

for monthly/annual travel in one direction. Smartlink products for rail travel can be used on any service at any time of day or on any day of the week.

Translink wrote to fare paying pupil pass holders in June 2015 to inform them of its plans and to provide information on alternative products, including Smartlink products.

Department for Social Development

Mr Allen asked the Minister for Social Development to detail the number of lettable voids, for the last twelve months, broken down by the number of bedrooms per property, in East Belfast.

(AQW 49587/11-16)

Mr Storey (The Minister for Social Development): Table 1 attached, provided by the Housing Executive, details the number of lettable voids in the East Belfast Parliamentary constituency broken down by the number of bedrooms per property as at 13 October 2015.

Table 1 – NIHE Lettable Voids

No. of bedrooms	Lettable Voids
1	7
2	16
3	5
Total	28

The Housing Executive has also advised that there are a further six lettable voids that fall into both East and South Belfast Parliamentary constituencies as some of the NIHE's Common Landlord Areas straddle these two constituencies.

Table 2 attached, provided by the Northern Ireland Federation of Housing Associations (NIFHA), details the number of lettable voids in the East Belfast Parliamentary constituency between 1 October 2014 to 30 September 2015 broken down by the number of bedrooms per property.

Table 2 – Housing Associations Lettable Voids

No. of bedrooms	Lettable Voids
1	112
2	105
3	36
4	3
5+	1
Total	257

Note: NIFHA advises that this gives a void rate of around 7% which is not unexpected given the profile of the stock, over half of which comprises one or two bed general needs mainstream properties (i.e. does not include sheltered dwellings). Mainstream properties with one and two bedrooms tend to have a higher turnover than three bedroom properties or larger.

Ms Boyle asked the Minister for Social Development to detail (i) why the kitchen replacement scheme for up to 80 Housing Executive homes in Ballycolman Estate, Strabane, which was due to commence in November 2015 has been put on hold; (ii) who took the decision to put the scheme on hold; (iii) why the scheme was put on hold; (iv) whether any other similar schemes in the area have been put on hold; and (v) when this scheme will proceed.

(AQW 49804/11-16)

Mr Storey: The Housing Executive has advised that the kitchen replacement scheme in the Ballycolman Estate in Strabane has not been put on hold. The NIHE is currently working with the contractor towards a mid-November start date as planned. No similar schemes in the area have been put on hold.

The Housing Executive is continuing to work with contractors to ensure those maintenance schemes it has planned are started. The NIHE plans to invest over £14m in the Derry City and Strabane District Council area this financial year.

Mr Agnew asked the Minister for Social Development (i) whether energy efficiency improvements as a result of the Affordable Warmth Scheme are recorded and shared with Department of Energy and Climate Change in order to feed in to the UK

figures on energy efficiency; and if not, (ii) to detail why the figures are not shared with the Department of Energy and Climate Change.

(AQW 49821/11-16)

Mr Storey: The Department of Enterprise Trade and Investment (DETI) is responsible for reporting energy savings to the Department of Energy and Climate Change (DECC). The Department for Social Development (DSD) is working with the Housing Executive and DETI to develop an appropriate mechanism to record and report on all energy efficiency schemes, including the Affordable Warmth Scheme, and this information will be shared with DECC.

In the interim period, the Housing Executive on behalf of DSD keeps details of all energy efficiency savings, which accrue from measures installed in the Affordable Warmth and Boiler Replacement Schemes.

Ms Fearon asked the Minister for Social Development what actions he is taking to address delays in completing disability adaptations in Housing Executive properties.

(AQW 49840/11-16)

Mr Storey: The Housing Executive has advised that it is unaware of any current significant delays in completing adaptations in its properties. The Housing Executive seeks to expedite all adaptations and not cause anxiety for tenants who are already in poor health. However, the completion of adaptations is complex and involves a wide range of health and housing professionals, with statutory approvals also being generally required before work starts on site. This means that the process can take some time to fully complete.

Whilst the design and approval process is being completed, the Housing Executive's welfare officers and their design staff work alongside health providers to keep tenants apprised of progress.

The Housing Executive has been working with my Department and others in the inter-departmental review of housing adaptations services to improve outcomes for all who require adaptations in Northern Ireland and a consultation will issue shortly regarding the Final Report and Action Plan. The Housing Executive is committed to continuous improvement and is aware of the vulnerability of this client group. They are therefore presently reviewing their processes in order to best improve services and the time they take to complete. It is expected that new arrangements from this review will be introduced in early 2016.

Lord Morrow asked the Minister for Social Development, given Employment and Support Allowance applicants have to regularly supply GP or medical letters for which they can be charged a fee, to detail what action he will take in relation to Employment and Support Allowance decision makers and their engagement with applicants, GPs and other health professionals to (i) ensure applicants are not repeatedly required to pay for medical letters; and (ii) reduce or remove this expenditure for applicants experiencing financial difficulties.

(AQW 49867/11-16)

Mr Storey: There is no obligation for claimants to Employment and Support Allowance to submit any GP or medical letters for which they are charged a fee.

It is a condition of entitlement to Employment and Support Allowance for claimants to submit medical certificates from their GP throughout the initial stages of their claim to Employment and Support Allowance and during periods while appealing a decision. GPs do not charge for supplying these medical certificates while they are treating the patient under the NHS.

The Work Capability Assessment is used to determine the claimant's on-going entitlement to Employment and Support Allowance and it is completed by Atos

Healthcare, on behalf of the Social Security Agency. The approved Healthcare Professional carrying out the assessment may send a written request or make a telephone call to the claimant's GP for further information but again GPs do not charge the claimant for this service. Employment and Support Allowance decision makers do not have the authority to contact GPs or other Healthcare Professionals directly.

Claimants who are terminally ill, and not expected to live more than 6 months, who wish to claim under Special Rules, are required to submit a form DS1500, completed by their GP or approved Healthcare Professional. Payment for completion of this form is paid by the Agency directly to the GP or Healthcare Professional.

When the Employment and Support Allowance decision maker is considering disallowing entitlement to benefit following a Work Capability Assessment or is considering an appeal against the disallowance they may contact the claimant to discuss the outcome of their Work Capability Assessment and to give them the opportunity to provide any additional evidence in support of their claim or appeal. Claimants are not obliged to provide any additional medical evidence but some wish to do so.

When further medical evidence is submitted the decision maker will discuss it with the Atos Healthcare Professional before determining whether it is sufficient to change the decision or not.

The provision of letters of evidence is regarded as a private service and it is a matter for the GP or Health Care Professional to decide what fee they wish to charge for providing a letter of evidence to their patients. My Department has no authority to change this.

Ms Sugden asked the Minister for Social Development for an update on the sustainability of the Womens' Centre Childcare Fund.

(AQW 50072/11-16)

Mr Storey: Since 2006, the Women's Centres Childcare Fund has continued as an emergency funding package pending development, by OFMdFM, of a new childcare strategy, which is currently the subject of consultation. In the context of the childcare strategy I have indicated that this will be the last year of funding under WCCF.

Northern Ireland Assembly Commission

Ms Sugden asked the Assembly Commission to detail how the Assembly Commission's Engagement Strategy 2015-16 is increasing engagement with (i) young people; (ii) older people; and (iii) other under-represented groups.

(AQW 49669/11-16)

Mr Ramsey (The Representative of the Assembly Commission): The Assembly Commission's Engagement Strategy 2015-16 includes a commitment to "build partnerships with relevant stakeholders to create and improve engagement opportunities with citizens and under-represented groups". This work is primarily undertaken by the Education Service and Assembly Community Connect, managed by the Outreach Service.

Engagement with young people is primarily, but not exclusively undertaken by the Education Service through an inward and outward visit programme for schools, universities, Colleges of Further and Higher Education and the informal youth sector.

In the academic year 2014-15, nearly 15,200 participants in 449 groups took part in the Assembly's Education Programme; 12,500 on educational visits to Parliament Buildings and just over 2,500 as part of the outreach programme. The programme is available in English and Irish.

The Education Service has worked with Assembly Committees to gain young people's views on a range of issues and enquiries, for example, Shared and Integrated Education and the School Inspectorate, the Road Traffic Bill's proposed changes for learner and new drivers and the Together Building a United Community Strategy.

The Service works with the NEETs Forum (young people not in employment, education or training) to encourage hard to reach groups to engage with democratic politics. This involves outreach visits to NEET groups and encouraging forum members to participate in special projects.

Further engagement with young people is underway as part of an Erasmus+ Connections' Project, which aims to promote dialogue between decision makers and young people. Young people were challenged to research an issue of their choice and communicate their findings to the Assembly. The young people focussed on mental health and will deliver their findings to Assembly Committees in early 2016.

The Education Service organises a series of Let's Talk events around Northern Ireland to bring together young people and their MLAs. In 2014-15, these events involved around 100 young people and were held in Ballymena, Belfast, Derry/Londonderry, Newry and Omagh. We hope to increase the number of these events to eight this year.

This year we worked with Belfast City Council and Cinemagic on the 'Reel Politics' project. It involved 24 young women from across Northern Ireland to explore the under-representation of women in politics by producing three films on the topics of Social Media, Domestic Abuse and lack of female representation in the Science, Technology, Engineering Arts and Maths sector. The films were screened on International Women's Day on 6 March.

In November we will facilitate the Northern Ireland Youth Forum's Youth Congress annual sitting in the Assembly Chamber to coincide with the UK Youth Parliament debate in the House of Commons Chamber, Westminster. More than 100 young people from a range of youth organisations will be involved.

Educational Resources

We continue to develop new educational materials like the Education website to support teaching and learning about the Assembly and will launch four new videos for young people this year.

We have published an iBook – A Guide to the Assembly and Parliament Buildings - for students aged 16+ and an updated edition and e-book version will be available in March 2016.

Older People

The Assembly Community Connect (ACC) programme works to enhance connections between the Assembly and the Community and Voluntary sector through education and outreach.

In October, to mark the International Day of Older Persons, ACC brought together members of the Age Sector Platform and members of the Northern Ireland Youth Forum to Parliament Buildings to debate a motion as Northern Ireland's inaugural Intergenerational Parliament. Members of Age Sector Platform will return to Parliament Buildings in December for its annual Pensioners' Parliament.

Other under-represented groups

While ACC works with groups and individuals from across the Community and Voluntary sector, from 2014 to the present time, it has chosen to focus on engagement with women, persons with disabilities and the black and minority ethnic sector. In that time, ACC has engaged with nearly 6,000 people.

We have arranged and participated in a range of events focussed on these sectors, including a 'Women in Politics' panel event as part of Women of the World festival, Corrymeela's 'Stop Peace Unravelling' event, the Belfast Mela, Chinese New Year, One Assembly; Many People event to mark Community Relations week, which included communities from across Northern Ireland sharing their culture through performances in Parliament Buildings.

We have developed tailored training programmes for a range of organisations including Guide Dogs for the Blind and Disability Sport NI, the latter involved Members and individuals taking part in a wheel-chair slalom in the Long Gallery.

Most recently, we have been working with the NOW project on its Reading Rooms initiative to promote social inclusion and support people with learning disabilities.

Citizens and a wide range of representative groups continue to take part in ACC's free monthly training programmes offered to community and voluntary groups to raise awareness of how to engage with and facilitate participation with the Assembly.

This is just a sample of the engagement work undertaken by the Assembly and the Information and Outreach Directorate continues to proactively seek and identify opportunities for working with citizens and groups from across Northern Ireland and welcomes Members' suggestions for and participation in engagement events and projects.

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.

Northern Ireland Assembly

Friday 2 October 2015

Revised Written Answers

Department of Justice

In this Bound Volume, page WA 44 please replace AQW 48928/11-16 with:

Lord Morrow asked the Minister of Justice (i) why Terry McConnell did not return to HMP Maghaberry on leaving the Royal Victoria Hospital; (ii) under what prison policy this was approved, and by whom; and (iii) whether it is common practice for prisoners not to return to prison in these circumstances.

(AQW 48928/11-16)

Mr Ford (The Minister of Justice): The requested information in part (i) cannot be provided as disclosure would be contrary to the Data Protection Act 1998.

The prisoner was released under Rule 27 of the Prison and Young Offenders Centre Rules (Northern Ireland) 1995; the decision was approved by the Governor. The level of abuse of the temporary release is small; the majority of prisoners abide by the temporary release conditions. However the Northern Ireland Prison Service have committed to reviewing the arrangements for the temporary release of prisoners this year.

In this Bound Volume, page WA 44 please replace AQW 48897/11-16 with:

Lord Morrow asked the Minister of Justice whether the remit of the proposed Sex Worker Liaison Group on Human Trafficking will be focused solely on tackling human trafficking.

(AQW 48955/11-16)

Mr Ford: Non-payment of a court imposed fine is not a criminal offence.

The Magistrates' Courts (Northern Ireland) Order 1981 provides a number of powers for courts when dealing with fine default. The original fine can be partially or fully remitted; further time for payment may be allowed; a distress warrant can be issued; or the person can be imprisoned.

Separate provision for the enforcement of probation and community service orders is dealt with under Schedule 2 to the Criminal Justice (Northern Ireland) Order 1996.

Subject to the Assembly's consideration, the Justice (No. 2) Bill will provide courts with new and additional powers to deduct payments from income, to freeze and obtain access to money held in bank accounts, or in certain circumstances to seize vehicles to secure payment.

Northern Ireland Assembly

Friday 9 October 2015

Revised Written Answer

Department of Education

In this Bound Volume, page WA 82 please replace AQW 49063/11-16 with:

Mr Weir asked the Minister of Education how many appeals were (i) lodged; (ii) heard; and (iii) granted on admissions to post-primary schools, broken down by constituency.

(AQW 49063/11-16)

Mr O'Dowd (The Minister of Education): The Education Authority has advised that the number of appeals (i) lodged; (ii) heard; and (iii) granted on admissions to post-primary schools, broken down by constituency, is as set out in the following table:

Post-Primary School Admissions Appeals

Constituency	Lodged	Heard	Granted
Belfast North	9	5	0
Belfast South	24	19	*
Belfast East	18	14	*
Belfast West	5	5	0
South Antrim	5	*	0
East Antrim	*	*	0
Mid Ulster	13	9	*
North Antrim	17	16	6
East Derry	8	8	0
Lagan Valley	16	16	10
North Down	12	5	*
Strangford	34	31	*
South Down	7	6	5
Fermanagh & South Tyrone	34	28	8
Newry & Armagh	62	57	33
Upper Bann	*	*	*
Foyle	27	21	*
West Tyrone	6	6	0

** denotes figure fewer than 5.

Northern Ireland Assembly

Friday 23 October 2015

Revised Written Answers

Department for Social Development

In this Bound Volume, page WA 301 please replace AQW 49535/11-16 with:

Ms Sugden asked the Minister for Social Development to detail any costs incurred since May 2011 due to infrastructure set up in anticipation of the Welfare Reform Bill (NIA Bill 13/11-15) receiving Royal Assent.

(AQW 49535/11-16)

Mr Storey (The Minister for Social Development): Whilst Welfare Reform has not yet been introduced in Northern Ireland, it has been necessary to undertake early implementation activity to ensure that systems and processes are sufficiently developed to be ready for changes that will be brought about by Welfare Changes. The costs incurred for the infrastructure changes are detailed below:

Type	Cost to date
Accommodation - Knockbreda JBO (supports early testing of some Universal Credit service delivery components)	39,000
IT Development (Discretionary Support)	95,000
IT Health Check	3,790
Telephony (Discretionary Support)	31,000
IT for Appeals Reform	81,080
Totals	249,870

In this Bound Volume, page WA 302 please replace AQW 49570/11-16 with:

Mr Weir asked the Minister for Social Development to list the (i) domestic; and (ii) non-domestic land banks in North Down that will be transferred to the Ards and North Down Borough Council.

(AQW 49570/11-16)

Mr Storey: Under plans for the Reform of Local Government the domestic properties that will transfer to the new Council are: No's 11, 13, and 17 Southwell Road; and No's 6-34 King Street.

All other land and properties are non-domestic and for ease of reference, are shown on the attached map.

This map has been placed in the NI Assembly Library.

Journal of Proceedings

Minutes of Proceedings

Northern Ireland Assembly

Monday 5 October 2015

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Ministerial Appointments

The Speaker informed Members that, on 30 September 2015, Mr Jonathan Bell had taken up the office of Minister of Enterprise, Trade and Investment, Mr Simon Hamilton had taken up the office of Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen had taken up the office of Minister for Regional Development and that Mr Mervyn Storey had taken up the office of Minister for Social Development.

The Speaker confirmed that the Members affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointments.

2.2 Ministerial Resignations

The Speaker informed Members that, on 01 October 2015, Mr Jonathan Bell resigned as Minister of Enterprise, Trade and Investment, Mr Simon Hamilton resigned as Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen resigned as Minister for Regional Development and Mr Mervyn Storey resigned as Minister for Social Development.

3. Matter of the Day

3.1 The Death of Brian Friel

Ms Anna Lo, made a statement, under Standing Order 24, in relation to the death of Mr Brian Friel. Other Members were also called to speak on the matter.

4. Assembly Business

4.1 Motion – Committee Membership

Proposed:

That Mr Gordon Lyons be appointed as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Paul Frew replace Mrs Brenda Hale as a member of the Committee for the Office of the First Minister and deputy First Minister; that Mr Ian McCrea replace Mr Tom Buchanan as a member of the Committee for Agriculture and Rural Development; that Mr Alex Easton replace Mr William Irwin as a member of the Committee for Employment and Learning; that Mr Paul Girvan replace Mr Paul Frew as a member of the Committee for Enterprise, Trade and Investment; that Mr William Irwin replace Mr Ian McCrea as a member of the Committee for the Environment; that Mr Gordon Lyons and Mrs Emma Pengelly replace Mr Paul Girvan and Mr Adrian McQuillan as members of the Committee for Finance and Personnel; that Mr Tom Buchanan replace Mr Paul Givan as a member of the Committee for Health, Social Services and Public Safety; that Mrs Brenda Hale replace Mr Alex Easton as a member of the Committee for Regional Development; that Mr Adrian McQuillan replace Mr Gordon Lyons as a member of the Committee for Social Development; that Mr Edwin Poots replace Mr Adrian McQuillan as a member of the Public Accounts Committee; and that Mr Gordon Dunne replace Mr Tom Buchanan as a member of the Committee on Standards and Privileges.

*Mr P Weir
Lord Morrow*

The Question being put, the Motion was **carried** without division.

5. Private Members' Business

5.1 Motion – Coroners Service

Proposed:

That this Assembly notes the concerns raised publicly around the impending retirement of the senior coroner without a replacement in place; and calls on the Minister of Justice to provide the resources necessary to ensure that our coronial system works in an effective and timely manner.

Mr R McCartney

Mr S Lynch

Debate ensued.

The Principal Deputy Speaker (Mr Newton) took the Chair.

The Question being put, the Motion was **carried** without division.

5.2 Motion – Cancer Services

Proposed:

That this Assembly notes the absolute importance of timely diagnosis and treatment of cancer as any unnecessary delays can result in a reduced likelihood of a successful outcome; accepts that cancer targets are set with established medical evidence; further notes that whilst Northern Ireland has become a world leader in cancer research, local waiting times across a range of specialisms have deteriorated to unacceptable levels; and calls on the Minister of Health, Social Services and Public Safety to ensure that cancer services are adequately organised, funded and resourced to ensure patient safety is not further compromised.

Mrs J Dobson

Mr M McGimpsey

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 Enterprise, Trade and Investment

The Speaker informed Members that, as the ministerial office was vacant, Questions to the Minister of Enterprise, Trade and Investment could not proceed.

7. Private Members' Business (cont'd)

7.1 Motion – Cancer Services (cont'd)

Debate resumed.

The Deputy Speaker (Mr Dallat) 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 3.01pm.

Mr Mitchel McLaughlin

The Speaker

5 October 2015

Northern Ireland Assembly

Papers Presented to the Assembly on 30 September – 5 October 2015

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

Public Income and Expenditure Account for the year ending 31 March 2015 (DFP).

Northern Ireland Water Annual Report and Accounts for the Year Ended 31 March 2015 (DRD).

5. Assembly Reports

Report on the Public Services Ombudsperson Bill (NIA 263/11-16) (Ad Hoc Committee to consider the Public Services Ombudsperson Bill).

Third Report of the Examiner of Statutory Rules (NIA 266/11-16) (Examiner of Statutory Rules).

6. Statutory Rules

S.R. 2015/345 The Sexual Offences Act 2003 (Prescribed Police Stations) Regulations (Northern Ireland) 2015 (DOJ).

S.R. 2015/347 The Superannuation (Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints) Order (Northern Ireland) 2015 (DFP).

S.R. 2015/348 The Public Service Pensions (Assembly Ombudsman for Northern Ireland and the Northern Ireland Commissioner for Complaints) Regulations (Northern Ireland) 2015 (DFP).

S.R. 2015/351 The Water Framework Directive (Classification, Priority Substances and Shellfish Waters) Regulations (Northern Ireland) 2015 (DOE).

For Information Only

S.R. 2014/320 Correction Slip - The Criminal Justice (European Protection Order) (Northern Ireland) Regulations 2014 (DOJ).

7. Written Ministerial Statements

8. Consultation Documents

Review of the Public Health Act (Northern Ireland) 1967 (DHSSPS).

Closure of the Northern Ireland Renewables Obligation to new onshore wind in 2016 (DETI).

Final Regulatory Impact Assessment: Revised Brucellosis Testing Regime Following Attainment of Officially Brucellosis Free (OBF) Status (DARD).

Review of the Level of Statutory Bereavement Damages in Northern Ireland (DOJ).

9. Departmental Publications

Department of Finance and Personnel Memorandum on the Twenty Ninth Report from the Public Accounts Committee, Mandate 2011-2016 (DFP).

10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 6 October 2015

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 Ministerial Appointment

The Speaker informed Members that, on 06 October 2015, Mr Jonathan Bell had taken up the office of Minister of Enterprise, Trade and Investment.

The Speaker confirmed that Mr Bell affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointment.

3. Executive Committee Business

3.1 Second Stage – Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16)

The Minister of Enterprise, Trade and Investment moved the Second Stage of the Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16).

Debate ensued.

The Credit Unions and Co-operative and Community Benefit Societies Bill (NIA Bill 56/11-16) passed Second Stage.

3.2 Further Consideration Stage – Insolvency (Amendment) Bill (NIA Bill 39/11-16)

The Minister of Enterprise, Trade and Investment, moved the Further Consideration Stage of the Insolvency (Amendment) Bill (NIA Bill 39/11-16).

No amendments were tabled to the Bill.

The Insolvency (Amendment) Bill (NIA Bill 39/11-16) stood referred to the Speaker for consideration in accordance with Section 10 of the Northern Ireland Act 1998.

4. Private Members' Business

4.1 Motion – Private Rental Sector

Proposed:

That this Assembly notes its concerns at the continued growth of the unregulated private rented sector which is the biggest provider of socially rented accommodation, a sector which receives tens of millions of pounds in housing benefit but still has little legislation or regulation; calls on the Minister for Social Development to review the role of the private sector in the provision of social rented accommodation to ensure it is fit for purpose; and further calls on the Minister for Social Development to introduce measures to regulate this sector.

*Mr F McCann
Mr A Maskey*

Debate ensued.

The Question being put, the Motion was carried without division.

4.2 Motion – Autism

Proposed:

That this Assembly expresses concern over the waiting times for children for autism and Special Educational Needs assessments; notes that the Prevalence of Autism (including Asperger's Syndrome) in School Age Children in Northern Ireland 2015 report, published in July 2015, shows that the estimated prevalence of autism has increased; recognises that delays in diagnosis are resulting in children with Special Educational Needs being denied access to the extra educational support they need; further notes the importance of early intervention for educational and social development for these children; and calls on the Minister of Health, Social Services and Public Safety to work collaboratively with the Minister of Education and his arm's-length bodies to invest fully in, and streamline services to deal with the backlog.

Mr F McKinney

Mr D Bradley

Ms C Hanna

Mr S Rogers

Debate ensued.

The sitting was suspended at 12.58pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.

5. Question Time

5.1 Culture, Arts and Leisure

Questions were put to, and answered by, the Minister of Culture, Arts and Leisure, Ms Carál Ní Chuilín.

5.2 Education

Questions were put to, and answered by, the Minister of Education, Mr John O'Dowd.

6. Private Members' Business (cont'd)

6.1 Motion – Autism (cont'd)

Debate resumed.

The Deputy Speaker (Mr Dallat) took the Chair.

The Question being put, the Motion was carried without division.

7. Adjournment

Mr Barry McElduff spoke to his topic regarding spatial planning to meet demand for housing in Carrickmore.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.00pm.

Mr Mitchel McLaughlin

The Speaker

6 October 2015

Northern Ireland Assembly

Papers Presented to the Assembly on 6 October 2015

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
Child Maintenance Service Annual Report on Decision Making 1 April to 31 March 2015 (DSD).
5. Assembly Reports
6. Statutory Rules
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.

Stages in Consideration of Public Bills 7 October 2015

2011-2016 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	10.02.15 & 11.02.15	24.02.15		
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	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
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	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15					
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15					
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/				
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15					
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15					
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	20.10.15					
Housing (Amendment) Bill 58/11-16	30.06.15							
Houses in Multiple Occupation Bill 60/11-16	07.09.15							

**2011-2016 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	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15			
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15				
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15							
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15							
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15							

/ 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 October 2015

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Ministerial Resignation

The Speaker informed Members that, on 06 October 2015, Mr Jonathan Bell resigned as Minister of Enterprise, Trade and Investment.

2.2 Ministerial Appointments

The Speaker informed Members that, on 07 October 2015, Mr Simon Hamilton had taken up the office of Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen had taken up the office of Minister for Regional Development and that Mr Mervyn Storey had taken up the office of Minister for Social Development.

The Speaker confirmed that the Members affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointments.

2.3 Ministerial Resignations

The Speaker informed Members that, on 08 October 2015, Mr Simon Hamilton resigned as Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen resigned as Minister for Regional Development and Mr Mervyn Storey resigned as Minister for Social Development.

2.4 Ministerial Appointment

The Speaker informed Members that, on 09 October 2015, Mr Jonathan Bell had taken up the office of Minister of Enterprise, Trade and Investment.

The Speaker confirmed that Mr Jonathan Bell affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointment.

3. Matter of the Day

3.1 Fire Tragedy in Dublin

Mr Martin McGuinness made a statement, under Standing Order 24, in relation to a fire tragedy in Dublin. Other Members were also called to speak on the matter.

3.2 Northern Ireland Qualifying for the 2016 European Football Championships

Mr Chris Lyttle made a statement, under Standing Order 24, in relation to Northern Ireland's qualification for the 2016 European Football Championships. Other Members were also called to speak on the matter.

4. Committee Business

4.1 Motion – Extension of Committee Stage: Justice (No.2) Bill (NIA Bill 57/11-16)

Proposed:

That, in accordance with Standing Order 33(4), the period referred to in Standing Order 33(2) be extended to 15 January 2016, in relation to the Committee Stage of the Justice (No.2) Bill (NIA Bill 57/11-16).

Chairperson, Committee for Justice

The Question being put, the Motion was **carried** without division.

5. Private Members' Business

5.1 First Stage – Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16)

Mr Phil Flanagan introduced a Bill to amend the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1995 to make provision about the allocation of numbers to buildings and the format of addresses.

The Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16) passed First Stage and ordered to be printed.

5.2 Second Stage – Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16)

Mr John McCallister moved the Second Stage of the Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16).

Debate ensued.

The debate was suspended for Question Time.

The Principal Deputy Speaker (Mr Newton) took the Chair.

6. Question Time

6.1 Employment and Learning

Questions were put to, and answered by, the Minister for Employment and Learning, Dr Stephen Farry.

6.2 Agriculture and Rural Development

Questions were put to, and answered by, the Minister of Agriculture and Rural Development, Mrs Michelle O'Neill.

The Deputy Speaker (Mr Dallat) took the Chair.

7. Private Members' Business (cont'd)

7.1 Second Stage – Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16) (cont'd)

Debate resumed.

The Deputy Speaker (Mr Beggs) took the Chair.

The Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16) passed Second Stage without division.

8. Assembly Business

8.1 Motion – Committee Stage of Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16)

Proposed:

That as provided for in Standing Order 33(1), the Assembly and Executive Reform (Assembly Opposition) Bill (NIA Bill 62/11-16) stands referred to the Assembly and Executive Review Committee.

*Mr P Weir
Ms C Ruane
Mr P Ramsey
Mr R Swann
Mr S Dickson*

The Question being put, the Motion was **carried** without division.

9. Private Members' Business (cont'd)

9.1 Motion – Equal Pay

Proposed:

That this Assembly notes the inequality of treatment which has arisen for staff in the PSNI, the Department of Justice and the Northern Ireland Office in terms of the equal pay settlement; recognises the genuine hurt and hardship which have been caused as a result; and calls on the Minister of Finance and Personnel and the Minister of Justice to take urgent steps to recognise their moral obligation and to ensure that staff affected are not financially disadvantaged and receive the equivalent payments awarded to their colleagues in other departments.

*Mr L Cree
Mr M Nesbitt
Mr R Hussey*

9.2 Amendment

Proposed:

Leave out all after the first 'Justice' and insert:

'the Northern Ireland Office and a number of arm's-length bodies in terms of the equal pay settlement; recognises the genuine hurt and hardship which have been caused as a result; and calls on the Executive to address any areas of responsibility that they have and to make representations to the British government, who was the employer for many of those affected, urging them to recognise their moral obligation and to ensure that staff affected are not financially disadvantaged and receive the equivalent payments awarded to their colleagues in other Departments.'

*Mr R McCartney
Mr S Lynch
Ms B McGahan*

Debate ensued.

The Question being put, the Amendment **fell** (Division).

The Question being put, the Motion was **carried** without division.

10. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 6.24pm.

Mr Mitchel McLaughlin
The Speaker

12 October 2015

Northern Ireland Assembly

12 October 2015

Division

Motion – Equal Pay (Amendment)

Proposed:

Leave out all after the first 'Justice' and insert:

'the Northern Ireland Office and a number of arm's-length bodies in terms of the equal pay settlement; recognises the genuine hurt and hardship which have been caused as a result; and calls on the Executive to address any areas of responsibility that they have and to make representations to the British government, who was the employer for many of those affected, urging them to recognise their moral obligation and to ensure that staff affected are not financially disadvantaged and receive the equivalent payments awarded to their colleagues in other Departments.'

Mr R McCartney

Mr S Lynch

Ms B McGahan

The Question was put and the Assembly divided.

Ayes: 28

Noes: 36

AYES

Ms Boyle, Mrs Cochrane, Mr Dickson, Ms Fearon, Mr Flanagan, Mr Hazzard, Mr G Kelly, Ms Lo, Mr Lynch, Mr McAleer, Ms J McCann, Mr McCartney, Mr McElduff, Ms McGahan, Mr McGlone, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mr Rogers, Ms Ruane, Mr Sheehan.

Tellers for the Ayes: Mr Lynch, Ms McGahan.

NOES

Mr Allister, Mr Anderson, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Cree, Mr Douglas, Mr Dunne, Mrs Foster, Mr Frew, Mr Girvan, Mr Humphrey, Mr Hussey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Mr Lyons, Mr McCallister, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr G Robinson, Mr Somerville, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Noes: Mr Hussey, Mr Kennedy.

The Amendment **fell**.

Northern Ireland Assembly

Papers Presented to the Assembly on 7 October – 12 October 2015

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
Local Government (Numbers and Addresses of Buildings in Townlands) Bill (NIA Bill 63/11-16)
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
Northern Ireland Judicial Appointments Commission (NIJAC) Annual Report and Accounts 2014/15 (OFMDFM).
Livestock and Meat Commission Retention and Disposal Schedule July 2015 (DCAL).
Attorney General for Northern Ireland Human Rights Guidance for the Youth Justice Agency in Relation to Restorative Justice (DOJ).
5. Assembly Reports
Review of Workforce Planning in the Context of Transforming Your Care (NIA 268/11-16) (Committee for Health, Social Services and Public Safety).
6. Statutory Rules
S.R. 2015/349 The Road Traffic (Fixed Penalty) (Offences) (Amendment) Order (Northern Ireland) 2015 (DOE).
S.R. 2015/350 The Police Act 1997 (Criminal Records) (Amendments No.2) Regulations (Northern Ireland) 2015 (DOJ).
S.R. 2015/353 The Criminal Justice (European Protection Order) (Amendment) Regulations (Northern Ireland) 2015 (DOJ).
7. Written Ministerial Statements
8. Consultation Documents
9. Departmental Publications
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 13 October 2015

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Committee Business

2.1 Motion – Review of Workforce Planning (NIA 268/11-16)

Proposed:

That this Assembly welcomes the Committee for Health, Social Services and Public Safety's Review of Workforce Planning (NIA 268/11-16); and calls on the Minister of Health, Social Services and Public Safety to ensure that workforce planning is fully integrated with the implementation of Transforming Your Care.

Chairperson, Committee for Health, Social Services and Public Safety

Debate ensued.

The Principal Deputy Speaker (Mr Newton) took the Chair.

The Question being put, the Motion was **carried** without division.

3. Private Members' Business

3.1 First Stage – Human Transplantation Bill (NIA Bill 64/11-16)

Mrs Jo-Anne Dobson introduced a Bill to make provision concerning the consent required for the removal, storage and use of human organs and tissue for the purpose of transplantation; and for connected purposes.

The Human Transplantation Bill (NIA Bill 64/11-16) passed First Stage and ordered to be printed.

3.2 Second Stage – Civil Service (Special Advisers) (Amendment) Bill (NIA Bill 61/11-16)

Mr Jim Allister moved the Second Stage of the Civil Service (Special Advisers) (Amendment) Bill (NIA Bill 61/11-16).

Debate ensued.

The sitting was suspended at 12.50pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Dallat) in the Chair.

4. Question Time

4.1 Environment

Questions were put to, and answered by, the Minister of the Environment, Mr Mark Durkan.

4.2 Finance and Personnel

Questions were put to, and answered by, the Minister of Finance and Personnel, Mrs Arlene Foster.

5. Private Members' Business (cont'd)

5.1 Second Stage – Civil Service (Special Advisers) (Amendment) Bill (NIA Bill 61/11-16) (cont'd)

Debate resumed.

The Speaker took the Chair.

The Civil Service (Special Advisers) (Amendment) Bill (NIA Bill 61/11-16) fell (Division).

5.2 Motion – Tax Credits

Proposed:

That this Assembly notes the reliance of thousands of low and middle earning families on the tax credits system to top up their earnings; deplores the recent attack by the British government on the tax credits system, which will reduce further the income of thousands of working families and drive them into greater poverty as well as making it more difficult for people to move into employment; further notes the proposed introduction of an increased minimum wage by the British government but recognises the study by the Institute for Fiscal Studies which shows that the impact of cuts to the tax credits system is much greater than the increase proposed in the minimum wage, which falls significantly short of the wage required for someone to have a decent standard of living.

*Mr A Maskey
Mr F McCann
Mr P Flanagan*

5.3 Amendment

Proposed:

Leave out all after the second 'government' and insert:

'and the increase to the personal income tax allowance but recognises the study by the Institute for Fiscal Studies which shows that the impact of cuts to the tax credits system is much greater than the increase proposed in the minimum wage, which falls significantly short of the wage required for someone to have a decent standard of living; and calls on the Chancellor of the Exchequer to ensure that working households on low wages are not financially worse off following the introduction of the government's changes.'

*Mr R Beggs
Mr L Cree*

Debate ensued.

The Question being put, the Amendment was **made** without division.

The Question being put, the Motion, as amended, was **carried** without division.

6. Adjournment

Mr Stewart Dickson spoke to his topic regarding rail services in East Antrim.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 5.16pm.

Mr Mitchel McLaughlin

The Speaker

13 October 2015

Northern Ireland Assembly

13 October 2015

Division

Second Stage – Civil Service (Special Advisers) (Amendment) Bill (NIA Bill 61/11-16)

The Question was put and the Assembly divided.

Ayes: 33

Noes: 52

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Attwood, Mr Beggs, Mr D Bradley, Mr Byrne, Mrs Cochrane, Mr Cree, Mr Dickson, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Ford, Mr Gardiner, Ms Hanna, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr B McCrea, Mr McGlone, Mr McKinney, Mr A Maginness, Mr Nesbitt, Mrs Overend, Mr Ramsey, Mr Rogers, Mr Somerville, Ms Sugden.

Tellers for the Ayes: Mr Allister, Mr B McCrea.

NOES

Mr Anderson, Ms Boyle, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Ms Fearon, Mr Flanagan, Mrs Foster, Mr Frew, Mr Givan, Mr Hamilton, Mr Hazzard, Mr Humphrey, Mr Irwin, Mr G Kelly, Mr Lynch, Mr Lyons, Mr McAleer, Mr McCartney, Mr McCausland, Mr I McCrea, Mr McElduff, Ms McGahan, Mr D McIlveen, Miss M McIlveen, Mr McKay, Ms Maeve McLaughlin, Mr Maskey, Mr Middleton, Mr Milne, Mr Moutray, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr P Robinson, Mr Ross, Ms Ruane, Mr Sheehan, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McCartney, Mr G Robinson.

The Question was **negatived**.

Northern Ireland Assembly

**Papers Presented to the Assembly on
13 October 2015**

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
Human Transplantation Bill (NIA Bill 64/11-16)
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
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.

Stages in Consideration of Public Bills 14 October 2015

2011-2016 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	10.02.15 & 11.02.15	24.02.15		
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	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
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	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15					
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15					
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/				
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15					
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15					
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16					
Housing (Amendment) Bill 58/11-16	30.06.15							
Houses in Multiple Occupation Bill 60/11-16	07.09.15							

**2011-2016 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	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15			
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15				
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15							
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15	Bill fell at Second Stage on 13.10.15						
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15	12.10.15						

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Local Government (Numbers and Addresses in Townlands) Bill 63/11-16	12.10.15							
Human Transplantation Bill 64/11-16	13.10.15							

/ 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 19 October 2015

The Assembly met at noon, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Speaker's Business

2.1 Ministerial Resignation

The Speaker informed Members that, on 14 October 2015, Mr Jonathan Bell resigned as Minister of Enterprise, Trade and Investment.

2.2 Ministerial Appointments

The Speaker informed Members that, on 14 October 2015, Mr Simon Hamilton had taken up the office of Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen had taken up the office of Minister for Regional Development and that Mr Mervyn Storey had taken up the office of Minister for Social Development.

The Speaker confirmed that the Members affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointments.

2.3 Ministerial Resignations

The Speaker informed Members that, on 15 October 2015, Mr Simon Hamilton resigned as Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen resigned as Minister for Regional Development and Mr Mervyn Storey resigned as Minister for Social Development.

3. Matter of the Day

3.1 Amateur Boxing World Champion Michael Conlan

Ms Rosaleen McCorley made a statement, under Standing Order 24, in relation to the amateur boxing world champion, Michael Conlan. Other Members were also called to speak on the matter.

4. Executive Committee Business

4.1 Motion – The draft Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015

Proposed:

That the draft Victim Charter (Justice Act (Northern Ireland) 2015) Order (Northern Ireland) 2015 be approved.

Minister of Justice

Debate ensued.

The Principal Deputy Speaker (Mr Newton) took the Chair.

The Question being put, the Motion was **carried** without division.

5. Private Members' Business

5.1 First Stage – Scrap Metal Dealers Bill (NIA Bill 65/11-16)

Mr Roy Beggs introduced a Bill to amend the Law relating to scrap metal dealers; and for connected purposes.

The Scrap Metal Dealers Bill (NIA Bill 65/11-16) passed First Stage and ordered to be printed.

5.2 Further Consideration Stage – Children's Services Co-operation Bill (NIA Bill 44/11-16)

Mr Steven Agnew, sponsor of the Bill, moved the Further Consideration Stage of the Children's Services Co-operation Bill (NIA Bill 44/11-16).

Six amendments were tabled to the Bill.

Clauses

After debate, Amendment 1 to Clause 1 was **made** without division.

After debate, Amendment 2 to Clause 5 was **made** without division.

After debate, Amendment 3 inserting new Clause 6 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 4 was not moved.

After debate, Amendment 5 inserting new Clause 7 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 6 to Clause 7 was **made** without division.

The Children's Services Co-operation Bill (NIA Bill 44/11-16) stood referred to the Speaker for consideration in accordance with section 10 of the Northern Ireland Act 1998.

5.3 Motion – Absence of Executive Ministers

Proposed:

That this Assembly notes that the Minister for Social Development, the Minister for Regional Development, the Minister of Health, Social Services and Public Safety and the Minister of Enterprise, Trade and Investment have resigned and resumed office more than 20 times since 10 September 2015; believes that this practice of rolling resignations has had a significant and detrimental effect on the governance of Northern Ireland and on the public's faith in the political institutions; and further believes that engaging in this practice of rolling resignations amounts to a breach of the terms of the pledge of office.

Mr S Dickson

Mr C Lyttle

Mr T Lunn

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 Acting First Minister, Mrs Arlene Foster.

6.2 Health, Social Services and Public Safety

The Speaker informed Members that, as the ministerial office was vacant, Questions to the Minister of Health, Social Services and Public Safety could not proceed.

7. Private Members' Business (cont'd)

7.1 Motion – Absence of Executive Ministers (cont'd)

Debate resumed.

The Question being put, the Motion was **carried** (Division).

8. Adjournment

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 3.44pm.

Mr Mitchel McLaughlin

The Speaker

19 October 2015

Northern Ireland Assembly

19 October 2015

Division

Motion – Absence of Executive Ministers

Proposed:

That this Assembly notes that the Minister for Social Development, the Minister for Regional Development, the Minister of Health, Social Services and Public Safety and the Minister of Enterprise, Trade and Investment have resigned and resumed office more than 20 times since 10 September 2015; believes that this practice of rolling resignations has had a significant and detrimental effect on the governance of Northern Ireland and on the public's faith in the political institutions; and further believes that engaging in this practice of rolling resignations amounts to a breach of the terms of the pledge of office.

Mr S Dickson

Mr C Lyttle

Mr T Lunn

The Question was put and the Assembly divided.

Ayes: 54

Noes: 34

AYES

Mr Agnew, Mr Beggs, Mr D Bradley, Mr Byrne, Mr Cochrane-Watson, Mr Cree, Mr Dallat, Mrs Dobson, Mr Durkan, Mr Eastwood, Mr Flanagan, Mr Ford, Mr Gardiner, Ms Hanna, Mr Hazzard, Mrs D Kelly, Mr G Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lynch, Mr Lyttle, Mr McAleer, Mr McCallister, Mr F McCann, Ms J McCann, Mr McCarthy, Mr McCartney, Ms McCorley, Mr B McCrea, Mr McElduff, Ms McGahan, Mr McGimpsey, Mr McGlone, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr McMullan, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Mr Nesbitt, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Mrs Overend, Mr Rogers, Ms Ruane, Mr Sheehan, Mr Somerville, Ms Sugden.

Tellers for the Ayes: Mr Lunn, Mr McCarthy.

NOES

Mr Anderson, Mr Bell, Ms P Bradley, Mr Buchanan, Mrs Cameron, Mr Campbell, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr McQuillan, Mr Middleton, Lord Morrow, Mr Moutray, Mrs Pengelly, Mr Poots, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr McQuillan, Mr G Robinson.

The following Member voted in both Lobbies and is therefore not counted in the result: Mr Allister.

Children's Services Co-operation Bill

Annotated Marshalled List of Amendments

Further Consideration Stage

Monday 19 October 2015

Amendments tabled up to 9.30am Wednesday, 14 October 2015 and selected for debate.

Amendment 1 [*Made*]

Clause 1, Page 1, Line 11

At end insert -

‘(h) living in a society in which equality of opportunity and good relations are promoted between persons who share a relevant characteristic and persons who do not share that characteristic.

(3) In this section “relevant characteristic” means a characteristic mentioned in any of paragraphs (a) to (d) of section 75(1) of the Northern Ireland Act 1998.’

Mr Chris Lyttle
Mr Stewart Dickson
Mr Trevor Lunn

Amendment 2 [*Made*]

Clause 5, Page 3, Line 40

Leave out ‘3 years’ and insert ‘18 months’

Mr Steven Agnew

Amendment 3 [*Made*]

New Clause

After clause 5 insert -

‘Programme for government

6.—(1) In preparing a programme for government, the Executive must take account of the most recent report published under section 5 of this Act.

(2) In this section “a programme for government” means a programme referred to in paragraph 20 of Strand One of the Belfast Agreement.’

Ms Megan Fearon

Amendment 4 [*Not Moved*]

Clause 6, Page 4, Line 12

At end insert -

‘(2) Before issuing guidance relating to section 4, the Office of the First Minister and deputy First Minister must consult the Department of Finance and Personnel.’

Mr Steven Agnew

Amendment 5 [*Made*]

New Clause

After clause 6 insert -

‘Regulations relating to section 4

7.—(1) The Department of Finance and Personnel may by regulations make provision for procedures to be followed by children’s authorities when exercising the powers conferred by section 4(2).

(2) Regulations under subsection (1) are subject to negative resolution and may include saving, transitional, transitory, supplementary or consequential provision.’

Minister of Finance and Personnel

Amendment 6 [*Made*]

Clause 7, Page 5, Line 5

After 'Article' insert '21(5),'

Mr Steven Agnew

Northern Ireland Assembly

Papers Presented to the Assembly on 14 October – 19 October 2015

1. Acts of the Northern Ireland Assembly
2. Bills of the Northern Ireland Assembly
The Scrap Metal Dealers Bill (NIA Bill 65/11-16).
3. Orders in Council
4. Publications Laid in the Northern Ireland Assembly
Charitable Donations and Bequests Annual Report to 31 March 2015 (DSD).
5. Assembly Reports
6. Statutory Rules
S.R. 2015/352 The Snares Order (Northern Ireland) 2015 (DOE).
S.R. 2015/355 The New Firefighters' Pension Scheme (Amendment) (No. 3) Order (Northern Ireland) 2015 (DHSSPS).
7. Written Ministerial Statements
8. Consultation Documents
Consultation on the Teachers' Pension Scheme (Consequential Provisions) (Amendment) Regulations (NI) 2015 (DE).
9. Departmental Publications
Independent Anti-Slavery Commissioners Strategic Plan for 2015 to 2017 (DOJ).
10. Agency Publications
11. Westminster Publications
12. Miscellaneous Publications

Northern Ireland Assembly

Tuesday 20 October 2015

The Assembly met at 10.30am, the Speaker in the Chair.

1. Personal Prayer or Meditation

Members observed two minutes' silence.

2. Committee Business

2.1 Consideration Stage – Public Services Ombudsperson Bill (NIA 47/11-16)

The Chairperson of the Committee for the Office of the First Minister and deputy First Minister, Mr Mike Nesbitt, moved the Consideration Stage of the Public Services Ombudsperson Bill.

One hundred and thirty one amendments were tabled to the Bill and selected for debate.

Clauses

After debate, Amendment 1 to Clause 1 was **made** on division (Division 1).

After debate, Amendment 2 to Clause 1 was **made** without division.

After debate, Amendment 3 to Clause 1 was **made** without division.

After debate, Amendment 4 to Clause 1 was **made** without division.

The question being put, it was **agreed** without division that Clause 1, as amended, stand part of the Bill.

After debate, Amendment 5 to Clause 2 was **made** without division.

The question being put, it was **agreed** without division that Clause 2, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 3 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 4 to 8 stand part of the Bill.

After debate, Amendment 6 to Clause 9 was **made** without division.

The question being put, it was **agreed** without division that Clause 9, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 10 and 11 stand part of the Bill.

Amendment 7 was not moved.

After debate, Amendment 8 to Clause 12 was **made** without division.

After debate, Amendment 9 to Clause 12 was **made** without division.

After debate, Amendment 10 to Clause 12 was **made** without division.

The question being put, it was **agreed** without division that Clause 12, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 13 stand part of the Bill.

After debate, Amendment 11 to Clause 14 was **made** without division.

The question being put, it was **agreed** without division that Clause 14, as amended, stand part of the Bill.

After debate, Amendment 12 to Clause 15 was **made** without division.

After debate, Amendment 13 to Clause 15 was **made** without division.

After debate, Amendment 14 to Clause 15 was **made** without division.

The question being put, it was **agreed** without division that Clause 15, as amended, stand part of the Bill.

After debate, Amendment 15 to Clause 16 was **made** without division.

After debate, Amendment 16 to Clause 16 was **made** without division.

After debate, Amendment 17 to Clause 16 was **made** without division.

The question being put, it was **agreed** without division that Clause 16, as amended, stand part of the Bill.

After debate, Amendment 18 to Clause 17 was **made** without division.

After debate, Amendment 19 to Clause 17 was **made** without division.

After debate, Amendment 20 to Clause 17 was **made** without division.

The question being put, it was **agreed** without division that Clause 17, as amended, stand part of the Bill.

After debate, Amendment 21 to Clause 18 was **made** without division.

As Amendment 21 was made, Amendment 22 was not called.

Amendment 23 was not moved.

After debate, Amendment 24 to Clause 18 was **made** without division.

The question being put, it was **agreed** without division that Clause 18, as amended, stand part of the Bill.

Amendment 25 was not moved.

The question being put, it was **agreed** without division that Clause 19 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 20 and 21 stand part of the Bill.

Amendment 26 was not moved.

The question being put, it was **agreed** without division that Clause 22 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 23 stand part of the Bill.

The sitting was suspended at 12.58pm.

The sitting resumed at 2.00pm, with the Deputy Speaker (Mr Beggs) in the Chair.

3. Question Time

3.1 Justice

Questions were put to, and answered by, the Minister of Justice, Mr David Ford.

3.2 Regional Development

The Speaker informed Members that, as the ministerial office was vacant, Questions to the Minister for Regional Development could not proceed.

4. Committee Business (cont'd)

4.1 Consideration Stage – Public Services Ombudsperson Bill (NIA 47/11-16) (cont'd)

Debate resumed.

After debate, Amendment 27 to Clause 24 was **made** without division.

After debate, Amendment 28 to Clause 24 was **made** without division.

The question being put, it was **agreed** without division that Clause 24, as amended, stand part of the Bill.

After debate, Amendment 29 to Clause 25 was **made** without division.

After debate, Amendment 30 to Clause 25 was **made** without division.

After debate, Amendment 31 to Clause 25 was **made** without division.

The question being put, it was **agreed** without division that Clause 25, as amended, stand part of the Bill.

After debate, Amendment 32 to Clause 26 was **made** without division.

After debate, Amendment 33 to Clause 26 was **made** without division.

The question being put, it was **agreed** without division that Clause 26, as amended, stand part of the Bill.

After debate, Amendment 34 to Clause 27 was **made** without division.

After debate, Amendment 35 to Clause 27 was **made** without division.

The question being put, it was **agreed** without division that Clause 27, as amended, stand part of the Bill.

After debate, Amendment 36 to Clause 28 was **made** without division.

The question being put, it was **agreed** without division that Clause 28, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 29 stand part of the Bill.

After debate, Amendment 37 to Clause 30 was **made** without division.

After debate, Amendment 38 to Clause 30 was **made** without division.

The question being put, it was **agreed** without division that Clause 30, as amended, stand part of the Bill.

After debate, Amendment 39 to Clause 31 was **made** without division.

After debate, Amendment 40 to Clause 31 was **made** without division.

After debate, Amendment 41 to Clause 31 was **made** without division.

The question being put, it was **agreed** without division that Clause 31, as amended, stand part of the Bill.

After debate, Amendment 42 to Clause 32 was **made** without division.

The question being put, it was **agreed** without division that Clause 32, as amended, stand part of the Bill.

After debate, Amendment 43 to Clause 33 was **made** without division.

The question being put, it was **agreed** without division that Clause 33, as amended, stand part of the Bill.

After debate, Amendment 44 inserting new Clause 34 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 45 inserting new Clause 35 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 46 inserting new Clause 36 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 47 inserting new Clause 37 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 48 inserting new Clause 38 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 49 inserting new Clause 39 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 50 inserting new Clause 40 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 51 inserting new Clause 41 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, Amendment 52 inserting new Clause 42 was **made** without division and it was **agreed** that the new Clause stand part of the Bill.

The question being put, it was **agreed** without division that Clause 34 stand part of the Bill.

After debate, Amendment 53 to Clause 35 was **made** without division.

After debate, Amendment 54 to Clause 35 was **negatived** without division.

The question being put, it was **agreed** without division that Clause 35, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 36 stand part of the Bill.

After debate, Amendment 55 to Clause 37 was **made** without division.

The question being put, it was **agreed** without division that Clause 37, as amended, stand part of the Bill.

After debate, Amendment 56 to Clause 38 was **made** without division.

The question being put, it was **agreed** without division that Clause 38, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 39 stand part of the Bill.

The question being put, it was **agreed** on division that Clause 40 stand part of the Bill (Division 2).

After debate, Amendment 57 to Clause 41 was **made** without division.

After debate, Amendment 58 to Clause 41 was **negatived** without division.

As Amendment 58 was not made, Amendment 59 was not called.

The question being put, it was **agreed** on division that Clause 41, as amended, stand part of the Bill (Division 3).

After debate, Amendment 60 to Clause 42 was **made** without division.

The question being put, it was **agreed** without division that Clause 42, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 43 to 46 stand part of the Bill.

After debate, Amendment 61 to Clause 47 was **made** without division.

The question being put, it was **agreed** without division that Clause 47, as amended, stand part of the Bill.

After debate, Amendment 62 to Clause 48 was **made** without division.

The question being put, it was **agreed** without division that Clause 48, as amended, stand part of the Bill.

After debate, Amendment 63 to Clause 49 was **made** without division.

The question being put, it was **agreed** without division that Clause 49, as amended, stand part of the Bill.

After debate, Amendment 64 to Clause 50 was **made** without division.

After debate, Amendment 65 to Clause 50 was **made** without division.

After debate, Amendment 66 to Clause 50 was **made** without division.

After debate, Amendment 67 to Clause 50 was **made** without division.

After debate, Amendment 68 to Clause 50 was **made** without division.

After debate, Amendment 69 to Clause 50 was **made** without division.

The question being put, it was **agreed** without division that Clause 50, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Clause 51 stand part of the Bill.

After debate, Amendment 70 inserting new Clause 52 was **made** without division and it was **agreed** that the new clause stand part of the Bill.

After debate, the question being put, it was **negatived** without division that Clause 52 stand part of the Bill.

The question being put, it was **agreed** without division that Clauses 53 and 54 stand part of the Bill.

After debate, Amendment 71 to Clause 55 was **made** without division.

After debate, Amendment 72 to Clause 55 was **made** without division.

After debate, Amendment 73 to Clause 55 was **made** without division.

After debate, Amendment 74 to Clause 55 was **made** without division.

After debate, Amendment 75 to Clause 55 was **made** without division.

The question being put, it was **agreed** without division that Clause 55, as amended, stand part of the Bill.

After debate, Amendment 76 to Clause 56 was **negatived** without division.

The question being put, it was **agreed** without division that Clause 56 stand part of the Bill.

The question being put, it was **agreed** without division that Clause 57 stand part of the Bill.

After debate, Amendment 77 to Schedule 1 was **made** without division.

After debate, Amendment 78 to Schedule 1 was **made** without division.

After debate, Amendment 79 to Schedule 1 was **made** without division.

After debate, Amendment 80 to Schedule 1 was **made** without division.

The question being put, it was **agreed** without division that Schedule 1, as amended, stand part of the Bill.

After debate, Amendments 81 to 91 to Schedule 2 were **made** without division.

After debate, Amendment 92 to Schedule 2 was **made** without division.

After debate, Amendments 93 to 100 to Schedule 2 were **made** without division.

The question being put, it was **agreed** without division that Schedule 2, as amended, stand part of the Bill.

After debate, Amendment 101 to Schedule 3 was **made** without division.

After debate, Amendment 102 to Schedule 3 was **made** without division.

After debate, Amendment 103 to Schedule 3 was **made** without division.

After debate, Amendment 104 to Schedule 3 was **made** without division.

After debate, Amendment 105 to Schedule 3 was **made** without division.

After debate, Amendment 106 to Schedule 3 was **made** without division.

After debate, Amendment 107 to Schedule 3 was **made** without division.

After debate, Amendment 108 to Schedule 3 was **made** without division.

The question being put, it was **agreed** without division that Schedule 3, as amended, stand part of the Bill.

After debate, Amendment 109 to Schedule 4 was **made** without division.

The question being put, it was **agreed** without division that Schedule 4, as amended, stand part of the Bill.

After debate, Amendment 110 to Schedule 5 was **made** without division.

After debate, Amendment 111 to Schedule 5 was **made** without division.

The question being put, it was **agreed** without division that Schedule 5, as amended, stand part of the Bill.

After debate, Amendment 112 to Schedule 6 was **made** without division.

Amendments 113 and 114 were not moved.

The question being put, it was **agreed** without division that Schedule 6, as amended, stand part of the Bill.

After debate, Amendment 115 to Schedule 7 was **made** without division.

After debate, Amendment 116 to Schedule 7 was **made** without division.

After debate, Amendment 117 to Schedule 7 was **made** without division.

After debate, Amendment 118 to Schedule 7 was **made** without division.

Amendment 119 was not moved.

After debate, Amendment 120 to Schedule 7 was **made** without division.

After debate, Amendments 121 to 123 to Schedule 7 were **made** without division.

After debate, Amendment 124 to Schedule 7 was **made** without division.

After debate, Amendment 125 to Schedule 7 was **made** without division.

After debate, Amendment 126 to Schedule 7 was **made** without division.

After debate, Amendment 127 to Schedule 7 was **made** without division.

After debate, Amendment 128 to Schedule 7 was **made** without division.

The question being put, it was **agreed** without division that Schedule 7, as amended, stand part of the Bill.

The question being put, it was **agreed** without division that Schedule 8 stand part of the Bill.

After debate, Amendment 129 to Schedule 9 was **made** without division.

The question being put, it was **agreed** without division that Schedule 9, as amended, stand part of the Bill.

After debate, Amendments 130 and 131 to the Long Title were **made** without division.

The question being put, it was **agreed** without division that the Long Title, as amended, stand part of the Bill.

The Public Services Ombudsperson Bill (NIA Bill 47/11-16) stood referred to the Speaker.

5. Private Members' Business

5.1 Second Stage – Rates (Relief for Community Amateur Sports Clubs) Bill (NIA Bill 59/11-16)

A valid Petition of Concern was presented under Standing Order 28, on Monday 19 October 2015 in relation to the Motion (Appendix 1).

Mr Daithí McKay moved the Second Stage of the Rates (Relief for Community Amateur Sports Clubs) Bill (NIA Bill 59/11-16).

Debate ensued.

The Speaker took the Chair.

The Deputy Speaker (Mr Dallat) took the Chair.

The Rates (Relief for Community Amateur Sports Clubs) Bill (NIA Bill 59/11-16) **fell** (Division 4).

The Speaker took the Chair.

6. Speaker's Business

6.1 Functions of the First Minister

The Speaker informed Members that, with effect from 20 October 2015, the Minister of Finance and Personnel was no longer designated to exercise the functions of the office of the First Minister.

6.2 Ministerial Appointments

The Speaker informed Members that, on 20 October 2015, Mr Jonathan Bell had taken up the office of Minister of Enterprise, Trade and Investment, Mr Simon Hamilton had taken up the office of Minister of Health, Social Services and Public Safety, Miss Michelle McIlveen had taken up the office of Minister for Regional Development, and that Mr Mervyn Storey had taken up the office of Minister for Social Development.

The Speaker confirmed that the Members affirmed the terms of the Pledge of Office as set out in Schedule 4 to the Northern Ireland Act 1998 and confirmed the appointments.

7. Adjournment

Mr Chris Hazzard spoke to his topic regarding the environmental health of South Down beaches.

Proposed:

That the Assembly do now adjourn.

The Speaker

The Assembly adjourned at 7.31pm.

Mr Mitchel McLaughlin

The Speaker

20 October 2015

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 Monday 20 October 2015 in relation to the Second Stage of the Rates (Relief for Community Amateur Sports Clubs) Bill (NIA Bill 59/11-16).

- Mr Sydney Anderson
- Mr Jonathan Bell
- Ms Paula Bradley
- Mr Thomas Buchanan
- Mrs Pam Cameron
- Mr Gregory Campbell
- Mr Trevor Clarke
- Mr Jonathan Craig
- Mr Sammy Douglas
- Mr Gordon Dunne
- Mr Alex Easton
- Mrs Arlene Foster
- Mr Paul Frew
- Mr Paul Girvan
- Mr Paul Givan
- Mrs Brenda Hale
- Mr Simon Hamilton
- Mr David Hilditch
- Mr William Humphrey
- Mr William Irwin
- Mr Nelson McCausland
- Mr Ian McCrea
- Mr David McIlveen
- Miss Michelle McIlveen
- Mr Adrian McQuillan
- Mr Gary Middleton
- The Lord Morrow
- Mr Stephen Moutray
- Mr Robin Newton
- Mr Edwin Poots
- Mr George Robinson
- Mr Alastair Ross
- Mrs Emma Pengelly
- Mr Mervyn Storey
- Mr Peter Weir
- Mr Jim Wells
- Mr Gordon Lyons

Northern Ireland Assembly

20 October 2015
Division 1

Consideration Stage – Public Services Ombudsperson Bill (NIA 47/11-16) (Amendment 1)

The Question was put and the Assembly divided.

Ayes: 55

Noes: 25

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr D Bradley, Ms P Bradley, Mr Byrne, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Cochrane-Watson, Mr Dallat, Mrs Dobson, Mr Dunne, Mr Easton, Mr Eastwood, Mr Ford, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lunn, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr I McCrea, Mr McGimpsey, Mr McGlone, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr A Maginness, Mr Middleton, Lord Morrow, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr Rogers, Mr Ross, Mr Somerville, Ms Sugden, Mr Weir.

Tellers for the Ayes: Mr D McIlveen, Mr Nesbitt.

NOES

Ms Boyle, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Mr McCartney, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr Ó Muilleoir, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Ms J McCann, Ms Ruane.

The amendment was **made**.

Northern Ireland Assembly

20 October 2015
Division 2

Consideration Stage – Public Services Ombudsperson Bill (NIA 47/11-16) (Clause 40)

The Question was put and the Assembly divided.

Ayes: 58

Noes: 24

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mr Ford, Mrs Foster, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Ms Hanna, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lyons, Mr Lyttle, Mr McCallister, Mr McCarthy, Mr McCausland, Mr B McCrea, Mr I McCrea, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr A Maginness, Mr Middleton, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Somerville, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Moutray, Mr Nesbitt.

NOES

Ms Boyle, 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, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Ms McGahan, Ms Ruane.

It was **agreed** that Clause 40 stand part of the Bill.

Northern Ireland Assembly

20 October 2015
Division 3

Consideration Stage – Public Services Ombudsperson Bill (NIA 47/11-16) (Clause 41, as amended)

The Question was put and the Assembly divided.

Ayes: 55

Noes: 24

AYES

Mr Agnew, Mr Allen, Mr Allister, Mr Anderson, Mr Attwood, Mr Bell, Mr D Bradley, Ms P Bradley, Mrs Cameron, Mr Clarke, Mrs Cochrane, Mr Craig, Mr Dallat, Mrs Dobson, Mr Douglas, Mr Dunne, Mr Easton, Mr Eastwood, Mrs Foster, Mr Frew, Mr Gardiner, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mrs D Kelly, Mr Kennedy, Ms Lo, Mr Lyons, Mr Lyttle, Mr McCarthy, Mr McCausland, Mr I McCreagh, Mr McGimpsey, Mr D McIlveen, Miss M McIlveen, Mr McKinney, Mr A Maginness, Mr Middleton, Mr Moutray, Mr Nesbitt, Mr Newton, Mrs Overend, Mrs Pengelly, Mr Ramsey, Mr G Robinson, Mr Rogers, Mr Ross, Mr Somerville, Mr Storey, Ms Sugden, Mr Weir, Mr Wells.

Tellers for the Ayes: Mr Moutray, Mr Nesbitt.

NOES

Ms Boyle, Mr Flanagan, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms J McCann, Ms McCorley, Mr McElduff, Ms McGahan, Mr M McGuinness, Mr McKay, Ms Maeve McLaughlin, Mr McMullan, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mrs O'Neill, Ms Ruane, Mr Sheehan.

Tellers for the Noes: Ms McGahan, Mr Milne.

It was **agreed** that Clause 41, as amended, stand part of the Bill.

Northern Ireland Assembly

20 October 2015
Division 4

Second Stage – Rates (Relief for Community Amateur Sports Clubs) Bill (NIA Bill 59/11-16)

Mr D McKay

The Question was put and the Assembly divided.

Ayes: 41

Noes: 31

AYES

Nationalist:

Mr Attwood, Ms Boyle, Mr D Bradley, Mr Eastwood, Mr Flanagan, Ms Hanna, Mr Hazzard, Mr G Kelly, Mr Lynch, Mr McAleer, Mr F McCann, Ms McCorley, Mr McElduff, Ms McGahan, Mr McKay, Mr McKinney, Ms Maeve McLaughlin, Mr A Maginness, Mr Maskey, Mr Milne, Mr Murphy, Ms Ní Chuilín, Mr Ó hOisín, Mr O'Dowd, Mr Ramsey, Mr Rogers, Ms Ruane, Mr Sheehan.

Unionist:

Mr Allen, Mrs Dobson, Mr Kennedy, Mr McCallister, Mr B McCrea, Mr Nesbitt, Mr Somerville, Ms Sugden.

Other:

Mr Agnew, Mrs Cochrane, Ms Lo, Mr Lunn, Mr Lyttle.

Tellers for the Ayes: Mr McKay, Mr Ó hOisín.

NOES

Unionist:

Mr Anderson, Mr Bell, Ms P Bradley, Mrs Cameron, Mr Clarke, Mr Craig, Mr Douglas, Mr Dunne, Mr Easton, Mrs Foster, Mr Frew, Mr Girvan, Mr Givan, Mr Hamilton, Mr Hilditch, Mr Humphrey, Mr Irwin, Mr Lyons, Mr McCausland, Mr I McCrea, Mr D McIlveen, Miss M McIlveen, Mr Middleton, Mr Moutray, Mr Newton, Mrs Pengelly, Mr G Robinson, Mr Ross, Mr Storey, Mr Weir, Mr Wells.

Tellers for the Noes: Mr D McIlveen, Mr G Robinson.

Total votes	72	Total Ayes	41	[56.9%]
Nationalist Vote	28	Nationalist Ayes	28	[100%]
Unionist Votes	39	Unionist Ayes	08	[20.5%]
Other Votes	05	Other Ayes	05	[100%]

The Motion was **negatived** on a cross-community vote.

Public Services Ombudsperson Bill

Marshalled List of Amendments

Consideration Stage

Tuesday 20 October 2015

Amendments tabled up to 9.30am Wednesday, 14 October 2015 and selected for debate.

The Bill will be considered in the following order-

Clauses, Schedules and Long Title.

Amendment 1 *[Made on division]*

Clause 1, Page 1, Line 4

Leave out 'Ombudsperson' and insert 'Ombudsman'

Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill

Amendment 2 *[Made]*

Clause 1, Page 1, Line 4

After 'Ombudsperson' insert '(in this Act "the Ombudsperson")'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 3 *[Made]*

Clause 1, Page 1, Line 5

Leave out subsection (2)

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 4 *[Made]*

Clause 1, Page 1, Line 7

After 'investigate' insert 'alleged'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 5 *[Made]*

Clause 2, Page 2, Line 1

Leave out subsection (2) and insert -

'(2) But this is subject to—

- (a) the power of the Assembly Commission to determine the salary, pension and terms of appointment of the Ombudsperson under paragraphs 6, 7 and 8 of Schedule 1,
- (b) the power of the Assembly to request Her Majesty to remove the Ombudsperson from office under paragraph 9 of Schedule 1,
- (c) the power of the Department of Finance and Personnel to direct the form of accounts the Ombudsperson must prepare, under paragraph 7 of Schedule 2, or sections 9 to 13 of the Government Resources and Accounts Act (Northern Ireland) 2001.'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 6 *[Made]*

Clause 9, Page 4, Line 18

After 'publish' insert 'and have regard to'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 7 *[Not moved]*

Clause 12, Page 5, Line 5

Leave out 'First Minister and deputy First Minister acting jointly may' and insert 'Office of the First Minister and deputy First Minister may, with the concurrence of the Assembly Commission'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 8 [Made]**Clause 12**, Page 5, Line 27

At end insert -

'(b)its expenses are defrayed out of moneys appropriated by Act of Parliament,'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 9 [Made]****Clause 12**, Page 5, Line 31

Leave out 'First Minister and deputy First Minister acting jointly' and insert 'Office of the First Minister and deputy First Minister'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 10 [Made]****Clause 12**, Page 5, Line 33

Leave out 'they think' and insert 'it thinks'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 11 [Made]****Clause 14**, Page 6, Line 8

After 'taken' insert 'in the exercise of administrative functions'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 12 [Made]****Clause 15**, Page 6, Line 18

After 'taken' insert 'in the exercise of administrative functions'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 13 [Made]****Clause 15**, Page 6, Line 20

Leave out paragraph (b)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 14 [Made]****Clause 15**, Page 6, Line 22

After 'decision' insert 'of that body'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 15 [Made]****Clause 16**, Page 6, Line 29

After 'taken' insert 'in the exercise of administrative functions'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 16 [Made]****Clause 16**, Page 6, Line 31

After 'decision' insert 'of that body'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 17 [Made]****Clause 16**, Page 6, Line 32

Leave out 'clinical' and insert 'professional'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 18 [Made]****Clause 17**, Page 7, Line 10

After 'taken' insert 'in the exercise of administrative functions'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 19 [Made]**Clause 17**, Page 7, Line 13

Leave out paragraph (b)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 20 [Made]****Clause 17**, Page 7, Line 15

After 'decision' insert 'of that body'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 21 [Made]****Clause 18**, Page 7, Line 26

Leave out subsection (2) and insert -

'(2) The Ombudsperson may investigate alleged maladministration through action taken by a university in the exercise of administrative functions, in respect of students enrolled in courses validated by the university.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 22 [Not called]****Clause 18**, Page 7, Line 27

Leave out 'in respect of students'

*Mr Jim Allister***Amendment 23 [Not moved]****Clause 18**, Page 7, Line 28

Leave out subsection (3)

*Mr Jim Allister***Amendment 24 [Made]****Clause 18**, Page 7, Line 37

At end insert -

'(7) In this Act, references to a university include references to a constituent college, school or hall or other institution of a university.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 25 [Not moved]****Clause 19**, Page 8, Line 10

Leave out 'First Minister and deputy First Minister acting jointly may' and insert 'Office of the First Minister and deputy First Minister may, with the concurrence of the Assembly Commission'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 26 [Not moved]****Clause 22**, Page 9, Line 7

After 'may' insert ', with the concurrence of the Office of the First Minister and deputy First Minister'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 27 [Made]****Clause 24**, Page 9, Line 22

Leave out 'complaints procedure' and insert 'complaints handling procedure'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 28 [Made]****Clause 24**, Page 9, Line 24

Leave out 'it is reasonable to do so in the circumstances' and insert 'there are special circumstances which make it proper to do so'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 29 [Made]****Clause 25**, Page 9, Line 26

Leave out 'complaints procedure' and insert 'complaints handling procedure'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 30 [Made]**Clause 25**, Page 9, Line 28

Leave out 'complaints procedure' and insert 'complaints handling procedure'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 31 [Made]****Clause 25**, Page 9, Line 30

Leave out 'complaints procedure' and insert 'complaints handling procedure'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 32 [Made]****Clause 26**, Page 10, Line 2

Leave out 'complaints procedure' and insert 'complaints handling procedure'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 33 [Made]****Clause 26**, Page 10, Line 5

Leave out 'complaints procedure' and insert 'complaints handling procedure'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 34 [Made]****Clause 27**, Page 10

Leave out subsections (1) and (2)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 35 [Made]****Clause 27**, Page 10, Line 22

Leave out 'complaints procedure' and insert 'complaints handling procedure'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 36 [Made]****Clause 28**, Page 10, Line 35

Leave out 'it is reasonable to do so' and insert 'there are special circumstances which make it proper to do so'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 37 [Made]****Clause 30**, Page 11, Line 36

Leave out 'furnishes' and insert 'provides'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 38 [Made]****Clause 30**, Page 12, Line 1

Leave out 'furnishing' and insert 'providing'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 39 [Made]****Clause 31**, Page 12, Line 12

Leave out 'supply' and insert 'provide'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 40 [Made]****Clause 31**, Page 12, Line 16

Leave out 'supply' and insert 'provide'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 41 [Made]****Clause 31**, Page 12, Line 24

Leave out 'supply' and insert 'provide'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 42 [Made]**Clause 32**, Page 12, Line 38

Leave out 'supply' and insert 'provide'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 43 [Made]****Clause 33**, Page 13, Line 6

Leave out 'officer' and insert 'member of staff'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 44 [Made]****New Clause**

After clause 33 insert -

'PART 3**COMPLAINTS HANDLING PROCEDURE****Meaning of complaints handling procedure****34.—**(1) In this Act "complaints handling procedure" is the procedure of a listed authority for—

- (a) examining complaints, or
- (b) reviewing decisions,

in respect of matters which the Ombudsperson may investigate.

(2) But for the purposes of this Act, the following do not form part of a complaints handling procedure—

- (a) a right of appeal, complaint, reference or review to or before a tribunal constituted under any statutory provision or by virtue of Her Majesty's prerogative,
- (b) a remedy by way of proceedings in a court of law.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 45 [Made]****New Clause**

After clause 33 insert -

'Statement of principles**35.—**(1) The Ombudsperson must publish a statement of principles concerning complaints handling procedures of listed authorities.

(2) The first statement of principles is not to be published unless a draft of the statement has been laid before, and approved by a resolution of, the Assembly.

(3) Before laying a draft statement of principles before the Assembly, the Ombudsperson must consult—

- (a) Ministers of Northern Ireland departments, and
- (b) such listed authorities and other persons as the Ombudsperson thinks fit.

(4) The Ombudsperson must, in preparing the draft statement of principles, have regard to any representations made during the consultation.

(5) The statement of principles comes into force when it is published by the Ombudsperson.

(6) The Ombudsperson may from time to time revise and re-publish the statement of principles.

(7) Where the Ombudsperson considers that any revision of the statement of principles is material, subsections (2) to (5) apply to that statement of principles as they do to the first statement of principles.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 46 [Made]****New Clause**

After clause 33 insert -

'Obligation for listed authority to have complaints handling procedure**36.—**(1) A listed authority must ensure—

- (a) it has a complaints handling procedure in respect of action taken by the listed authority, and
- (b) any such procedure complies with the statement of principles.

(2) A listed authority which is responsible for a complaints handling procedure—

- (a) in relation to, or
- (b) operated by,

another listed authority, must ensure the procedure complies with the statement of principles.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 47 [Made]

New Clause

After clause 33 insert -

‘Model complaints handling procedures

37.—(1) The Ombudsperson may publish model complaints handling procedures (referred to in this Act as “model CHP”) for listed authorities.

(2) A model CHP must comply with the statement of principles.

(3) The Ombudsperson may publish different model CHPs for different purposes.

(4) Before publishing a model CHP the Ombudsperson must consult such listed authorities and other persons as the Ombudsperson thinks fit.

(5) The Ombudsperson may from time to time revise and re-publish any model CHP; and in doing so, subsection (4) applies.

(6) Where a model CHP is revised and re-published, section [*Obligation for listed authority to comply with model CHPs: Amendment 48*] has effect with the following modifications—

(a) any specification under section [*Obligation for listed authority to comply with model CHPs: Amendment 48*](1) in relation to the model CHP continues in effect as a specification in relation to the revised and re-published model CHP,

(b) any other reference to a model CHP is to the model CHP as revised and re-published,

(c) section [*Obligation for listed authority to comply with model CHPs: Amendment 48*](2)(b) is omitted.

(7) The Ombudsperson may withdraw any model CHP at any time; and any specification under section [*Obligation for listed authority to comply with model CHPs: Amendment 48*](1) in relation to the model CHP ceases to have effect upon that withdrawal.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 48 [Made]

New Clause

After clause 33 insert -

‘Obligation for listed authority to comply with model CHPs

38.—(1) The Ombudsperson may specify a listed authority to which a model CHP is relevant, and must notify the authority accordingly.

(2) Where subsection (1) applies—

(a) the listed authority must ensure that there is a complaints handling procedure which complies with the model CHP,

(b) the authority must submit a description of the complaints handling procedure, having taken account of the relevant model CHP, within 6 months of the specification.

(3) A listed authority may, with the consent of the Ombudsperson, modify the application of the model CHP which is relevant to it, but only to the extent that is necessary for the effective operation of the procedure by the authority.

(4) The Ombudsperson may revoke a specification at any time.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 49 [Made]

New Clause

After clause 33 insert -

‘Declaration of non-compliance of complaints handling procedure

39.—(1) The Ombudsperson may make a declaration of non-compliance in relation to a complaints handling procedure if subsection (2) or (3) applies.

(2) This subsection applies where the Ombudsperson—

(a) has specified that a model CHP is relevant to a listed authority, and

(b) is of the opinion that a listed authority’s complaints handling procedure does not comply with the model CHP.

(3) This subsection applies where the Ombudsperson—

(a) has not specified that a model CHP is relevant to a listed authority, and

(b) is of the opinion that a listed authority’s complaints handling procedure does not comply with the statement of principles.

(4) Where a declaration is made, the Ombudsperson—

- (a) must give reasons in writing,
- (b) may specify such modifications to the complaints handling procedure as would result in the declaration being withdrawn.

(5) Where a declaration is made, the listed authority must submit a description of its complaints handling procedure to the Ombudsperson, having taken account of the reasons given under subsection (4)(a) and any modifications specified under (4)(b), within 2 months of the declaration.

- (6) The Ombudsperson may withdraw a declaration at any time if the Ombudsperson thinks fit.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 50 [Made]

New Clause

After clause 33 insert -

‘Submission of description of complaints handling procedure: general

40.—(1) A listed authority must submit a description of its complaints handling procedure to the Ombudsperson if the Ombudsperson so directs.

- (2) The description must be submitted within three months of being so directed, or such other period as the Ombudsperson may direct.

(3) Sections [*Obligation for listed authority to comply with model CHPs: Amendment 48*](2)(b) and [*Declaration of non-compliance of complaints handling procedure: Amendment 49*](5) are subject to any direction given under this section.

(4) Where a listed authority has submitted a description of its complaints handling procedure to the Ombudsperson under this Act or otherwise, the authority must provide such additional information in relation to that procedure as the Ombudsperson may reasonably request.

- (5) The additional information must be provided within such period as the Ombudsperson directs.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 51 [Made]

New Clause

After clause 33 insert -

‘Application of other enactments

41. The duties in sections [*Obligation for listed authority to have complaints handling procedure: Amendment 46*] and [*Obligation for listed authority to comply with model CHPs: Amendment 48*](2)(a) do not apply to the extent that—

- (a) the listed authority lacks necessary powers (other than by virtue of this Act) to ensure compliance with the duties, or
- (b) the duties are inconsistent with any other statutory provision.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 52 [Made]

New Clause

After clause 33 insert -

‘Promotion of best practice etc.

42.—(1) The Ombudsperson must—

- (a) monitor practice and identify any trends in practice as respects the way in which listed authorities handle complaints,
- (b) promote best practice in relation to such complaints handling,
- (c) encourage co-operation and the sharing of best practice among listed authorities in relation to complaints handling.

(2) A listed authority must co-operate with the Ombudsperson in the exercise of the function in subsection (1).

(3) The duty in subsection (2) does not apply to the extent that—

- (a) the listed authority lacks the necessary powers (other than by virtue of this Act) to ensure compliance with the duty, or
- (b) the duty is inconsistent with any other statutory provision.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 53 [Made]

Clause 35, Page 14, Line 5

Leave out subsection (1) and insert -

‘(1) This section—

- (a) applies where the Ombudsperson proposes to publish a report of a type referred to in section 34(1), but
- (b) does not apply in respect of an investigation conducted under section 8.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 54 [Negatived]**Clause 35**, Page 14

Leave out subsections (1) to (4) and insert -

‘(1) The Ombudsperson shall publish all reports of a type referred to in section 34(1) on the public website of the Ombudsperson, with personal details redacted upon the request of any person affected, unless the Ombudsperson believes it would not be in the public interest to publish the report.’

*Mr Jim Allister***Amendment 55 [Made]****Clause 37**, Page 14, Line 24

After ‘investigation’ insert ‘(other than one under section 8)’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 56 [Made]****Clause 38**, Page 14, Line 35

Leave out ‘in accordance with section 32(2)’ and insert ‘under section 31(1) by virtue of section 32(2)’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 57 [Made]****Clause 41**, Page 16, Line 26

After ‘give’ insert ‘written’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 58 [Negatived]****Clause 41**, Page 17, Line 1

Leave out ‘the Secretary of State’ and insert ‘each of the office holders named in section 41(2)’

*Mr Jim Allister***Amendment 59 [Not called]****Clause 41**, Page 17, Line 4

Leave out subsection (5) and insert -

‘(5) The Ombudsperson must lay before the Assembly copies of all such memoranda and any revisions to them.’

*Mr Jim Allister***Amendment 60 [Made]****Clause 42**, Page 17, Line 38

At end insert -

- ‘(i) a local government auditor within the meaning of Article 4 of the Local Government (Northern Ireland) Order 2005,
- (j) the Comptroller and Auditor General, and
- (k) the Health and Social Care Regulation and Quality Improvement Authority under the Health and Social Care (Reform) Act (Northern Ireland) 2009.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 61 [Made]****Clause 47**, Page 19, Line 27

Leave out ‘in accordance with section 32(2)’ and insert ‘under section 31(1) by virtue of section 32(2)’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 62 [Made]****Clause 48**, Page 19, Line 35

Leave out ‘or an officer of the Ombudsperson’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 63 [Made]**Clause 49**, Page 20, Line 11

At end insert -

‘(3) The person holding office as Northern Ireland Judicial Appointments Ombudsman immediately before the coming into operation of this section ceases to hold that office upon the coming into operation of this section.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 64 [Made]**Clause 50**, Page 20, Line 15

At end insert -

“action taken by a listed authority” has the meaning given in section 13,’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 65 [Made]**Clause 50**, Page 20, Line 16

At end insert -

“complaints handling procedure” has the meaning given in section [Meaning of complaints handling procedure: Amendment 44],’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 66 [Made]**Clause 50**, Page 20

Leave out lines 34 to 38 and insert -

- ‘(a) Minister of a Northern Ireland department, and
- (b) junior Minister,’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 67 [Made]**Clause 50**, Page 20, Line 38

At end insert -

“model CHP” has the meaning given in section [Model complaints handling procedures: Amendment 47],’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 68 [Made]**Clause 50**, Page 20, Line 38

At end insert -

“Northern Ireland Minister” has the same meaning as in the Northern Ireland Act 1998,’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 69 [Made]**Clause 50**, Page 21, Line 1

At end insert -

“statement of principles” has the meaning given in section [Statement of principles: Amendment 45],’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 70 [Made]**New Clause**

After clause 51 insert -

‘Orders

52.—(1) No order to which subsection (2) applies is to be made unless a draft of the order has been laid before, and approved by resolution of, the Assembly.

(2) This subsection applies to an order under section 12(2), 19(3), 22(2) or 51.

(3) Orders under paragraph 6(1) of Schedule 1 are subject to negative resolution.

(4) Orders mentioned in this section may contain such incidental, consequential, supplementary, transitional and savings provisions as appear to the authority making them to be necessary or expedient.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Clause 52 [*Question that clause 52 stand part was negatived*]

The Chair, Committee for the Office of the First Minister and deputy First Minister gives notice of his intention to oppose the question that clause 52 stand part of the Bill.

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 71 [*Made*]

Clause 55, Page 21, Line 31

At end insert -

‘(a)section [*Meaning of complaints handling procedure: Amendment 44*],’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 72 [*Made*]

Clause 55, Page 22, Line 2

Leave out ‘paragraph 11’ and insert ‘paragraphs 5(2) and 11’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 73 [*Made*]

Clause 55, Page 22, Line 3

At end insert -

‘(a)section 14(2)(d),’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 74 [*Made*]

Clause 55, Page 22, Line 23

At end insert -

‘(c)section 11(c),
(d) section 29,
(e) section 30(4),
(f) section 36,
(g) section 37(3).’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 75 [*Made*]

Clause 55, Page 22, Line 23

At end insert -

‘(7) Part 3 (other than section [*Meaning of complaints handling procedure: Amendment 44*]) comes into operation on such day as the Assembly Commission may by order appoint.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 76 [*Negatived*]

Clause 56, Page 22, Line 25

Leave out ‘Ombudsperson’ and insert ‘Ombudsman’

Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill

Amendment 77 [*Made*]

Schedule 1, Page 23, Line 5

At end insert -

‘1.—(1) The person for the time being holding the office of the Northern Ireland Public Services Ombudsperson is by that name a corporation sole.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 78 [Made]**Schedule 1**, Page 24, Line 40

Leave out sub-paragraph (4) and insert -

‘(4) But—

- (a) a person is not disqualified from being appointed as Ombudsperson by virtue of being the Northern Ireland Judicial Appointments Ombudsman,
- (b) the Ombudsperson is not prevented from being appointed as the Northern Ireland Judicial Appointments Ombudsman.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 79 [Made]****Schedule 1**, Page 27, Line 4

At end insert -

‘Delegation of functions

14.—(1) Any function of the Ombudsperson may be performed by any member of staff of the Ombudsperson authorised by the Ombudsperson for that purpose.

(2) Any function of the Ombudsperson may be performed by any other person authorised by the Ombudsperson for that purpose if—

- (a) that other person is suitably qualified to do so, and
- (b) there are special circumstances which make it proper to do so.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 80 [Made]****Schedule 1**, Page 27, Line 19

Leave out sub-paragraph (5)

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 81 [Made]****Schedule 2**, Page 28, Line 40

Leave out ‘appointed’ and insert ‘transfer’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 82 [Made]****Schedule 2**, Page 29, Line 4

Leave out ‘appointed’ and insert ‘transfer’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 83 [Made]****Schedule 2**, Page 29, Line 11

Leave out ‘appointed’ and insert ‘transfer’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 84 [Made]****Schedule 2**, Page 29, Line 12

Leave out ‘appointed’ and insert ‘transfer’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 85 [Made]****Schedule 2**, Page 29, Line 13

Leave out ‘appointed’ and insert ‘transfer’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 86 [Made]****Schedule 2**, Page 29, Line 19

Leave out ‘appointed’ and insert ‘transfer’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 87 [Made]**Schedule 2**, Page 29, Line 22

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 88 [Made]****Schedule 2**, Page 29, Line 24

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 89 [Made]****Schedule 2**, Page 30, Line 16

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 90 [Made]****Schedule 2**, Page 30, Line 21

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 91 [Made]****Schedule 2**, Page 30, Line 36

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 92 [Made]****Schedule 2**, Page 31, Line 3

Leave out sub-paragraph (2) and insert -

'(2) Accordingly, Article 4(4) to (6) of, and Schedule 1 to, the Commissioner for Complaints (Northern Ireland) Order 1996, or, as the case may be, Article 5(4) to (6) of, and Schedule 1 to, the Ombudsman (Northern Ireland) Order 1996 continue to have effect with respect to such persons.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 93 [Made]****Schedule 2**, Page 31, Line 7

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 94 [Made]****Schedule 2**, Page 31, Line 10

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 95 [Made]****Schedule 2**, Page 31, Line 31

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 96 [Made]****Schedule 2**, Page 31, Line 31

Leave out 'but' and insert 'and'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 97 [Made]****Schedule 2**, Page 31, Line 32

Leave out 'no complaint was' and insert 'a complaint could have been, but was not'

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 98 [Made]**Schedule 2**, Page 31, Line 33

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 99 [Made]****Schedule 2**, Page 31, Line 34

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 100 [Made]****Schedule 2**, Page 32, Line 1

Leave out 'appointed' and insert 'transfer'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 101 [Made]****Schedule 3**, Page 32

Leave out lines 9 to 21 and insert -

'Northern Ireland Departments

A Northern Ireland department'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 102 [Made]****Schedule 3**, Page 32, Line 29

Leave out 'A' and insert 'The board of governors of a'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 103 [Made]****Schedule 3**, Page 32, Line 31

At end insert -

'The General Teaching Council for Northern Ireland'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 104 [Made]****Schedule 3**, Page 33, Line 10

At end insert -

'The Police Rehabilitation and Retraining Trust'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 105 [Made]****Schedule 3**, Page 33

Leave out lines 30 to 32

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 106 [Made]****Schedule 3**, Page 34, Line 26

At end insert -

'The Health and Safety Executive for Northern Ireland'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 107 [Made]****Schedule 3**, Page 34

Leave out line 32

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 108 *[Made]***Schedule 3**, Page 35

Leave out lines 2 and 3

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 109** *[Made]***Schedule 4**, Page 35, Line 30

Leave out 'Article 110 of the Planning (Northern Ireland) Order 1991' and insert 'section 203 of the Planning Act (Northern Ireland) 2011'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 110** *[Made]***Schedule 5**, Page 36, Line 17

Leave out paragraph 3

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 111** *[Made]***Schedule 5**, Page 36, Line 31

Leave out sub-paragraph (2) and insert -

'(2) But the Ombudsperson may investigate that action, notwithstanding any limitation of time imposed by section 26, if conditions 1 and 2 are satisfied.

(3) Condition 1 is that—

- (a) the Attorney General has decided not to proceed with an investigation,
- (b) the Attorney General has decided not to institute proceedings, or
- (c) there has been a final determination of those proceedings.

(4) Condition 2 is that—

- (a) a person aggrieved complains that the action resulted in the person aggrieved sustaining injustice in consequence of maladministration,
- (b) that injustice has not been remedied, and
- (c) the Ombudsperson is satisfied that there are reasonable grounds for that complaint.'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 112** *[Made]***Schedule 6**, Page 39, Line 27

At end insert -

'9. Omit paragraph 13 (financial provisions and directions).'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 113** *[Not moved]***Schedule 6**, Page 39, Line 33

After 'Assembly' insert 'Commission'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 114** *[Not moved]***Schedule 6**, Page 39, Line 36

After "'Assembly' insert 'Commission'

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 115** *[Made]***Schedule 7**, Page 40, Line 7

Leave out paragraph 2

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 116 [Made]**Schedule 7**, Page 40, Line 19

At end insert -

‘3. After section 56 insert—

*“Adjudication hearings***Adjudication hearings**

56A.—(1) Where the Commissioner proposes to make an adjudication under section 55(5)(c), the Commissioner may first hold an adjudication hearing.

(2) The adjudication hearing must be held in public save to the extent that the Commissioner determines that this would not be in the public interest.

(3) Subject to—

(a) subsection (2), and

(b) the provisions of the 2015 Act which apply to adjudication hearings by virtue of section 63,

the procedure for an adjudication hearing is to be such as the Commissioner considers appropriate in the circumstances of the case.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 117 [Made]****Schedule 7**, Page 40, Line 19

At end insert -

‘4. In section 59 (decision following report) after subsection (7) insert—

“(7A) Where the Commissioner censures a person under subsection (4), the Commissioner must give notice to the clerk of the council concerned—

(a) stating that the person has failed to comply with the code of conduct;

(b) specifying the details of that failure; and

(c) stating that the person is censured in the terms the Commissioner has decided.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 118 [Made]****Schedule 7**, Page 40, Line 19

At end insert -

‘5. In section 59(10)—

(a) in subsection (a) omit “and”;

(b) in subsection (b), at the end insert—

“and

(c) may be published elsewhere.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 119 [Not moved]****Schedule 7**, Page 40

Leave out line 22 and insert -

‘63.—(1) The provisions of the 2015 Act set out below have effect in relation to this Part as follows.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 120 [Made]****Schedule 7**, Page 40

Leave out line 22 and insert -

‘63.—(1) The provisions of the 2015 Act set out below have effect in relation to this Part as follows, and as if the references to the Ombudsperson in the 2015 Act were references to the Commissioner.’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 121*[Made]***Schedule 7**, Page 40, Line 34

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 122***[Made]***Schedule 7**, Page 40, Line 40

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 123***[Made]***Schedule 7**, Page 41, Line 4

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 124***[Made]***Schedule 7**, Page 41

Leave out lines 10 to 12 and insert -

‘(c)applies as if the reference in section 40(2)(e) to section 42 (consultation and co-operation with other ombudspersons) only applied in respect of the persons listed in section 42(4)(i) and (j) (local government auditor and Comptroller and Auditor General),

(d)applies as if the references to section 45 and 46 (court proceedings) were omitted.’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 125***[Made]***Schedule 7**, Page 41, Line 16

Leave out ‘Ombudsperson’ and insert ‘Commissioner’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 126***[Made]***Schedule 7**, Page 41

Leave out lines 18 and 19

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 127***[Made]***Schedule 7**, Page 41, Line 21

At end insert -

‘(9) The following provisions of the 2015 Act apply in relation to an adjudication hearing under section 56A as they apply in relation to an investigation under the 2015 Act—

(a)section 30(7)(b) of the 2015 Act (legal representation),

(b)section 30(8) of the 2015 Act (payments to persons giving evidence),

(c)section 31(3) of the 2015 Act (power to compel witnesses and require production of documents), and

(d)section 33 of the 2015 Act (obstruction and contempt) except for subsection (3).’

*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 128***[Made]***Schedule 7**, Page 41

Leave out line 27 and insert -

““the Commissioner” means the Ombudsperson (within the meaning of the 2015 Act) who is to be known, for the purposes of exercising functions under this Part, as the Northern Ireland Local Government Commissioner for Standards;”’

Chair, Committee for the Office of the First Minister and deputy First Minister

Amendment 129 *[Made]***Schedule 9**, Page 46, Line 40

At end insert -

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The Ombudsman and Commissioner for Complaints (Amendment) Act (Northern Ireland) 2015	The whole Act.
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*Chair, Committee for the Office of the First Minister and deputy First Minister***Amendment 130** *[Made]***Long Title**

Leave out first 'Ombudsperson' and insert 'Ombudsman'

*Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill***Amendment 131** *[Made]***Long Title**

Leave out second 'Ombudsperson' and insert 'Ombudsman'

Chair, Ad Hoc Committee on the Public Services Ombudsperson Bill

Northern Ireland Assembly

**Papers Presented to the Assembly on
20 October 2015**

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
Libraries NI Annual Report and Accounts 2014-2015 (DCAL).
5. Assembly Reports
6. Statutory Rules
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.

Stages in Consideration of Public Bills 21 October 2015

2011-2016 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	10.02.15 & 11.02.15	24.02.15	Bill fell at Final Stage on 26.05.15	
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	24.06.14	28.04.15	09.06.15	24.06.15	24.07.15
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	18.06.14	16.09.14	30.09.14	13.10.14	17.11.14
Work and Families Bill 34/11-15	28.04.14	12.05.14	30.11.14	08.10.14	11.11.14	24.11.14	02.12.14	08.01.15
Road Traffic (Amendment) Bill 35/11-15	12.05.14	27.05.14	27.03.15	19.03.15	29.06.15			
Budget (No.2) Bill 36/11-15	09.06.14	10.06.14	/	/	16.06.14	17.06.14	30.06.14	16.07.14
Justice Bill 37/11-15	16.06.14	24.06.14	27.03.15	25.03.15	02.06.15	16.06.15 & 22.06.15	30.06.15	24.07.15
Education Bill 38/11-16	06.10.14	14.10.14	/	/	21.10.14	11.11.14	17.11.14	11.12.14
Insolvency (Amendment) Bill 39/11-16	07.10.14	10.11.14	13.03.15	03.03.15	23.06.15	06.10.15		
Off Street Parking Bill 40/11-16	13.10.14	21.10.14	09.12.14	08.12.14	13.01.15	26.01.15	03.02.15	12.03.15
Food Hygiene (Ratings) Bill 41/11-16	03.11.14	11.11.14	08.05.15	29.04.15	29.06.15			
Pensions Bill 42/11-16	10.11.14	18.11.14	26.03.15	19.02.15	24.03.15	21.04.15	11.05.15	23.06.15
Regeneration Bill 43/11-16	08.12.14	20.01.15	28.05.15	28.05.15				

Title & NIA Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Budget Bill 45/11-16	09.02.15	16.02/15	/	/	17.02.15	23.02.15	24.02.15	12.03.15
Special Educational Needs and Disability Bill 46/11-16	02.03.15	10.03.15	13.11.15					
Mental Capacity Bill 49/11-16	08.06.15	16.06.15	28.01.16					
Legal Complaints and Regulation Bill 50/11-16	08.06.15	16.06.15	18.12.15					
Water and Sewerage Services Bill 51/11-16	16.06.15	29.06.15	25.11.15					
Health and Social Care (Control of Data Processing) Bill 52/11-16	16.06.15	29.06.15	20.11.15					
Budget (No. 2) Bill 53/11-16	16.06.15	24.06.15	/	/	24.06.15	29.06.15	30.06.15	24.07.15
Pensions Schemes Bill 54/11-16	22.06.15	30.06.15	/	/				
Environmental Better Regulation Bill 55/11-16	22.06.15	30.06.15	27.11.15					
Credit Unions and Co-operative and Community Benefit Societies Bill 56/11-16	23.06.15	06.01.15	24.11.15					
Justice (No. 2) Bill 57/11-16	30.06.15	08.09.15	15.01.16					
Housing (Amendment) Bill 58/11-16	30.06.15							
Houses in Multiple Occupation Bill 60/11-16	07.09.15							

**2011-2016 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	20.10.14	01.12.14	09.12.14	13.01.15
Road Traffic (Speed Limits) Bill 30/11-15	09.12.13	17.02.15	16.10.15					
Children's Services Co-operation Bill 44/11-16	08.12.14	26.01.15	03.07.15	02.07.15	29.09.15	19.10.15		
Public Services Ombudsperson Bill 47/11-16	20.04.15	11.05.15	30.09.15	29.09.15	20.10.15			
Ombudsman and Commissioner for Complaints (Amendment) Bill 48/11-16	27.04.15	11.05.15	/	/	01.06.15	08.06.15	09.06.15	20.07.15
Rates (Relief for Amateur Sports Clubs) Bill 59/11-16	30.06.15	Bill fell at Second Stage on 20.10.15						
Civil Service (Special Advisers) (Amendment) Bill 61/11-16	14.09.15	Bill fell at Second Stage on 13.10.15						
Assembly and Executive Reform (Assembly Opposition) Bill 62/11-16	22.09.15	12.10.15						

Title & Bill Number	First Stage	Second Stage	Comm. Stage to Conclude	Report Ordered to be Printed	CS	FCS	Final Stage	Royal Assent
Local Government (Numbers and Addresses in Townlands) Bill 63/11-16	12.10.15							
Human Transplantation Bill 64/11-16	13.10.15							
Scrap Metal Dealers Bill 65/11-16	19.10.15							

/ Bill progressing by accelerated passage

** Please note that any bills that received Royal Assent in the previous session have been removed from the table.

